

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

3RD OCTOBER, 1997
NO. 225 TO NO. 352

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QUESTIONS & ANSWERS

3rd October 1997

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ORAL

NO. 225 OF 1997

THE HON J J BOSSANO

INCOME TAX - PAYE

How much was collected in PAYE in the months of June, July and August respectively?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

I assume that the months referred to are for 1997. In 1997, the sum of £3,373,788 was collected in PAYE tax in the month of June; the sum of £4,868,917 in the month of July, and £3,630,234 in the month of August.

NO. 226 OF 1997THE HON J J BOSSANO**INCOME TAX - PAYE PAYABLE**

What was the amount of PAYE payable in the tax year 1996/97 by area of employment as follows:

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

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The total amount of PAYE payable in respect of the tax year 1996/97 was £39,759,876 analysed as follows:

	£
(a) MOD	4,331,850
(b) Gibraltar Government	13,316,782
(c) Government owned and joint venture companies	2,336,239
(d) Private sector employment	<u>19,775,005</u>
	<u>39,759,876</u>
	=====

SUPPLEMENTARY TO QUESTION NO. 226 OF 1997

HON J J BOSSANO:

I assume that the figure for the private sector employment, as was the case with the comparable question for the previous tax year, is based on the P8 returns that have been received to date. Can the Financial and Development Secretary indicate in fact whether there are still many that have not been returned which would alter that figure substantially of £19,775,005?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The figures I have just given are the P8 figures that have been able to be quantified and it does not include PAYE tax which we have not been able to quantify because of the non-submission of the P8 forms so there will be some that have not yet been submitted.

HON CHIEF MINISTER:

May I just add, I think that the information that the hon Member is now asking is the subject matter of Question No. 349 of 1997 in which he asks in respect of how many employees have P8s not yet been submitted. So he will be getting an answer to that later.

ORAL

NO. 227 OF 1997

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX PAYABLE

Can Government state what was the corporation tax payable on assessments raised for the tax year 1996/97 and how much has been collected to date?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The corporation tax payable on assessments raised to date for the tax year 1996/97 totals £10,737,194.

It should be borne in mind that the bulk of what is owed is based on estimated assessments and that, as and when corporate accounts are filed and examined, the amount will vary. It should also be noted that assessments have still to be raised in respect of a number of companies which are currently being examined. The sum collected to date is £5,248,296.

ORAL

NO. 228 OF 1997

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX ASSESSMENTS

Can Government state whether there has been any change to the total figure for assessments for corporation tax for the tax year 1995/96 since the estimated figure of £13,125,218 was provided?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The corporation tax payable on assessments raised for the tax year 1995/96 now totals £12,317,236.

SUPPLEMENTARY TO QUESTION NO. 228 OF 1997

HON J J BOSSANO:

Can the Financial and Development Secretary say what the figure now is for the actual amount collected which at the time of the previous answer was £7.8 million?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The amount that has been collected since we gave that previous answer is now £8.1 million.

NO. 229 OF 1997

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX ASSESSMENTS

Can Government state what was the figure for assessments for corporation tax raised for the tax year 1994/95 and how much tax has been paid to date?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The corporation tax assessments raised for the tax year 1994/95 totals £12,684,252. The sum of £10,033,623 has been collected to date.

SUPPLEMENTARY TO QUESTION NO. 229 OF 1997

HON J J BOSSANO:

Of the figure of £12,684,252, can the Government say whether an element of that is still capable of being disputed because they are estimates made without the company having submitted accounts and therefore is it possible that that figure of £12,684,252 could change?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes.

HON J J BOSSANO:

Can the Government give an indication of the level of the order, are we talking about £1 million or £500,000 or less than that?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I do not have that information to hand. The Income Tax Office are currently examining all the outstanding estimated assessments to try and establish what should be discharged and what could be in respect of profits actually made and therefore recoverable but I do not have the figure to hand.

HON CHIEF MINISTER:

Although the Financial and Development Secretary is right in saying that even the figure that he has given is still capable of including assessments that may have to be discharged, but the figure that he has given is net of a large amount of discharged assessments. In other words, it is not the whole of the grey area that might need to be removed from there; the gross amount of assessments for that period was actually £18,784,000 of which just over £6 million have already been discharged. So the figure of £12,684,000 is already net of £6 million worth of

discharges. So whilst there may still be some amount to be discharged it will be the residual amount not the main amount of discharges which are frequent and regular and happen every year because of the way assessments are raised. I hope the hon Member will find that useful.

HON J J BOSSANO:

Are there still companies in respect of which an assessment for 1994/95 has not been made?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Not as far as I am aware. I think an assessment has been done now for all 1994/95 accounts of companies.

ORAL

NO. 230 OF 1997

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state what is the latest figure in respect of corporation tax paid on assessments raised for the tax year 1995/96?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The sum of £8,103,043 has been collected to date in respect of corporation tax on assessments raised for the tax year 1995/96.

NO. 231 OF 1997THE HON J J BOSSANO**I&D FUND - ESTIMATED EXPENDITURE**

What is the estimated expenditure of the Improvement and Development Fund by Head of Expenditure in June, July and August this year?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

I am able to provide the expenditure of the Improvement and Development Fund by Head of Expenditure for June and July of this year. The August 1997 input from departments is in the process of being posted by the Treasury and, therefore, the figures for that month are not yet available.

With the hon Member's agreement I will just read the total for both the two months rather than each month, by Head.

<u>Head</u>	<u>Total</u>
	£
101 - Housing	9,629
102 - Schools, Youth & Cultural Facilities	323,303
103 - Tourism & Transport	93,891
104 - Infrastructure & General Capital Works	231,367
105 - Electricity	2,272
106 - Industry & Development	<u>265,201</u>
	<u>925,663</u>

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

SUPPLEMENTARY TO QUESTION NO. 231 OF 1997

HON J J BOSSANO:

Can the Financial and Development Secretary give me what the total is for the whole I&D Fund?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It is £925,663.

HON J J BOSSANO:

And this is in fact the June and July figures taken together.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes.

ORAL

NO. 232 OF 1997

THE HON J J BOSSANO

I&D FUND - ESTIMATED EXPENDITURE

Have there been any alterations to the estimated expenditure of the Improvement and Development Fund for April and May this year since these estimates were provided?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

There has not been a change to the expenditure of the Improvement and Development Fund in April and May of this year since it was last provided in June 1997.

Nevertheless, it must be emphasised that these figures could still vary should any departmental adjustments be received by the Treasury.

SUPPLEMENTARY TO QUESTION NO. 232 OF 1997

HON J J BOSSANO:

So the position then is that if we take the £671,000 figure that was given in answer to Question No. 221 of 1997, we are talking about expenditure to date out of the I&D Fund is estimated to have been of the order of £1.6 million in four months?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, if it would help I can give the exact figure, it is £1,597,445.

NO. 233 OF 1997

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

How much has been collected in respect of corporation tax in June, July, August and September this year?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The sum of £325,285 has been collected in respect of corporation tax in June; £853,684 in respect of July, and £1,114,248 in respect of August. The figure for the month of September is not yet available.

SUPPLEMENTARY TO QUESTION NO. 233 OF 1997

HON J J BOSSANO:

Is there any particular explanation for the June figure being relatively low compared to the other months of this year?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think the collection of these taxes does vary from month to month. What I think is the more interesting figure is that compared to the previous year, not looking at it as a proportion of corporation tax, we have actually at this stage of the year collected a slightly higher proportion than we did last year. I think last year at this stage we had collected about 44 per cent of what we had estimated, this year we have collected about 46 per cent. But it does vary from month to month.

ORAL

NO. 234 OF 1997

THE HON J J BOSSANO

INCOME TAX - PAYE (BANKING SECTOR)

How much was collected in PAYE tax from the banking sector in the financial year 1996/97 and what was the comparable figure for the previous financial year?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The sum of £2,996,510 was collected in PAYE tax from the banking sector in the financial year 1996/97. In the financial year 1995/96 total PAYE tax collected was £2,814,649.

NO. 235 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA/MOD - SECONDARY HEALTH CARE

Are the Government satisfied with the manner in which the trial period is working with the MOD in respect of the Gibraltar Health Authority providing them with secondary health care?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

In general terms the Government are satisfied with the way the interim trial agreement with the Ministry of Defence is working.

SUPPLEMENTARY TO QUESTION NO. 235 OF 1997

HON MISS M I MONTEGRIFFO:

Does that mean that the Government are now looking at coming into a long-term agreement with the MOD after the trial period?

HON K AZOPARDI:

We always said that we would treat the trial period agreement as precisely that, a period during which both sides could see how things could develop on an interim basis with a view to a long-term permanent arrangement. Negotiations continue, there was a meeting with the MOD held a couple of weeks ago. The formal review will take place in a couple of months time and yes, certainly we are looking towards a permanent arrangement. Negotiations continue but it is too early to say whether we will have a permanent arrangement or not. Negotiations will develop and no doubt the House will be told if and when an agreement is reached.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether he is satisfied that in the event that they actually come to a long-term arrangement with the MOD, that extra resources will be required as a result of absorbing extra MOD personnel at St Bernard's Hospital?

HON K AZOPARDI:

That is a matter that is going to be discussed in the negotiations. The Health Authority management staff, the finance people, are assessing the implications of any long-term arrangement and so obviously we will enter into an arrangement which we think protects the Health Authority and the Government's position fully. So we are going to take into account what the hon Member has suggested and I assure her that we will discuss that fully.

HON MISS M I MONTEGRIFFO:

So really the answer to my question is yes?

HON K AZOPARDI:

The answer to her question is that we will consider all relevant factors before we enter into a final arrangement.

HON MISS M I MONTEGRIFFO:

Is the Minister then satisfied that extra resources will be required? Can he confirm that?

HON K AZOPARDI:

I am not satisfied at this stage, we are assessing the position. It is a factor in the negotiation and we will see how things develop and the advice that I receive from the Health Authority staff. That assessment has as yet not been completed and so therefore I cannot tell the House or indicate to the House what attack we will take in the discussions.

HON A ISOLA:

Might I ask the Minister, what are the negotiations that are actually taking place at this moment bearing in mind, my understanding certainly is that the trial period will, at its conclusion, lead to a review of whether the trial period has been successful or not and at that stage, my understanding was, that negotiations would commence or be concluded as to the long-term arrangements. What I do not understand is what negotiations are actually taking place in this trial period?

HON K AZOPARDI:

As I indicated to the House, there is an implementation team which is made up of members of both sides, they constantly review the operation on the interim trial period and I think it is wise, certainly that is the position we have taken, that we do not leave negotiations until we are satisfied at the end of the interim trial period. If we are satisfied as things develop we continue to discuss matters with the MOD. There is the implementation team that are looking at the nitty gritty of the interim trial period and there are also, from time to time, meetings between the Health Authority top level of management and the MOD to discuss the possibility of entering into a final arrangement. They are discussing matters around the peripheries on the assumption that the specifics can be ironed out by the implementation.

HON A ISOLA:

Am I right in saying that the intention is that at the end of the review period negotiations will hopefully, if the trial period is successful, be concluded by that time, they are actually on-going throughout the trial period?

HON K AZOPARDI:

Yes, we would like to take a view, I think both sides would like to take a view before the interim trial period finishes but it may not be possible to conclude it simultaneously but certainly I think both would like to take a view before the trial period finishes that a long-term arrangement is possible and indeed is convenient for both sides.

NO. 236 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - HEALTH CENTRE RELOCATION

Are the Government now in a position to state whether they will be relocating the Health Centre?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Government have taken an in-principle decision that we wish to relocate the Health Centre. However, negotiations continue between the Government and the relevant landlords and final agreement has, as yet, not been reached. Apart from this the Government await detailed plans in relation to the proposed project from the architects.

SUPPLEMENTARY TO QUESTION NO. 236 OF 1997

HON MISS M I MONTEGRIFFO:

Can the Minister inform the House who the relevant landlords are?

HON K AZOPARDI:

Yes, as indicated to the House, I think, last time, the relevant landlords are the landlords of the ICC.

HON MISS M I MONTEGRIFFO:

So the Government are only looking at the ICC as an option for the time being, is that correct?

HON K AZOPARDI:

Having evaluated the options that were available to the Government, the Government have reduced that option to one but it is not a certainty. We await final agreement with the landlords.

HON MISS M I MONTEGRIFFO:

Is there a possibility that if the Casemates development goes underway that the Health Centre might remain in its present location or it will not remain?

HON CHIEF MINISTER:

Indeed the relocation of the Health Centre is not an essential but an important part of the Casemates project so really it is the opposite of what the hon Lady says. I think the only thing that could cause the Health Centre to stay where it is is if we cannot agree commercial terms with the landlord of the ICC for its installation in that building. The Government are not going to agree to move to the ICC on any term, it has got to be on terms which are commercially acceptable to the Government. So although we have made the policy decision that we would like to move it to the ICC, it might still not happen if we cannot reach commercial terms.

NO. 237 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - MEDICAL REVIEW

Can Government confirm how many of the 98 recommendations contained in the Medical Review have been implemented to date?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

As indicated in January 1997 when making the Medical Review Report public, it is estimated that about 35 per cent of the Report's findings will be implemented by the end of the current financial year, 31 March 1998.

The Authority is on course to achieve that target and at present about 40 per cent of those recommendations identified for implementation in 1997/98 have been implemented.

SUPPLEMENTARY TO QUESTION NO. 237 OF 1997

HON MISS M I MONTEGRIFFO:

Is the Minister in a position to confirm now which of those recommendations make up the 40 per cent?

HON K AZOPARDI:

Yes, I can indicate to the hon Member, for example, I will list recommendations that have been made in the Report which we assess have been completed and implemented at the present time. We have appointed a Chief Executive; a Personnel Officer and Primary Care Manager have been selected, at the moment they are pending transfer from the relevant department; two GPs have been selected; the selection process of GPs now includes general practitioners as recommended by the Review Report; we are advertising for a dentist/orthodontist as she will have seen in the media recently, that has come as a result of an internal assessment of the dental services; there has been an increase in the medical secretary capability; the Management Board has taken on board the issue of noise within the Health Authority facilities and is tackling the same; the selection board for consultants has been reviewed in line with the same review that we have conducted for general practitioners, in other words, guaranteeing consultants a degree of input in the selection process; the Medical and Health Ordinance has been amended with the passage of the 1997 Ordinance to enact re-registration in all relevant professions, doctors, nurses, pharmacists and dentists; we have taken the policy decision that specialists over 65 should only continue in exceptional circumstances; the Specialist in Community Medicine has been redesignated Public Health Director as she will have seen by the amendment to the Ordinance that came as a schedule to the 1997 Bill that was presented in July; there has been a review of social work that has not primarily been considered by health but rather by health in conjunction

with education and the disabled via the Milbury Care Services Report and a Health Promotion Team has been established. Those are the ones that we have implemented. There is a batch of others that we expect to implement to bring that total to about 35 per cent of the Report.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether there are any recommendations in the review which the Government will not be implementing?

HON K AZOPARDI:

Yes, as indicated I think in answer to a previous question in another meeting of the House, indeed we are not going to implement the Report in its entirety. I would assess myself, though I have not counted them, that it is between 10 per cent and 15 per cent of the Report will not be implemented for a variety of reasons, primarily because the Government do not agree with those recommendations.

HON MISS M I MONTEGRIFFO:

In the same manner that he has given a detailed account of those recommendations that he has implemented, can he actually give a detailed account of those he will not implement?

HON K AZOPARDI:

No, as I say, I have not counted them, neither do I have the list because that is not the question that the hon Member was putting to the House today. Perhaps she can ask the question on another occasion and I will be glad to go into that detail.

HON CHIEF MINISTER:

That is another way of trying to get the Report published here and now because if we give the House details of the recommendations that we are implementing and details of the ones that we do not, that would amount to publication of the Report which will happen in due course. It was a good try anyway, I commend the hon Lady.

HON MISS M I MONTEGRIFFO:

I always try my best.

NO. 238 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW

Can Government explain why the Nursing Review has not yet been made public since they received it in March of this year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Government stated that we had received a report from the Nursing Review Team in mid-March. That report was not signed by all its members. It transpired that agreement on the contents of the final report to be submitted to Government had not been reached. Discussions have ensued in recent months between the members of the Review Team and a Report signed by all members was presented to Government on 29 September 1997.

Against this background it was impossible for Government to publish or implement any of the recommendations made in the Report we had previously received.

The Government will now consider the findings of the team and decide whether to make the report public.

SUPPLEMENTARY TO QUESTION NO. 238 OF 1997

HON MISS M I MONTEGRIFFO:

When the Minister says, "The Government will consider whether to make the Report public", does that mean that there is a possibility they will not make it public?

HON K AZOPARDI:

Yes, it is implicit in that answer that the answer must be yes to that.

HON MISS M I MONTEGRIFFO:

If I remember rightly the Minister has said in the House previously that the Government intend to make both reviews public?

HON MISS M I MONTEGRIFFO:

If the hon Lady will check Hansard, there is a previous question which she put to me some months ago, I think at the time that we received this report which then subsequently became clear had not been signed by all the members, that we had not taken a decision as yet in relation to this particular report. The reason, of course, is that the difference between this report and the other report is that this is a report made up entirely of staff members, it is more of an internal report than the other one which was made up also of external management consultants.

HON MISS M I MONTEGRIFFO:

I will have to check back in Hansard but if my memory is correct when the Government announced these two reviews I am sure that they said that they would be making it public but I will check. Are the Government then saying that the Medical Review is of public interest and the Nursing Review is not of public interest?

HON K AZOPARDI:

No, I am sure that all reviews into the Health Services are of public interest but perhaps what is more of public interest is the outcome of the reviews and the reforms that are implemented by the Government to ensure that the Health Service that we all enjoy is the best health service that we can provide. As I say, this is a matter that will be considered by the Government and we will take a decision on that in the same way, while we have considered the dental services internally and we have decided that another dentist/orthodontist should be employed, that internal assessment has not been made public but what is of interest to the public is that they are going to get another dentist. I think that is what the public are interested in.

HON MISS M I MONTEGRIFFO:

I am surprised in the answer by the Minister because the Government always subscribe to giving the Opposition a lot of information I will not be in a position then to see what recommendations will be implemented or those that will not be implemented. Will the Government accept that I am able to put questions in the House as to the manner in which the Report of the Nursing Review will be implemented?

HON K AZOPARDI:

It is not the Government that prescribe the rules in this House but Standing Orders. Under Standing Orders, I am sure, she can put any question which is relevant as deemed by the Speaker and so the Government will not prevent her from asking any question but I think rather she is premature in her assessment. If the Government decided not to publish it then she can take that line but at the moment Government have not decided whether to publish that report or not. Government will consider the report because a report which was signed by all the members was received only last Monday and so it is premature for us to have even considered that matter.

HON MISS M I MONTEGRIFFO:

I will await the outcome then.

HON A ISOLA:

Might I ask, what is the difference or is there any difference of any substance between the March report and the 29 September report other than the signatures were not on the document?

HON K AZOPARDI:

Obviously there were some differences because not all the members felt that they could sign the report which was submitted to me in March but I think it would be inappropriate for me to go into the differences at this stage when that clearly was not the report of the team. What I have now in my possession is the report of the team and we will consider that.

ORAL

NO. 239 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - POST OF CHIEF EXECUTIVE

Can Government confirm whether the post of Chief Executive for the Gibraltar Health Authority has now been filled?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Mr Gavin Jackson has been appointed Chief Executive of the Gibraltar Health Authority. He will be assuming his post on the 9 October, in other words, next Thursday.

SUPPLEMENTARY TO QUESTION NO. 239 OF 1997

HON MISS M I MONTEGRIFFO:

Can the Minister confirm who Mr Gavin Jackson's previous employer was?

HON K AZOPARDI:

Mr Jackson was Chief Executive, I believe, in the Orkney Islands. So I believe his employers would be the Orkney Islands Council or whatever it is.

HON MISS M I MONTEGRIFFO:

I assume that the post of General Manager has now disappeared? In that case can the Minister confirm who is going to be the second in command?

HON K AZOPARDI:

The post of General Manager has disappeared since the deletion of that phrase as a result of the schedule to the Medical and Health Ordinance which amended the Medical (Gibraltar Health Authority) Ordinance 1987. By virtue of that schedule which listed amendments to the 1987 Ordinance, the hon Lady, if I can refer her to that, will see that the title of the Finance Officer has also changed to Deputy Chief Executive and Finance Officer; the acting Chief Executive is Ernest Lima. He has always been Finance Officer as well so he will be assisting Mr Jackson directly as his next in command, if I can put it that way.

HON MISS M I MONTEGRIFFO:

Are the Government hoping that after Mr Gavin Jackson's contract expires the job will be taken over by a Gibraltarian?

HON K AZOPARDI:

It is Government's publicly stated view that we certainly expect at the end of the tenure of Mr Jackson to localise the position.

NO. 240 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - NURSING QUALIFICATIONS

Can Government confirm whether Gibraltar nursing qualifications are accepted in the EU?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Medical and Health Ordinance 1997 which went through all its stages in July this year inter alia transposes the relevant EC Directives on mutual recognition of nursing qualifications obtained in EEA States. The Government fully expect that same principle of mutuality of recognition to be respected throughout the EU in relation to nurses obtaining their qualifications in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 240 OF 1997

HON MISS M I MONTEGRIFFO:

I have heard the Minister say that he expects them to be accepted in the EU. Have the Government actually sought confirmation from the UK authorities like, for example, the UKCC to verify whether Gibraltar nursing qualifications will be accepted throughout Europe?

HON K AZOPARDI:

I say that I expect them to be recognised. I am sure in the same way that the previous administration expected them to be recognised as well but the previous administration encountered, when they were in office, that problem with the Gibraltar nurse who was in Barcelona, who was trained in Gibraltar, had UKCC registration and yet there were difficulties thrown in her path as for registration in Spain. That finally was cleared up as a result of a letter written by the Foreign and Commonwealth Office to the UKCC who then were able to issue the relevant certificate to her which she utilised to be registered in Spain. So while I say that the Government expect that, we are not naive in thinking that we may encounter problems, if we do encounter problems those problems will have to be addressed in the same way that problems were addressed in 1991 when that issue of the Gibraltar nurse in Barcelona arose, with the assistance of both the UKCC and the Foreign and Commonwealth Office. Certainly in that connection I am taking the matter up with the UKCC to discuss the issue with them and while we, as yet, do not need any assistance because there is no live issue in respect of any particular nurse who wants to register in any Member State of the EU with Gibraltar qualifications, I certainly wish to put them on notice that there may come a time in future that we may need their assistance and then I intend to ask them for that.

HON MISS M I MONTEGRIFFO:

Is the Minister aware because I was fully involved in the negotiations in the incident in 1991 with the local nurse who wanted to seek employment in Barcelona, is he aware that the problem was resolved only because she was accepted as being registered with the UKCC?

HON K AZOPARDI:

I have seen the correspondence. I think that is probably right. I think there are two scenarios which we could encounter in future. The first will be when a Gibraltar nurse takes up registration with the UKCC, if that happens I think the avenue of resolution will be the same as occurred with the nurse in Barcelona. In other words, I think it can be solved in the same way. The other scenario I think that we could encounter is that if there is a nurse in Gibraltar who obtains their qualifications here in accordance with the relevant EC Directive but does not take up registration with the UKCC because I understand that is optional and then wishes to go to another EU Member and practice there, I think that scenario has not been tested, to my knowledge, in the past, where a Gibraltar nurse has qualifications in accordance with the Directive but wishes to go to another Member State but is not UKCC registered. I think there is a mechanism that we could probably rely on with the assistance of the UKCC but certainly we will have to ask them for that assistance, that is why I want to discuss that possible scenario with them. It is clear to me how we can solve the first scenario but the second scenario I think can be solved in a particular way but that issue has never arisen before. I say that because hon Members will agree with me that it would have been more helpful of course to our position if in the relevant Directive, there had been a reference to a qualification endorsed by the MRB in Gibraltar and not necessarily through the UKCC. If that had been the case then the competent authority, the MRB, would be recognising the Directive in black and white and it would be easier for our nurses to directly go into other EU members without having first to go through the avenue of the UKCC. But irrespective of that, I believe that there might be a mechanism which is on the face of one of the amending Directives to 77/452 and so I think that there is a possibility that even in the case of a Gibraltar nurse who does not have UKCC registration we might be able to address that matter. I am going to take the issue up with the UKCC as I indicated to the hon Member and I hope that we at least have an understanding, in due course, that if the situation arises we can tackle that.

NO. 241 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - DIALYSIS CLINIC

Are Government prepared to provide funds for the establishment of a Dialysis Clinic in Gibraltar?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Government are in discussion with the Dialysis Patients Association in relation to this issue and will consider any proposals that are made to us as long as we are satisfied that these are fully in patients interests.

It is worthy of note though that the previous administration did not establish a Dialysis Clinic in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 241 OF 1997

HON MISS M I MONTEGRIFFO:

I think just to clarify the last point that the Minister has made, we were not considering it because we had just encountered the problems we were having in La Linea and that is the reason why we had not established it, it was only a couple of months before we actually lost the elections and we started encountering problems with the La Linea Clinic. If the Minister is saying that he will consider it, that in effect to me means that in considering they are prepared to provide funds, is that the case?

HON K AZOPARDI:

We are prepared to consider, I think there have been many public statements made by the Chairwoman of the British Kidney Patients Association as to whether they would fund the capital costs of setting up a small force station satellite dialysis unit in Gibraltar. The position was that we discussed that matter when she arrived in Gibraltar. Certainly the patients feel that the service that is provided by La Linea is second to none, they are very satisfied with the actual service. I think perhaps they are concerned and anxious about the possibilities that it may be withdrawn or may not be withdrawn about perhaps difficulties they may encounter in transit through the border but I think with the service itself I think it is safe to say that they are very happy with the service itself that they receive. The position that was arrived at was that the Chairwoman of the BKPA suggested that we should ask those same doctors whom had the expertise, doctors in La Linea, to put a proposal to the Government to set up that satellite unit in Gibraltar and that they would look towards

the capital costs. It is not only cost that is a factor. I think the recurrent expenditure would be well over the expenditure we currently spend on the service. It is the medical factors that concern me most in this sense, the current La Linea Clinic is side by side with the Renal Unit of the hospital. We do not have a Renal Unit in our hospital, should an emergency transpire those same patients would have to be rushed to the nearest Renal Unit which is in La Linea in any event and the Spanish doctors themselves, even though I have asked them for a proposal, have expressed anxiety to me that they are not satisfied in a medical sense that it is in the patients' medical interest that a satellite unit be set up here when they have the emergency facilities side by side to the Renal Unit in Spain. But, as I say, we have asked for a proposal from the Spanish doctors. The situation with the BKPA is that they will provide capital money if a proposal is received by us which everyone is satisfied with financially and medically. A proposal has not been received as yet and so we shall await developments. But I have to say, on a note of caution, that when I first met the Spanish doctors back in June 1996, we discussed that possibility of a satellite unit here in Gibraltar and I asked them to put forward a proposal and they never sent me anything. So I am cautious about the possibility of actually receiving something.

HON MISS M I MONTEGRIFFO:

The Minister has given me a very lengthy reply but unfortunately he has not answered the question that I put to him originally. In the event that the Government receive proposals and they are happy with those proposals, are the Government prepared to provide the funds for the establishment of a clinic?

HON K AZOPARDI:

If we are satisfied with both the financial and medical factors, there is a possibility that we would provide funds but we would have to be satisfied with that and I indicated in that somewhat lengthy answer, which I do not concede did not answer the question, that that is the background to why and how the factors would be exercised.

HON J J BOSSANO:

The Minister said that the running costs would be higher than they are at present. What are the running costs at present?

HON K AZOPARDI:

The only costs at present, I am advised, are the set off costs which are payable to the UK under the reciprocal health care arrangements and I am advised that those are lower in proportion than would be if we run our own satellite unit.

HON J J BOSSANO:

Is it not the case that the problem with the clinic arises out of the fact that no bills have been submitted to the United Kingdom so how does he know what the bills are going to be if and when they ever arrive?

HON K AZOPARDI:

I say that because irrespective of the fact that no bills, as the hon Member says, have been submitted by Spain to Britain, the Finance Officer of the Health Authority projects a certain expenditure in due course in relation to the set off arrangements and he advises me that in due course when sums become due, when a claim is made, it will still be much more expensive to run a satellite unit here in Gibraltar. It is on the basis of projected expenditure.

HON J J BOSSANO:

Can the Minister give an indication of what that projected expenditure amounts to so that we can assess what much more expensive means?

HON K AZOPARDI:

I am advised, and I do so with a note of caution again, I do not have the figures in front of me, but I understand that we are talking about something like £30,000-odd in respect of the La Linea Clinic service but if we run a satellite unit the recurrent expenditure would amount to a sum in excess of £120,000 or £130,000, something like that.

ORAL

NO. 242 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - EMPLOYEES

Can Government confirm whether their policy continues to be that Gibraltar Health Authority employees should cease to be employed as civil servants?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Gibraltar Health Authority employees, like other employees of Government departments or public sector agencies, are and will remain public servants. The exact terms of their engagement within the Authority (which is a separate statutory creation that dates back to 1987) is a matter for discussion between the relevant unions and the Chief Executive of the Authority when he takes up his post.

SUPPLEMENTARY TO QUESTION NO. 242 OF 1997

HON J J BOSSANO:

Is in fact the Minister seeking to draw a distinction between public servants and civil servants?

HON CHIEF MINISTER:

There is, in fact, no distinction; there is a distinction between industrial and non-industrial public servants but except in that respect the phrase civil servant or public servant are synonymous. The point that the Minister is trying to make is that those employees of the Health Authority will remain public/civil servants, depending on which phrase one uses but they will remain both, but that the Government have already given indication both publicly and privately to the unions concerned, that the Government have an interest in concentrating expertise within particular areas of the public service which we think benefits from the accumulation of expertise amongst its staff. One of the areas where the Government wish to see expertise concentrated on a long-term basis is the Health Authority and therefore the sort of things that we are talking about, although this is a matter for discussion and consultation with the unions and not for imposition, the sort of things that we are discussing is, for example, whether civil servants in the Gibraltar Health Authority should expect to be freely transferable on probation or otherwise. In other words, would they be free to apply on promotion outside the Health Authority. That is the sort of area that we have a long-term ambition to try and get civil servants to develop expertise in a particular discipline, a wide discipline, not too narrow a discipline obviously because otherwise it would affect promotion prospects, but to get civil servants to obtain expertise in a wide band of, we call it tube of expertise

and then to make a career within that tube but, of course, the Government recognises that that tube has got to give the people that stick within it a career structure and a career path which is not disadvantageous in relation to the one that they might have if the tube is the whole public service which is the position at the moment. There is much work to be done, there is much discussion to be done. The fact is, in essence, the principal area in which the Government would like in discussion to alter the position as against what it is at present.

HON J J BOSSANO:

Does the Chief Minister not agree that in fact none of that requires that people should be employed by the Health Authority instead of being employed by the Crown? That is to say, just like in the Customs Department or in the Port Department or in any other department there can be a careers structure within the department based on expertise within the department and obviously as happens in paramedical and nursing grades where transferability is not an issue because the skills that they have are only useful in medical services and nowhere else and are only found in medical services and nowhere else, we are really talking presumably only about administrative grades who previously had been transferable, even if the Government wanted to retain the administrative grades that are seconded to the Health Authority permanently in the Health Authority, surely it is possible to reach an agreement on that without them having to cease to be employees of the Crown?

HON CHIEF MINISTER:

Yes, that is true, it is technically possible to do that. We do not think, even if they were employed by the Gibraltar Health Authority directly, we would not, as the hon Member appears to assume is the case from what he has just said, we would not necessarily regard that as not being employment with the Crown. In other words, the link between the Gibraltar Health Authority and the Government is a clear and obvious one and certainly the Government have no intention, the purpose of this is not in any sense to prejudice or reduce any aspect of the terms of conditions of these employees or to disadvantage them in any way. It is an attempt to simply get employees of the Gibraltar Health Authority to think of themselves and of their future careers as being within the Gibraltar Health Authority and employees of the Gibraltar Health Authority to get that team spirit which I think would be to the advantage of the Gibraltar Health Authority. That is the principle as opposed to having people who think that they are in the Gibraltar Health Authority for a year or two and then they could be in the Port Department or in the Tourism Ministry and do not actually regard themselves as being career health administrators. That really is the point. But the hon Member is right, that objective can technically be achieved so long as the detail of the agreement is correct without them stopping being employees of the Crown.

HON J J BOSSANO:

Since we are talking therefore about that objective and the fact that it can be done within the existing system and that it applies in fact to a relatively small proportion of the total staff, this is something different from what was recommended at the creation of the Health Authority to which I think the Minister made reference in his opening reply about the Health Authority being a separate body since 1987. In fact

the Review Team recommended that people should have their contracts of employment with the Government terminated and replaced by new contracts of employment in a contractual relationship with the Gibraltar Health Authority and, as I understand it, the Review Team that has looked at what was recommended the last time has in fact recommended the same thing again.

HON CHIEF MINISTER:

And indeed the Government may still decide to adopt that recommendation, we just have not yet made that decision. But the important point to emphasise is that even if that were to happen it would not be at the expense of any of the terms and conditions, in other words, the employees even if they became contractually employees of the Gibraltar Health Authority as opposed to employees directly of the Crown, that would have no consequence to the employees in terms of their security of employment, in terms of their remuneration package, or in terms of the disciplinary regime to which they would be subject or any of the issues that can legitimately be thought of by employees as being consequential to them personally as a result of change. That is not the objective and certainly that will not be allowed to happen.

HON J J BOSSANO:

But the Government are aware, in fact, that this was one of the serious concerns that people had at the time in 1987 when they asked for what had been initiated to be reversed?

HON CHIEF MINISTER:

Yes. People's concerns are sometimes well-founded and sometimes simply the result of anxieties, the result of people not being clear and frank and sincere with them. This is a matter for consultation, this is a matter for discussion, this is not something that the Government are interested in rushing around to impose on people and I think that should the Government decide to do this, it would only be after that process of discussion and consultation which left the Government clear that the staff understood the position and realised and accepted that this had no short, medium or indeed long-term adverse consequences to their personal positions.

ORAL

NO. 243 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - PERSONAL EMOLUMENTS

Can Government give the estimated cost of personal emoluments of the administrative grades in the expenditure of the Gibraltar Health Authority for the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The position is as reflected in answer to Question No. 165 of 1997.

ORAL

NO. 244 OF 1997

THE HON J C PEREZ

PEDESTRIANISATION - AMEY CONSTRUCTION

Can Government state what are the streets scheduled for pedestrianisation and included in the contract signed with Amey Construction last week, and what is the cost of the project?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The streets scheduled for beautification as a result of the agreement reached with Amey Construction are:

Phase 1

Cooperage Lane; Tuckey's Lane; Market Lane; Horse Barrack Lane.

Phase 2

Irish Town (incorporating Irish Place); Parliament Lane; Bishop Rapallo Ramp; Cannon Lane (north of Bishop Rapallo Ramp).

The estimated cost of the project is £1.2 million.

Government have, as yet, not taken a decision as to whether these streets will be pedestrianised or if so, the extent of such pedestrianisation.

SUPPLEMENTARY TO QUESTION NO. 244 OF 1997

HON J C PEREZ:

Can the Minister state what is the estimated length of the contract, that is to say, how long are the works scheduled before they are completed?

HON K AZOPARDI:

I believe the work started on 22 September, phase 1 which involves those streets that I have listed, will go on for five months. Phase 2 will run consequentially and will run for six months so we expect that by August next year the whole project will have been completed barring, of course, extensions that may arise as a result of things like archaeological works and infrastructural works which delayed Main Street somewhat.

HON A ISOLA:

By comparison to the cost of the original Main Street beautification costs, what is the comparison between phase 2 and phase 1 in terms of area as relative to cost? Because it seems that this figure is actually very close and I think it is in excess of the cost of the whole of Main Street area originally contracted.

HON K AZOPARDI:

By the time we finished with Main Street because of the infrastructural works, the archaeological digs and all of that, the final figure was something in the region of £1.6 million so it is not more expensive. In relation to the difference between costs of the phases as between themselves, I do not have those figures but I can certainly write to the hon Member with the figures of estimated costs in relation to the particular phases and indeed the particular streets if that is the information he wants.

HON A ISOLA:

Yes, that is the information but in fact, could he also give me, which I am sure he has from the costings, the cost per metre I think is how they calculate the cost of these works, for the original phase and for this one. Thank you.

NO. 245 OF 1997

THE HON J C PEREZ

STREETS - GENERAL CLEANLINESS

Are Government satisfied with the general state of cleanliness of our streets?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Government are dissatisfied with the state of cleanliness of some of our streets and are reviewing the existing arrangements in that respect.

SUPPLEMENTARY TO QUESTION NO. 245 OF 1997

HON J C PEREZ:

Can the Minister give specific examples of the review that is taking place and what measures the Government intend to implement to improve the situation?

HON K AZOPARDI:

I have asked the Cleansing Superintendent to look at all the issues. He highlights several causes which he thinks in his opinion are the issues here. Firstly there is an issue of equipment that perhaps in some areas not proper equipment is being used; enforcement and monitoring needs to be tightened up and then the actual cleansing itself has to be done perhaps a bit more vigorously. I will give the hon Member examples of what I am talking about. In Main Street, for example, in the beautified paving, I think we all agree that it is not as sparkling as we would like it to be. The conclusion that we are discussing at the moment is that perhaps the equipment that we are using just simply cannot cope with the level of ingrained dirt, of chewing gum and things like that. At the moment my department is in discussions with the contractor who says that that paving has been laid in other cities in the UK and the ultimate product is indeed clean and that is as a result of different machinery that we use. So we are arranging for a demonstration trial for Main Street which we hope will result in perhaps a cleaner Main Street and if that is not the case and the cause is the equipment we know where we have to target our resources. In relation to things like enforcement, I think my department advises me that they are encountering problems with people not removing their cars in streets that have to be cleansed from time to time. This is as a result of a ruling of the Supreme Court that held that clamping could not be undertaken under certain circumstances, I know that the Attorney-General's Department has been looking at alternative legislation to see whether we can reintroduce a system which will help us to tackle cleansing whilst taking into account the concerns that the Learned Judge voiced in that particular case. There has not been I think vigorous enforcement of litter tickets which we hope will happen. I have a meeting scheduled with all the relevant agencies to take place within the next 10 days or so when we will discuss the Cleansing Superintendent's conclusions and action that needs to be taken. There also has to be, apart from a tightening by the departments and a vigorous implementation of cleansing by the contractors, public awareness, we all need to

make Gibraltar tidy. It is not my department or any Member of the Government who go around putting out bags, it must be either tourists or members of the community and I think we all have to be conscious that if we really want to have a good product in Gibraltar we all must assume a degree of responsibility for the product and we all must play our part in achieving that ultimate product. So I think the public have a lot to blame as well in this final product that we establish. I think also the topic has been discussed that there are so many contractors as well that there is a system of disjointed cleansing and monitoring to the extent that the cleansing monitors have to be very careful when monitoring the situation who they deal with because the map of Gibraltar in a street cleansing sense has literally been carved up into various different contracts and so it is not as if they have got to deal with one contractor, they have got to deal with a whole variety, six or seven of them, so that makes monitoring of course much more difficult as well. Those are all the issues that we are talking about. As I say, I have a meeting to discuss the conclusions of that and we hope to identify action that we can take and indeed take action towards that.

HON J C PEREZ:

Would the Minister consider a practice that was discontinued by the present administration in some streets where there was a ban on parking on one side of the road on a particular day and on the other side another particular day of the week to enable the vehicles to be removed so that adequate cleansing would take place? This was an effective way of dealing with some of the problems the Minister has identified and something which was suggested by the same Cleansing Superintendent that he has now.

HON K AZOPARDI:

I have not heard that suggestion before. Certainly I am willing to discuss any matter that will help the situation, certainly I am willing to discuss that when I next meet with him. But I think the issue is that irrespective of a ban, in areas that parking is still banned people are not removing their cars anyway.

HON J C PEREZ:

I concur with the Minister that it is not an easy task but I suggest that he should seek to find out what used to happen with the previous administration which was so highly criticised by the then Opposition who are in Government today. A lot of these measures were discontinued and as a result the result is that some people might be happier because they get less fines on their cars but the product, at the end of the day which is Gibraltar is much dirtier. I suggest the Minister gets back and looks at the history of the situation and he will find that a lot of things that he is looking at now had originally been implemented by us and criticised by them.

HON K AZOPARDI:

The Government certainly will look at any measures to tackle the issue of cleanliness but I suggest that if they were highly criticised by the Opposition which was the GSD at the time they cannot have been any good.

HON A ISOLA:

Bearing in mind the Government have said that they are not satisfied with the state of cleanliness in Main Street, directly because of the surface and the difficulties in tackling that surface, bearing in mind that that surface can be treated in other parts particularly in the United Kingdom to reasonable satisfaction, are Government satisfied that bearing in mind the difficulties they have had to date with cleaning the current surface that it is the right step to proceed to sign a contract for another £1.2 million for the next phase of pedestrianisation with the same surface? Have they considered looking at alternative types which may not be too dissimilar from the current surface which may be easier to clean and maintain in a more satisfactory state?

HON CHIEF MINISTER:

I just want to take the hon Member up on one of the premises of his question. The Government's dissatisfaction with the cleanliness of Main Street is not limited exclusively to the stains of the road surface. We are dissatisfied also about the extent of the litter and the emptying of rubbish bins and things of that kind as well and the Government's review of our cleaning arrangements extends to all those areas. The question of the condition of road surface itself, which I think is the principal thrust of the hon Member's supplementary, is a different issue and it is clear that the parts which are most stained are the parts where traffic has had access and in respect of the main part of Main Street, there are traffic stains even from the limited vehicular use, for example, the refuse lorry drips oil onto the parts of Main Street that are closed to traffic. And the other source of staining is chewing gum and the Government have invited proposals to deal with those issues. I would like my hon Colleague just to answer the main part of the supplementary but I just wanted to make it clear to the hon Member that our concern about the state of cleanliness, especially in relation to Main Street but not limited to Main Street, is not focused exclusively on matters which derive from the nature of the road surface itself.

HON K AZOPARDI:

Clearly the matter of cleansing must be tackled. The discussions that we are holding with the contractors, in those discussions we have received assurances that services are indeed extremely clean in the areas where they have laid it in the UK and that it is because of the deficient machinery that is being used at the moment. It is against that background that we have decided to proceed with that matter. We are arranging a demonstration and trial which hopefully will happen relatively soon within the next few weeks. As I say, I think we will be able to tackle those matters. I agree they are matters that need to be tackled but I am assured that they will be.

HON J GABAY:

Whatever comments the Minister has made with regard to analysing the problem, looking at proposals, trying to amend the situation, the reality is that some of our streets are absolutely filthy. Would the Minister confirm, as an example, that Naval Hospital Road, where we both live, is intolerably filthy and has been for the last year and that despite repeated calls to his department, that street has not been washed down for the last year apart from the providential rains?

HON K AZOPARDI:

I live on the same road as the hon Member so I see it every day. Let me say that the contractor that is supposed to clean that street was a contractor engaged by the previous administration who despite the numerous calls from my department fails to comply with his contractual duty, that is precisely the issues that I have been talking about. Not only is it public awareness and enforcement, it is actual cleaning of the contractors themselves that is deficient in certain circumstances and if there is anyone to blame it is the previous administration who engaged that particular contractor.

HON J GABAY:

May I add that we are facing again the usual problem and that is that the Government do not realise that they are holding the reins of power. What happened in the past or what happened with previous contractors, the fact remains. Surely the Minister would not refuse to accept that he has the political responsibility to make the necessary changes and that it is rather tiresome to be listening all the time about what was happening a year and a half ago?

HON CHIEF MINISTER:

Yes, the Government entirely accept the analysis of the hon Member and as we are clear that the contractual arrangements made by the Opposition Members do not work as well for us as they used to work for them, we are going to accept the responsibility of having our reins on Government and are reviewing these contractual arrangements because contractual arrangements that secured clean streets for the Opposition Members but which does not deliver clean streets to this Government is not a contractual arrangement that this Government are willing to tolerate. Precisely we are going to accept the responsibility of office and we are going to review all the contractual arrangements which everybody in Gibraltar agrees is not delivering clean streets to which everybody in Gibraltar feels that they were entitled and to which the Government are the first to recognise is presently not being delivered. So I think the hon Member, if what he wants to see is radical action from this Government on the matter of public cleanliness, he need only wait a while longer.

HON J GABAY:

Does the Chief Minister not feel that it is unreasonable, after almost a year and a half of complaints about the dirt in our streets, that something should have been done and not really come to us with promises of future success and criticism of the past?

HON CHIEF MINISTER:

No, I do not think it is true that it suddenly started to become dirty on the 17 May 1996, I do not know if the hon Member thought that they were dirty on the 15 May, but certainly the position of deterioration of the state of cleanliness has been gradual and it is not true that people have been complaining about the state of cleanliness for the last 18 months. The deterioration in the state of cleanliness has been gradual and we believe that the situation has now reached an intolerable situation where the Government appear not to be able to extract from historical

contractors the quality of cleansing service that the Government wish to deliver to the people of Gibraltar. And because the Government are not willing to tolerate finding ourselves with that situation, the Government are going to review those contractual arrangements to ensure that they deliver to the Government of Gibraltar the ability to deliver to the electorate and to the people of Gibraltar the standards of public cleanliness that they want and which we are quite happy to deliver to them. But the hon member will understand that I do not have time, although I would be very happy to do so if I did have time, nor does my hon Colleague, to sweep Main Street ourselves. So those that the previous administration contracted to sweep Main Street or any other street because it would be unfair to focus on Main Street, there is equally unacceptable degrees of lack of cleanliness in many, many areas of Gibraltar and as we cannot personally administer to sweep the streets then to the extent that those that have been contracted by the Government to sweep the streets for us are not performing, I accept the political responsibility for making alternative arrangements.

HON J C PEREZ:

Perhaps the Chief Minister might take a leaf from the Minister for Health responsible for cleaning and accept that there are issues unrelated to the contractors chosen by the previous administration which might have had a hindrance in the state of our streets such as measures taken by the Government about parking and the amount of vehicles and the problem with the parking tickets which is caught up, which has to do with the problems associated as the Chief Minister himself has recognised. Let us hope that the more sober and more responsible attitude wing of the Government prevails and we have not got a maniacal attempt at trying to clean our streets by virtue of the outburst of the Chief Minister in the House of Assembly which is usual of this Government.

HON CHIEF MINISTER:

I do not accept that it is maniac or anything of the sort. The fact of the matter is that none of the photographs that have appeared in the local press showing completely unacceptable states of uncleanliness in this town relate or flow from any litter control, parking, removal or non-removal of cars. Those that have taken the photographs have not focused on any problems that arise from difficulty with parked cars. Those that have taken the photographs have rightly focused on the simple failure to remove rubbish from parts of the highway from which they could quite easily be removed and for which indeed the taxpayer is paying for their removal. Therefore whilst I am not saying that all aspects of the problem relate to choice on the part of the contractor to perform under the contract, there is no doubt that the analysis is correct, in our opinion, that the existing structure of contracts for the delivery of cleansing services to the Government of Gibraltar is demonstrably and self-evidently not working. The Opposition Members are the first to point it out to us so they cannot make political capital out of the problem and then accuse us of being maniacs when we take the political responsibility for delivering solutions.

HON J GABAY:

Incongruous as it would appear to be to think of the Chief Minister sweeping the streets, I would add that whatever the contractual problems, is it not the responsibility of the Government not to insist on that but to do something to eliminate what he himself and everybody else describes as an intolerable situation of dirt in our streets?

HON CHIEF MINISTER:

Yes, I agree entirely with what the hon Member has said and indeed it is a responsibility that we accept.

HON J J BOSSANO:

Who is employed in the Government or in the Environmental Agency to monitor that the standard required in the contract is being observed by the contractor?

HON K AZOPARDI:

We have not changed the framework established presumably historically. There is a Cleansing Superintendent who then has cleansing monitors underneath him who are supposed to go around Gibraltar to check out all these areas and make a report to the Cleansing Superintendent.

HON CHIEF MINISTER:

If I could add, one of those persons employed to monitor, on behalf of Government, the performance of those contracts is not a public servant but an employee of the Gibraltar Information Bureau selected and appointed by the Opposition Members. It is not them that we are blaming, we are not saying that this is happening because the monitors, whether they are public servants or not, are not doing their job but at the end of the day there is a limit to the remedies available. If in fact the streets are not clean and a monitor spots a problem he can report it back, "On Tuesday morning I inspected Tuckey's Lane and it was littered with litter" and that report goes back to the Ministry of the Environment and all that the Ministry of the Environment can do is pick up the telephone and say to the contractor, "Why was on Tuesday morning Tuckey's Lane not swept?" That does not deliver a swept Tuckey's Lane on Tuesday morning, it simply means that the Government remain in the hands of the willingness of the contractor to, in good faith, deliver the service that he is contracted to deliver. At the moment we do not feel that that is our position.

HON J J BOSSANO:

Am I right in thinking that the Government do not think that their position is that they are giving the service in good faith? The Government think this is a deliberate attempt to pile rubbish so that the contracts can be removed from them?

HON CHIEF MINISTER:

To the extent that the contracts that are in place are the same contracts as were in place before 16 May 1996 because we have not done anything to change them. The cleaning arrangements in Gibraltar today are the same cleaning arrangements that were in place when the Opposition Members were in Government. To the extent that there has been a sharp deterioration in the state of cleanliness of Gibraltar, there has to be some explanation other than the contractual structure itself because it is exactly the same contractual structure as used to exist. Therefore it seems clear that whereas the contractual structure used to work for any number of reasons which is actually not necessary to analyse, but for any number of reasons it is not working at the moment and therefore we have to review the existing arrangements, try and identify the reasons for it and correct them or otherwise make brand new arrangements.

MR SPEAKER:

Can we turn a new leaf asking the last question and the last answer and carry on with the other questions.

HON J J BOSSANO:

Can I just say that I accept entirely the answer that he has given me. I do not know what the arrangements are, it is not something that I ever did. Is it that they have attempted to use the monitoring service that they have got in place and that is not producing the result because that would presumably be the first step to take. If the contractor is not producing the result then the first step would be for the monitors to take the matter up with the contractors. Has that been tried and not produced results?

HON K AZOPARDI:

Yes, that is one of the issues that we encounter.

NO. 246 OF 1997THE HON J L BALDACHINO**ETB - WAGE SUBSIDY**

Can Government state what is the expenditure by the Employment and Training Board on wage subsidy in each month since 1 April this year and the number of people and of employers involved in each of these months?

ANSWER

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

The expenditure by the Employment and Training Board in wage subsidy in each month since 1 April this year and the number of people, employees it is to be understood, and of employers involved in each of these months is as follows:

<u>Month</u>	<u>Expenditure</u> £	<u>No. of employers</u>	<u>No. of employees</u>
April 1997	42,550.02	56	126
May 1997	57,973.48	51	119
June 1997	25,786.90	42	76
July 1997	37,846.73	45	98
August 1997	43,170.47	35	92
September 1997	<u>17,901.03</u>	<u>24</u>	<u>43</u>
	<u>225,228.63</u>	<u>253</u>	<u>554</u>

As the hon Member knows the amount of money allocated to this vote in the financial year 1997/98 was £800,000. Therefore the total amount for the six months represents 28 per cent up to September 1997, with 72 per cent remaining in that particular budget.

SUPPLEMENTARY TO QUESTION NO. 246 OF 1997

HON J J BOSSANO:

Given that the fact that only 28 per cent has been used in six months, it means there is no problem of no money being available, can the Minister explain why the figures have gone down to such degree that he started off with 56 employers and 126 workers and he has finished up with 24 employers and 43 workers? Is there an explanation why not more people have taken it up?

HON J J NETTO:

No, not necessarily. One thing that the hon Member will need to bear in mind is that whilst employers are supposed to come every month for their payment, some of them perhaps do not come in three or four months and then we have an

accumulation that we have to pay for one employer and that is why the sums, as they appear on the table and the figures I have given, does not square up, but it is because of that kind of element into it. Yes, it is true that we have only used 28 per cent but that is not to say that during the next six months we can see a sharp rise if more demand is placed within this particular vote.

HON J J BOSSANO:

So the fact that the figures are not higher is because there has been no demand for wage subsidies and not because anybody has been turned down?

HON J J NETTO:

That is correct.

HON J L BALDACHINO:

Is it correct that wage subsidy only applies to persons over 25, that if somebody is under 25 and the employer asks for a wage subsidy he is directed to the cadets scheme, is that correct?

HON J J NETTO:

That is correct.

HON CHIEF MINISTER:

Can I also add, what I am sure hon Members will agree with, that there is no virtue in wage subsidy. Wage subsidy is a direct burden on the taxpayer and that what the Government certainly try to encourage and the Government would not regard, unless of course it was accompanied by a commensurate increase in the rate of unemployed Gibraltarians, but the Government would regard as a measure of success on our economic policies that the private sector felt increasingly able and confident to take on employees at its own cost and expense as opposed to the cost and expense of the taxpayer which is what the wage subsidy amounts to. The situation would be different, if we were simply discontinuing the wage subsidy and the result is that people that could have been employed through it were not now being employed and were simply staying on the unemployment circuit. So there is a sense in which a reduction in the cost of wage subsidy and the number of employees on it is to be welcomed and I am sure the hon Members would not dispute that.

HON J J BOSSANO:

Yes, I do not dispute that. Does the Chief Minister not realise that the wage subsidy goes to Gibraltarians and not to foreign nationals and there could be increasing employment with increasing foreign nationals and that would result in less people being on the wage subsidy and that one of the indirect advantages of the wage subsidy is that it is an incentive to employ some of the registered unemployed who might otherwise be more difficult to place?

HON CHIEF MINISTER:

Yes, except that that sort of structure in the economy is indefinite and forever. I do not know whether the hon Member really thinks that wage subsidy is anything other than a temporary measure to assist the economy through a temporary problem. This Government certainly see wage subsidy in that way and we do not believe in structuring the economy in a way which in effect transfers to the taxpayer the cost of employment of people in the private sector. I repeat what I said which I think is an answer to the point that the hon Member is making, which is if the reduction in wage subsidies for Gibraltarian workers were accompanied by an increase in Gibraltarian unemployment then of course what we would be doing is withdrawing the support before the economy is ready to have the support withdrawn. But the Gibraltarian employment statistics do not show that as a result of the reduction of the number of people on wage subsidy that this has resulted in increased Gibraltarian unemployment although of course it may be that some of the ones that are unemployed even without it being increased unemployment, might have been able to obtain employment if the element of wage subsidy were not available. But the fact of the matter is that the wage subsidy is available, it has not been withdrawn and what I am saying therefore is that the fact that the private sector is able to maintain and if not increase the number of Gibraltarians that it employs without access to the wage subsidy, is something that should be welcomed given that it has not been withdrawn, it is there but simply not being relied on and therefore the private sector is gradually becoming more and more self sufficient in that respect.

HON J J BOSSANO:

I do not know whether the Chief Minister is aware, it may have happened after he had left the Labour Party Conference, but the United Kingdom Government have just announced a similar scheme as a major way of tackling the unemployment situation in the United Kingdom, inducing private sector employers to take on employees by giving them £75 a week. So there is nothing detrimental in this. I accept that the answer from the Chief Minister was in fact that nobody is being refused, fine, we are happy to know that nobody is being refused, it nevertheless concerns us how it is that it is not being requested because irrespective of the health of the private sector, I do not know of any private sector businessman that would rather not have a subsidy than have it if it was available. Do the Government know why the take-up is less?

HON J J NETTO:

The only thing I can add to what the hon Member said before is that it is an incentive to try and get unemployed people into work. One thing is clear and although I do not know the result of the Labour Party Conference inasmuch to the introduction of this new scheme, the scheme in Gibraltar has been more generous than the UK, even the £75 in subsidy which the hon Member is saying will probably be paid for much shorter periods of time than the period allocated by ourselves. Perhaps one other factor could be that in the UK, historically speaking, they have looked more towards the wage subsidy as a means for people on long-term unemployment. The going category is between nought to six, six to 12, and 12 to one year, one year to two years and depending on that particular sort of level of how long one has been unemployed, the criteria in giving the wage subsidy. We have not had those terms of reference in UK but so far in the six months that we have run it is only 28 per cent.

HON J L BALDACHINO:

I asked previously, to which I have not had an answer, why is it that it is available to people over 25 and not to persons under the age of 25?

HON J J NETTO:

Well, simply because, as the hon Member knows well, we have the vocational cadet training scheme which caters from school leavers to the age of 25 and the wage subsidy has been clearly demarcated for people over 25.

HON J L BALDACHINO:

Is it not correct that the wage subsidy when given to an employer the employee becomes an employee of that employer which is much better for the employee and for the ETB than going through the cadets scheme? What I do not understand is why the age limit? If somebody wants to employ somebody who is 24, for example, why is it that he is denied the possibility of being employed automatically by the employer because he has not reached the age of 25?

HON J J NETTO:

I understand that during his period there were employers who were getting money for vocational cadets and at the same time, additional to that, money from the wage subsidy for the same employee. That is not the criteria and we have an example that we can quote, this is not the criteria that this Government are using. The criteria we are using to any particular person if he is under 25 and he falls within the definition of the vocational cadet we give him those monies which are allocated there, but if he is over 25 it will be the wage subsidy. But what the employer will not get, if it is a person under 25, is allowances for the vocational cadets training scheme plus the wage subsidy. As the Leader of the Opposition said before, it is an incentive; what it is not going to be is a continual perpetual financing of some employers for a number of years getting both vocational cadet training scheme monies plus wage subsidy.

HON J L BALDACHINO:

That never happened. I am not asking that the person should be in the cadet scheme and the person should be on the wage subsidy, what I am asking is why is it that somebody who is 24 years old, for example, the employer cannot get a wage subsidy for that person who will then be employed instead of going through the cadet scheme, that is what I am asking?

HON CHIEF MINISTER:

Because the Government have no interest in institutionalising practices that will make this scheme a permanent feature of our economy. What the Government's

economic policies are designed to bring about is a situation where the taxpayer does not subsidise employment in the economy in the private sector and our policies are calculated to enable the private sector to prosper in manner that the element of wage subsidy can disappear altogether. The hon Members argue as if there was a virtue in wage subsidy, as if we should all be wanting to have as much wage subsidy as possible for the private sector. Certainly I feel the wage subsidy as a temporary crutch to be removed as soon as it can be without causing hardship amongst people who are unemployed. That is the balance that the Government strike between subsidy and private sector unemployment policy. I therefore do not accept the premise of the hon Member's question that wage subsidy should simply be made available in order to make the tenure of employment of the person in question this or that, that is not the purpose of wage subsidy. In other words, because somebody with wage subsidy is an employee but somebody without wage subsidy may be under 25 is only on the youth training scheme, that that is less good for him and therefore the taxpayer should indefinitely subsidise his wage. I just do not see what the rationale is for that view.

HON J J BOSSANO:

It would appear the Chief Minister does not understand from the answer that he has given because he has gone into a long answer about the philosophy and the question has nothing to do with the philosophy. The length of the time for which it is paid need not be any greater or any less whether it is described as a vocational cadet or as a wage subsidy, the fundamental difference is that the vocational cadet is employed by the ETB and paid by the ETB every month and the employer in the case of the wage subsidy actually tops up between the wage subsidy and the full wage. So here we have got a position where somebody wants to employ somebody who is 24 years old and for the sake of argument he is willing to pay him £150 of which he would get £80 from the ETB and he is told he cannot do that. He is told what he can do is employ the person for £80 only and not for the other £70. That is the question we are asking, it has nothing to do with life subsidy or a private sector that can stand on its feet or anything else. We, having got the figures and having heard that some people have been told that the wage subsidy is only available if one is over 25, are trying to find out what is the rationale because it seems to us that if they agreed to give it to somebody under 25 it would be good for the employee, good for the employer and good for the ETB, so we do not understand why they are doing it. The explanation we have been given does not answer it.

HON J J NETTO:

The situation remains very clear to me. The criteria is that if it is someone over the age of 25 they get wage subsidy, if they are under 25 they get the vocational cadet training scheme money.

HON J J BOSSANO:

Is the answer therefore that notwithstanding the arguments that we have put to try and demonstrate to him that it is better not to do that, the Government are not willing to consider it?

HON CHIEF MINISTER:

The Government consider suggestions for improvement of the situation from wherever they come and certainly what the Government are not going to stand up here and say in the middle of this exchange of views before analysing all the arguments is that the position should be as the hon Member is saying. What the Minister has said is what the position is and what it will continue to be until such time as the Government decide to change it, if we decide to change it. Certainly amongst the factors that we will take into account are matters pointed out to us by the Opposition, they should not consider themselves to be people whose views we never take into account.

NO. 247 OF 1997THE HON J L BALDACHINO**I&D FUND - HEAD 101 - SUBHEAD 1**

Can Government state how much has been spent from the Improvement and Development Fund Head 101, subhead 1 - Replacement of balconies and windows, for each month of April, May, June, July, August and September?

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

Expenditure incurred in the Improvement and Development Fund, Head 101, subhead 1 - Replacement of balconies and windows, for the months of April, May, June, July, August are as follows:

April 1997	-	£10,133
May 1997	-	£13,074
June 1997	-	£12,687
July 1997	-	£ 7,603
August 1997	-	<u>£23,815</u>
Total	-	<u>£67,312</u>

September figures are not yet available.

SUPPLEMENTARY TO QUESTION NO. 247 OF 1997

HON J L BALDACHINO:

Will the Minister provide me with the figures once they become available so that I do not have to ask the question in the House?

HON J J NETTO:

Yes.

NO. 248 OF 1997

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state what is the total value of payments to vocational cadets in each month since 1 April of this year?

ANSWER

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

The amounts are as follows:-

April 1997	-	£118,189.00
May 1997	-	£106,968.52
June 1997	-	£109,562.73
July 1997	-	£117,165.21
August 1997	-	£105,284.14
September 1997	-	£ 95,560.83

SUPPLEMENTARY TO QUESTION NO. 248 OF 1997

HON J J BOSSANO:

Since in this case there are no employers involved, presumably this cannot show any under-recording because employers have not asked for the money yet which is what we were told in respect of the wage subsidy. This is in fact the money that has been spent and is not likely to go up, is that correct?

HON J J NETTO:

Yes, as I understand, this is the money being spent in those months.

HON J J BOSSANO:

The sums involved which come to something in excess of £600,000 represent around 33 per cent of the amount provided of £1.8 million. Do the Government expect that there will be any increase in the number of vocational cadets or do they expect not to spend the money that has been provided?

HON J J NETTO:

The trend this financial year seems very similar to the figures in 1994, that is to say, less employers seeking cadets at the ETB. So the trend does appear to continue during the rest of the financial year.

HON J J BOSSANO:

I remember when the figure of £1.8 million was put there and during the budget I asked how it had been arrived at and I was told it was simply what was there before. On the basis of the figures for these six months it does not look as if the £1.8 million is going to be spent, it looks as if £1.2 million are going to be spent because if we have now got £600,000 it is running at around £100,000 a month so in a year, if it stays at the same rate as it is at the moment there is going to be an underspending of £600,000. I am asking, does the Minister expect that he will be underspending £600,000 or does he expect that in fact there will be a greater take-up in the rest of this year so that it will come closer to the amount that was provided for which was the same as the previous year?

HON J J NETTO:

Yes, I do expect an underspending of the budget. I can give the hon Member some of the figures in terms of cadets being recruited; in 1984 there were 257, in 1995 there were 554, in 1996 there were 648 and in 1997 so far there are 193. As I said before, it does appear that as far as employers seeking cadets we are going back to the 1994 period. I have alluded in previous questions in this House that I do feel that employers and employees alike are not satisfied with the vocational cadet training scheme. I have also said that the Government are not satisfied with the quality of training of the vocational cadet training scheme and that is why we are actually reviewing the whole vocational training in Gibraltar. That is the only explanation I can give inasmuch as to the reason why I think that the numbers are dropping. But it is true, as the Leader of the Opposition says, we did carry over the expenditure from the previous financial year and it does appear by the end of this financial year that there will be an underspending, yes.

ORAL

NO. 249 OF 1997

THE HON J L BALDACHINO

ETB - CONSTRUCTION TRAINING

Can Government state how many applications have been received for each discipline of the construction training course by the closing date of 10 September and how many have been accepted?

ANSWER

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

The total received was 51. Bricklayer - 4; plasterer - 1; tiler - 4; painter - 10; plumber - 15; carpenter - 14; any, that is, with no preference - 3.

SUPPLEMENTARY TO QUESTION NO. 249 OF 1997

HON J L BALDACHINO:

I suppose that the figures that the Minister has given me are the preference of the people who have applied, is that correct?

HON J J NETTO:

That is right.

NO. 250 OF 1997

THE HON J L BALDACHINO

ETB - CONSTRUCTION TRAINING COURSES

Can Government state how many places were offered in each of the disciplines advertised by the Employment and Training Board in construction training courses?

ANSWER

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

Initially it is the intention to offer 40 training places as follows:

- 10 carpenters
- 10 painters
- 5 bricklayers
- 5 tilers
- 5 plasterers
- 5 plumbers

Final offers could change slightly given applications received for each discipline, results of written and aptitude tests and selection interviews.

The tests and interviews have been held during the course of the week and it is expected to make training offers early next week with a view to commencing the training programme as soon as possible.

SUPPLEMENTARY TO QUESTION NO. 250 OF 1997

HON J L BALDACHINO:

Taking the figure that the Minister has just given and the figure of applications, does that mean that 11 of the people applying will not be offered any discipline in any of the construction training courses?

HON J J NETTO:

It could well be, yes.

HON J L BALDACHINO:

If there are 40 places and there are 51 applicants does it mean that the 40 places might change to more places because those are the figures I have here, if one deducts one from the other there are 11 who will not be offered any places?

HON J J NETTO:

It could vary slightly but as I said before on occasions some of the people we have received applications from will not perhaps make it to the training centre. One of the factors contributing towards this is that with hindsight we can tell that one of the mistakes that was done by my predecessor, the Hon Mr Baldachino, when the training centre actually started in New Harbours was that they were not ready for the 130 places that he actually forced the managers to take at the time because it could only cater for 80. Part of the problem in this is that we then start getting a very high level of fail rate as opposed to success. This is one of the things that is uppermost in our minds.

HON J L BALDACHINO:

Is he aware of the fail rate in the construction training courses?

HON J J NETTO:

I can give him the figures of the entire vocational cadet training scheme including the training centre. For instance, in 1994, that is the year when the Hon Mr Joe Moss was the Minister for Employment, the fail rate was 64.2 per cent and the success rate was 35.8 per cent; in 1995, the fail rate actually went up to 71.5 per cent and the success rate was 27.5 per cent; in 1996 the fail rate was 62 per cent and the success rate was 18.4 per cent; in 1997, up-to-date, the fail rate is 44 per cent and the success rate 15.6 per cent. However, there are 40.4 per cent of cadets still in the system.

HON J L BALDACHINO:

I am talking about the construction training centre. I do not know what figures he has given but the construction training centre was not there in 1994. What I am asking is, given that there has been a percentage of failure because I put more people in the training centre than what I should have, I am asking him, what is the percentage of those who are now in the training centre who I put there, the 130, who have failed? I do not know if they have still completed the two year course, I do not think they have even completed the course, how does he know the failure rate? He has given me the 1994, 1995 and 1996 rate and the training centre was not there, I do not know what are the figures he has quoted.

HON J J NETTO:

The figures are ETB figures and while I have not got the percentage for the training centre what I can tell him is that there has been, since the introduction of the training centre in January 1996, a large number of drop outs during the actual scheme and that, to some extent, is due to the amount of trainees within the training centre.

HON J L BALDACHINO:

Is the Minister not aware that of the 40 that he is going to take on and maybe he has less numbers than what I had, there will be a percentage of people dropping out in every course like they do in universities and they do in colleges? Is there not a percentage of wastage which is a normal process in life anyway? Is he not aware of that?

HON J J NETTO:

Of course there is always people who will fall by the wayside but obviously this is not, by looking at these figures, something that the Opposition Members can be very proud of when they were actually in Government because when one has figures in general of fail rate well beyond the 50 per cent there is something fundamentally flawed as far as the vocational training is concerned in Gibraltar.

HON J J BOSSANO:

Apart from the fact that all he can tell us is that that is a figure that has been calculated by the ETB, can he tell us how it has been calculated? What is it that they failed at? This 70 per cent of failures, which does not reflect well on the output of the schools from which they came but I am sure not everybody in the Government benches will agree with that, what is it they failed in because in fact the vocational qualifications were introduced at a later stage? A percentage of failure in taking what exams?

HON J J NETTO:

Fail rate in the sense that at the recruitment stage whilst still cadets they actually drop out. Also that we have, included in that category, people who automatically as soon as they finish the cadet training scheme are made redundant on day one rather than being employed by the employer.

HON J J BOSSANO:

So in fact if somebody at the end of the cadet scheme was made redundant by the employer, that is now treated by the Government as a statistic indicating the failure of the vocational cadet and part of the percentage of failures which shows how bad we were at training people and consequently why the numbers being trained should be reduced so that we have a lower percentage of failures because people at some stage were made redundant when they finished their training, that is the answer we have just been given?

HON J J NETTO:

No, what is clear is that in the last stretch of the last general election when the Hon Mr Baldachino took office he inflated those figures for the sake of getting youngsters away from the unemployment queues and put them artificially in schemes which did not lead to quality training and long-term employment.

HON J L BALDACHINO:

Was not the system I had which was agreed with his hon Colleague the Minister for Tourism, where people could get NVQ qualifications at the end a better system than the one he has now which only gives the employer six months with no qualification?

HON J J NETTO:

It is interesting to note that earlier on in a different question the Opposition Spokesman, the Hon Mr Gabay, was actually pointing to the fact that the Minister concerned had to take political responsibility for whatever decision and whatever responsibility he has and here we have a Member of the Opposition who is trying.....

MR SPEAKER:

I think you are deviating now.

HON J J BOSSANO:

Can I ask how many places were filled last year in the construction training centre to compare with the 40 of this year?

HON J J NETTO:

In January 1996 we had the first intake of 130 and in September 1996 a second intake of 40. As I understand it, at the moment there are only 93 students in the training centre so if my mathematics are right, round about 77 have left.

HON J J BOSSANO:

That is 77 from the two intakes. Can I ask, because I am not really familiar with the details of the course, is it a three year course, do they have one more year to go the ones that started first?

HON J J NETTO:

No, the NVQ level 2 is a two year course. I also understand that from the original intake in January 1996 of 130, as they are nearing the end of the two year period, there are quite a lot dropping out at this late stage. Whether this is due to final exams being held in one or two months time, I do not know.

HON J J BOSSANO:

Does the Minister have any information as to whether in fact those that are dropping out are actually going into employment?

HON J J NETTO:

I have not got it with me but it is something that we can find out, it is not beyond the ETB to do that.

HON J J BOSSANO:

Well, I think it would be useful in the light of his remark that it might be due to the proximity of the exams, if in fact they are going into jobs it may be a different reason.

HON J J NETTO:

I will try and get the information and pass it over to the hon Member.

ORAL

NO. 251 OF 1997

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state how many vocational cadets were engaged by the Employment and Training Board each month since 1 June 1997?

ANSWER

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

Answered together with Question No. 252 of 1997.

NO. 252 OF 1997

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state how many vocational cadets have terminated their employment with the Employment and Training Board each month since 1 June 1997?

ANSWER

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

Cadets engaged are:	June	-	16
	July	-	45
	August	-	17
	up to 26 September	-	23
Cadets who have terminated:	June	-	29
	July	-	38
	August	-	51
	up to 26 September	-	25

SUPPLEMENTARY TO QUESTION NOS. 251 AND 252 OF 1997

HON J L BALDACHINO:

Does the Minister know of those that have terminated employment with the ETB, how many have been employed?

HON J J NETTO:

I have not got the information with me available. Had I been given notice of that I would have been able to have provided it for him.

NO. 253 OF 1997

THE HON J C PEREZ

VARYL BEGG ESTATE - CAR PARK

Is the Varyl Begg Estate car park at Europort Avenue now complete, and if so, have the parking spaces been allocated to tenants at the estate?

ANSWER

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

Further to my answer to Question No. 87 of 1997, the works stated as outstanding in that reply have yet to be carried out.

Nevertheless the Government have reviewed the parking problems at the Varyl Begg Estate in consultation with the tenants association and members of the Transport Commission, and an overall scheme has been prepared which includes the provision of motorcycle bays within the estate, plus additional garages.

All this work will be put out to tender shortly. Once this work is carried out Government will be able to allocate the parking spaces.

SUPPLEMENTARY TO QUESTION NO. 253 OF 1997

HON J C PEREZ:

Is it the intention of allocating parking spaces free or is there an agreement with the tenants association that there will be a nominal fee for each of the parking spaces allocated?

HON J J NETTO:

I think we have had this question before and I think the reply given was that this was in consultation with the tenants association and it would be for some sort of nominal fee to the tenants.

HON J C PEREZ:

Does the Minister think that that is it or that is it?

HON J J NETTO:

I am telling the hon Member it is.

HON J L BALDACHINO:

Is the nominal fee equivalent to that paid by the tenants of St Jago's Estate?

HON J J NETTO:

I am not aware of what the tenants in St Jago's pay.

HON J L BALDACHINO:

Can the Minister look into it and see what nominal fee the tenants of St Jago's pay?

HON CHIEF MINISTER:

No, if the hon Member is asking us to commit ourselves not to do one thing in one estate different to what happens in another the answer is no. As a matter of principle there is no reason why that should be the case.

ORAL

NO. 254 OF 1997

THE HON J C PEREZ

ROAD WORKS PROGRAMME

Can Government give details of how much of the road works programme for the current financial year has been completed?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The following roads have been resurfaced to date as part of the resurfacing programme:

Parson's Lane; Glacis Estate; St Joseph's Estate and Upper Witham's Road.

Progress on the pavement construction and reconstruction programme is as follows:

Catalan Bay; Rosia Road, from the junction with Scud Hill to New Mole Parade.

Other works done, which were not in the original programme are:

Resurfacing of road leading to HM Prison; works on the southern section of Cannon Lane; works on Green Lane.

SUPPLEMENTARY TO QUESTION NO. 254 OF 1997

HON J C PEREZ:

Taking into account the rainy season which is upon us, does the Minister think that the whole programme is to be completed before the end of the financial year?

HON J J HOLLIDAY:

It is Government's intention to complete the programme during the course of this financial year but I am aware that obviously we could experience some problems in completing this. I have arranged a meeting with the Highways Engineer next week to overlook all the programme and try and see how much of it will actually be achieved during this year but it is still my objective to terminate this during the course of this financial year.

ORAL

NO. 255 OF 1997

THE HON J C PEREZ

ROAD WORKS - UPPER ROCK

Can Government state whether they intend to carry out repairs to the roads on the Upper Rock during this financial year?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

It is intended to carry out repairs on the Upper Rock roads during the course of this financial year.

A survey of the Upper Rock roads was completed a short time back and this identified the roads in most urgent need of repair. Meetings were subsequently held by the Highways Engineer with representatives of the Royal Gibraltar Police, the Fire Brigade and Sights Management Limited with regard to logistics and operational procedures.

The documents are now being prepared for the Upper Rock job to be put out to tender. The tender notice should issue this month. Work will then commence shortly thereafter.

ORAL

NO. 256 OF 1997

THE HON J C PEREZ

Question withdrawn.

ORAL

NO. 257 OF 1997

THE HON J C PEREZ

MAIN STREET - PEDESTRIANISATION

Can Government state whether the contractor responsible for the pedestrianisation works at Main Street has already handed over the finished project to Government and if so, when will Government be in a position to take decisions on matters related to traffic flow?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The finished Main Street project has not yet been officially handed over to Government. This will happen shortly.

Government have already taken an initial view on matters relating to traffic flow in respect of Main Street and the adjoining side streets, and the Traffic Commission is presently studying the Government proposals. Their report will be submitted shortly. It would be premature to state what the traffic flows will be, until the Commission has been able to report back to Government with their views.

SUPPLEMENTARY TO QUESTION NO. 257 OF 1997

HON J C PEREZ:

Is it the intention of the Government to make public the proposals of the Commission prior to taking a decision on the implementation of the recommendations? That is to say, will members of the general public or at least members directly involved in traffic such as lorry drivers, taxi drivers, bus drivers and so on be able to have an input into the recommendations of the traffic flow that the Traffic Commission are to propose in relation to the completion of the pedestrianisation works?

HON CHIEF MINISTER:

They will certainly be able to express their views and their views to the extent that they are persuasive will be reflected in the traffic flow plan. What they do not have, of course, is the right to make the decision themselves.

HON J C PEREZ:

I am not asking for that. I am asking the Government that in order to avoid controversy whether before such proposals are implemented it is the view of the Government that they wants to seek views from the public and from those directly affected who are using the roads regularly to see whether they can have an input

that someone might have missed. There are going to be people in favour and people against whatever proposals are made, that is clear but at least in order to avoid making unnecessary mistakes that the plan of the traffic flow should be made public so that there is an input from the general public. Obviously the decision is of the Traffic Commission or of the Government as it may be.

HON CHIEF MINISTER:

Yes, I think this Government have already demonstrated a willingness to air proposals in advance. The beautification schemes have been available for public inspection. Certainly people will have an opportunity to express their views on the Government's proposals before they are actually implemented. That would be in keeping with what we have done in almost everything else that has been announced in other areas of our conduct.

NO. 258 OF 1997

THE HON A ISOLA

HOTEL OCCUPANCY

Can Government confirm that hotel bed nights sold have increased since the commencement of the Monarch schedule service to Gibraltar?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Monarch scheduled service to Gibraltar commenced on 2 May 1997. I have figures for the number of hotel bed nights sold in May and June 1997, and the July figures should be available shortly.

I can confirm that the number of bed nights sold in May 1997 saw an increase of 14.6 per cent over May 1996 and June 1997 saw an increase of 14 per cent over June 1996. The actual bed nights involved were 4824 in May 1997 compared with 4211 in May 1996 and 4665 in June 1997 compared with 4091 in June 1996.

What I cannot of course say is to what extent the increase has actually been due to the Monarch scheduled service.

SUPPLEMENTARY TO QUESTION NO. 258 OF 1997

HON A ISOLA:

Bearing in mind that in the past the indicating line of bed nights sold runs parallel almost to the number of seats available on aircraft and bearing in mind the otherwise unexplainable jump in May and June of an additional 600 bed nights sold in each of those two months, will the Government make every effort possible to seek to secure additional seat capacity both with the current schedule carriers and, if possible, by attracting more scheduled carriers and if possible even charter operations?

HON CHIEF MINISTER:

I do not accept that the hon Member has just said that the increase in bed nights sold cannot be explained except by reference to the Monarch service. I think that the increase in bed nights sold represents early success for the Government's tourism policy generally, including our marketing strategy, including the repositioning of Gibraltar in terms of international reputation, including what the Government have tried to do to improve the product available to tourism in Gibraltar and certainly also including, I have no doubt, the Monarch service. But certainly I would not share the basic premise of the hon Member's question which is that a rise in the number of bed nights sold cannot be explained other than by reference to the introduction of the Monarch service.

HON A ISOLA:

The question is whether hotel bed nights sold have increased since the commencement of the Monarch service and the answer I got was yes. The premise to my question is indeed that it is linked and in my view almost directly because if people cannot fly here then people cannot stay in our hotels. The Air Traffic Survey which has been laid on the table this morning indicates an occupancy level of 79 per cent load factor which is extremely high and I think indeed the report on air carriers suggests that anybody over 70 per cent means people are being turned away. Therefore the question is, bearing in mind that the hotel bed nights sold has increased by 14 per cent in May and June which is no coincidence since it is when Monarch commenced flying to Gibraltar on 1 May, does not that indicate that the more seats available on our aircraft the more possibility and in fact the result is that there has been more bed nights sold and therefore, bearing that in mind, would it not be good news for our hotel operators if Government pushed to have more scheduled carriers and more charter carriers?

HON J J HOLLIDAY:

I agree with what the hon Member has been saying and Government will obviously be wanting to pursue bringing in more scheduled and charter operators. I think that will obviously create the type of infrastructure to be able to continue developing the tourism industry.

HON A ISOLA:

Would the Minister agree that there is little point in marketing bed nights to be sold unless capacity to bring the people that want to come to Gibraltar is increased?

HON CHIEF MINISTER:

There are other means of filling beds in Gibraltar other than by people who arrive in aeroplanes.

HON A ISOLA:

I started off my first question which the Chief Minister said was based on the wrong premise by saying that the figures have indicated in the past, almost on a parallel level, that the number of bed nights sold is linked to the number of seats available on aircraft and that is the reason for that recommendation or somewhat raises the question. Will the government take note of the fact that the levels of bed nights and the levels of seats available are almost directly linked?

HON CHIEF MINISTER:

The Government will take note in fact that the availability of seats on aeroplanes is one of the determining factors in deciding what the hotel occupancy level is. We acknowledge that it is one of the most important factors and therefore we will continue to give it the priority that we have done since 16 May 1996.

NO. 259 OF 1997

THE HON A ISOLA

TOURISM - CRUISE LINERS

Can Government state how many cruise liners have booked to visit Gibraltar in 1998 and will they confirm whether any of these bookings are intended to entail passengers staying overnight in Gibraltar at the commencement or at the end of the cruise?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

As at 2 October 1997, 90 cruise liners were booked to call at Gibraltar in 1998.

There is one call from the P&O "Victoria" scheduled for 30 November 1998, when a Mediterranean cruise will conclude and a repositioning cruise to the Caribbean will commence. If P&O use scheduled flights for passengers travelling to or from Gibraltar, this will provide an opportunity for all passengers to stay overnight at Gibraltar at either the commencement or end of the cruise. If P&O opt to run charter flights to or from Gibraltar for their passengers, then this opportunity will not be available to these passengers and can only be available to those other passengers who fly to Gibraltar on scheduled aircraft or arrive via the land frontier with Spain.

I have already been in contact with P&O and the Gibraltar Hotel Association and I have provided P&O with details of Gibraltar hotels. I am informed that if P&O find this cruise call successful, other similar calls will follow.

NO. 260 OF 1997THE HON A ISOLA**TOURISM - CRUISE LINERS**

What have been the total number of cruise liner calls to Gibraltar to date during the year of 1997 and how many further cruise liners are expected until the 31 December 1997, and what are the corresponding figures for the years 1995 and 1996?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

There have been 76 cruise calls to 29 September 1997, and a further 31 cruise calls are expected between now and 31 December 1997, making a total of 107 calls for the year.

The comparative figures for 1996 and 1995 are:

	<u>1996</u>	<u>1995</u>
Number of cruise calls at 29 September	101	98
Number of cruise calls from 30 September to 31 December	<u>38</u>	<u>32</u>
	<u>139</u>	<u>130</u>

NO. 261 OF 1997

THE HON A ISOLA

TOURISM - PORT STUDY

What are the recommendations of the Port Study commissioned by Government and which of these recommendations do Government intend to implement?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

A draft of the Port Study commissioned by Government has been submitted and is being studied. A meeting with the consultants is scheduled for mid-October 1997, after which the draft study will be finalised.

It is not intended to publish the report in full, when it is submitted, as it contains commercially sensitive information. However, a synopsis of the report and its recommendations will be made public.

A decision in respect of which of the consultants' recommendations Government intend to implement will be taken when the final report is submitted.

NO. 262 OF 1997

THE HON A ISOLA

TOURISM - MADRID OFFICE

What criteria has been or will be used to fill the tourism positions advertised by the Gibraltar Development Corporation for the proposed Tourist Office in Madrid?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Two positions were advertised, that of Manager and that of Secretary/Personal Assistant.

The Manager will preferably be a person who is fully conversant with the Gibraltar tourist product and who has a proven track record in a sales and marketing environment. An outgoing personality, and an ability to work well under pressure and with minimum supervision are required.

The Secretary/Personal Assistant needs to have a good knowledge of the Gibraltar tourist product and must be able to provide all the necessary backup to the Manager. In particular, the person appointed must be capable of running the office single-handed when the Manager is away from the office.

It is expected that the selection procedure will be concluded by the end of October 1997.

SUPPLEMENTARY TO QUESTION NO. 262 OF 1997

HON A ISOLA:

Can the Government indicate how many applications were received before the closing date?

HON J J HOLLIDAY:

There were 41 applications for the post of Manager and 36 applications for Secretary/Personal Assistant. However, I must point out that there have been some applicants who have applied for both posts so there may be an overlap in terms of actual applicants.

HON A ISOLA:

Have Government brought it down to a short list?

HON J J HOLLIDAY:

No, the selection board has not yet convened a meeting to actually short list the candidates to then proceed to interviews.

HON A ISOLA:

Might I know what the selection board comprises of? Are they people within the Tourism Board?

HON J J HOLLIDAY:

The people that are going to be on the board have not yet been decided but a decision will probably be taken this week.

NO. 263 OF 1997

THE HON J L BALDACHINO

SOCIAL SECURITY - UNEMPLOYED GIBRALTARIANS

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

- (a) Unemployment Benefits
- (b) Social Assistance
- (c) No payments?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 264, 265, 266, 267 and 268 of 1997.

ORAL

NO. 264 OF 1997

THE HON J L BALDACHINO

SOCIAL SECURITY - UNEMPLOYED GIBRALTARIANS

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

- (a) Unemployment Benefits
- (b) Social Assistance
- (c) No payments?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 263, 265, 266, 267 and 268 of 1997.

NO. 265 OF 1997

THE HON J L BALDACHINO

SOCIAL SECURITY - UNEMPLOYED GIBRALTARIANS

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 years and over at the end of June 1997 receiving -

- (a) Unemployment Benefits
- (b) Social Assistance
- (c) No payments?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 263, 264, 266, 267 and 268 of 1997.

ORAL

NO. 266 OF 1997

THE HON J L BALDACHINO

SOCIAL SECURITY - UNEMPLOYED GIBRALTARIANS

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 years and over at the end of July 1997 receiving -

- (a) Unemployment Benefits
- (b) Social Assistance
- (c) No payments?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 263, 264, 265, 267 and 268 of 1997.

ORAL

NO. 267 OF 1997

THE HON J L BALDACHINO

SOCIAL SECURITY - UNEMPLOYED GIBRALTARIANS

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 years and over at the end of August 1997 receiving -

- (a) Unemployment Benefits
- (b) Social Assistance
- (c) No payments?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 263, 264, 265, 266 and 268 of 1997.

NO. 268 OF 1997

THE HON J L BALDACHINO

SOCIAL SECURITY - UNEMPLOYED GIBRALTARIANS

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 years and over at the end of September 1997 receiving -

- (a) Unemployment Benefits
- (b) Social Assistance
- (c) No payments?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The information requested by the hon Member is not yet available but I will undertake to write to him providing the answer to the questions as soon as possible.

SUPPLEMENTARY TO QUESTION NOS. 263 TO 268 OF 1997

HON J L BALDACHINO:

I can understand there may be a problem that the September figures are not available. Does the department not keep any records, for example, of May and April?

HON H CORBY:

The thing is that we have got to liaise with the ETB as well and we want to give the hon Member the exact figure. We have got to liaise with the ETB and this is why there is a delay.

HON J L BALDACHINO:

Can the Minister say what is the delay this time in conjunction to what has been given in this House in the past?

HON CHIEF MINISTER:

If I could just interject there. The hon Member is not asking for numbers of unemployed people which information he no longer needs to ask for because the Government voluntarily publish it monthly. What the hon Member is asking for is for figures about the receipt of benefits by unemployed people and the hon Member knows that that information is not available on a month to month basis.

HON J L BALDACHINO:

I have asked the same question in the past and it has been given to me without any problems. I am asking what is the problem now?

HON H CORBY:

I have just said that we are liaising with the ETB and as soon as I have the information I will give it to the hon Member.

HON J J BOSSANO:

Does that mean that when the same question was answered in respect of March 1997, the answer that was given is not necessarily accurate?

HON H CORBY:

No, I have no contention that that is the case. The thing is that there is a discrepancy from our side and we are trying to find out exactly the figures because there might be people employed who have not come to us and this is what we are trying to ascertain to give them the exact figures that he is asking.

HON J J BOSSANO:

What I am saying, since that difficulty apparently did not arise when the question was answered about the month of March, this is why it is from April on, is it that when the answer was given for March they did not realise there was a discrepancy and therefore the figures given in this House about March may actually also need to be corrected? That is my question.

HON H CORBY:

No, the inaccuracy has crept this time and this is why we are liaising with the ETB to give the exact figure.

HON J J BOSSANO:

So in fact what the Minister is saying is that the inaccuracy has occurred in respect of what, every month since April? Have they actually made an attempt to produce this information and found that they do not tally with the ETB figures in April but that they tally in March?

HON H CORBY:

They gave us a total and we have a total which is 30 difference and we want to establish what the 30 difference is. In order to do that we have to liaise with the ETB to find out.

HON J J BOSSANO:

I accept that. I am asking that 30 difference was discovered in respect of what, the month of April or all the months because presumably the 30 difference did not exist in March since in March we were given a breakdown which tallied?

HON H CORBY:

No, this is what we are trying to find out, this is why it is taking longer than it should. They gave us a total and we have a total through our own registers and we are trying to find out in which month is the discrepancy or whether the forms were not handed back to the DSS.

HON J J BOSSANO:

When we asked for this information about March 1997 the reply that was given showing the numbers on unemployment benefit, social assistance and not receiving payment, produced a figure of unemployed which was the same figure as those registered with the ETB. If they tried to produce that same figure or the comparable figure for April, is it that in April the figure did not tally? That is my question.

HON CHIEF MINISTER:

The position is as my hon Colleague has said. On the basis of having had five days notice of the question on this occasion, discrepancies have appeared on the information produced to us by officials and before giving the answer in this House the Government have wanted to double check the information and that process is taking place. As soon as that process has been completed, which process may or may not reveal a similar discrepancy in respect of the earlier questions, that will be clarified to the hon Member as well.

HON J J BOSSANO:

So then when I asked originally if it applied to March the answer is yes, he will look at the March figures as well?

HON CHIEF MINISTER:

The Government have wanted to have the information that was given to us to give to this House double checked. When it is double checked it will be given to the hon Members and not before.

NO. 269 OF 1997

THE HON J L BALDACHINO

HOUSING - POST-WAR FLATS

Can Government state how many post-war flats are vacant at present?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

On 29 September 1997 there were 41 flats that were vacant. Of these flats, 28 flats have been offered to persons on the waiting list and 13 flats are empty pending refurbishment by the Buildings and Works Department.

SUPPLEMENTARY TO QUESTION NO. 269 OF 1997

HON J L BALDACHINO:

Do any of the 13 remaining form part of the 39 that were vacant in June?

HON H CORBY:

Some of them are not, but what happens is that those 13 flats are in dire need of repair and people have gone to see them and they prefer Buildings and Works to refurbish those flats. The others we are waiting for a reply, they might take the materials and do it themselves or they might say, "We want Buildings and Works to do it". It depends on the person.

HON J L BALDACHINO:

What I can deduce from that answer is that the 13 can be refurbished for human habitation, is that correct?

HON H CORBY:

That is correct.

NO. 270 OF 1997

THE HON J L BALDACHINO

HOUSING - PRE-WAR FLATS

Can Government state how many pre-war flats are vacant at present?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There are presently 35 pre-war flats that are empty and are waiting refurbishment by the Buildings and Works Department.

SUPPLEMENTARY TO QUESTION NO. 270 OF 1997

HON J L BALDACHINO:

Are the 35 flats part of the 47 that were vacant in June?

HON H CORBY:

Most of them are but these flats are in urgent need of repair and can only be undertaken by Buildings and Works, nobody will occupy them as they are. We are expecting a report from them in the near future whether we have got to put them void or not.

HON J L BALDACHINO:

Once the refurbishment is carried out they will all be suitable for human habitation, is that correct?

HON H CORBY:

We are expecting a report, as I said before, from Buildings and Works. Some of them might not, some of them might, we are awaiting a report from Buildings and Works.

HON J L BALDACHINO:

How many are there then with Buildings and Works at the moment that a report has been made and they are at the present moment being refurbished?

HON H CORBY:

The 35 pre-war flats are with Buildings and Works.

HON J L BALDACHINO:

I understand that but of the 35 are there any of them that a report has been made and have been certified that they can be prepared for human habitation or are they all under scrutiny by the Buildings and Works?

HON H CORBY:

They are all under scrutiny by Buildings and Works.

HON J J BOSSANO:

Can the Minister explain how it is that the Principal Auditor says that in February this year there were 200 pre-war flats that were voids? Is it that the difference between the 200 and the 35 are not repairable?

HON H CORBY:

I believe that Opposition Members had the same problem when they were in office.

HON J J BOSSANO:

So we have to ask the same questions.

HON H CORBY:

Fine, but it was the same as when they were in office. I have not got the statistics but I will find out and let the hon Member know.

HON J J BOSSANO:

My question is, if he said that they do not know whether the 35 are repairable yet, is it that they have already discarded of the 200 that there were then in February, the difference between 235? Presumably if the Principal Auditor identified 200 voids why is it that he is only talking about 35, that is my question?

HON H CORBY:

The 35 are pre-war flats that were handed over to Buildings and Works for refurbishment, that is the answer to the hon Member's question. These are the ones that I had for Buildings and Works to refurbish. Of the 200 voids the hon Member is talking about I have nothing to give the Buildings and Works so I will have to find out on that one for him.

HON J J BOSSANO:

So if in fact in answer to a supplementary the Minister said that the exercise that is being done on the 35 is to find out whether they can be made suitable, should not that exercise also be done on the remaining 165?

HON CHIEF MINISTER:

The Minister has available to him empty and at his disposal now to repair or to decide not to repair 35 flats. The policy of the Government is to try and repair everything that is conceivably repairable. The hon Member knows that that figure of voids cannot be relied on as an accurate figure of the number of empty flats available in the hands of the Government for repair and/or allocation. These figures just do not correlate in that way, he knows the historical difficulties that arises with the calculation of voids. In any case, this supplementary question presumably arises from a comment made in the Principal Auditor's document that has been laid in the House 15 minutes ago and does not arise as a supplementary to this question of which notice was given.

HON J J BOSSANO:

That the information has been provided in the House 15 minutes ago does not prevent me from asking this question. What is the point of laying in the House if I cannot refer to it. The question I am asking is, are they doing anything about the other 165 to find out whether any of them are useful?

HON CHIEF MINISTER:

We are doing as much or let me say we are doing more than they did about the same statistics when they were in office.

HON J J BOSSANO:

Is the position of the Government Members that they tend to spend the whole year judging their performance by comparison with us?

HON CHIEF MINISTER:

What we will spend four years doing is two things; first of all governing Gibraltar a good deal better than they did and, secondly pointing out to the community the sheer inconsistency of their political position wherein they try and criticise the Government for doing things which they declined and omitted to do anything about during eight years. Certainly I fully intend to spend the next four years pointing out the inconsistency and the element of lack of transparency in their political position in that respect.

HON J J BOSSANO:

So it is presumably the case that the Chief Minister is not only satisfied in having praise showered on him by the Governor, he expects that to be the role of the Opposition as well in a democracy. So instead of asking them to give us information to judge their performance we are supposed to say how wonderful they are.

HON CHIEF MINISTER:

No, the hon Member gets all the information that he asks for and certainly much more than he was willing to give when he was sitting in the Government benches. I am not doubting the hon Member's right to seek information, what I am questioning is the hon Member's right to stand up with a straight face and challenge the Government for not doing something which they themselves had the opportunity to deal with during eight years and declined to do so. That is what I am challenging.

HON J J BOSSANO:

I am not challenging anything. My question, which was directed at the Minister for Housing was as a result of his answer, that 35 properties are being looked at. I am asking are they looking at the remaining 165, that is not challenging anything. Is the answer that they are not looking at them?

MR SPEAKER:

He does not want to reply.

NO. 271 OF 1997

THE HON J L BALDACHINO

HOUSING - APPLICATIONS

Can Government state how many applicants there are in the housing waiting list, broken down into the different lists according to room requirements for those that have:

- (a) Reached the two year qualifying period
- (b) Not reached the two year qualifying period?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

As at 29 September 1997, the number of applicants on the housing waiting list stood as follows:

- (a) Reached the two year qualifying period 299 applicants
- (b) Not reached the two year qualifying period 229 applicants

This can be further broken down as follows. Of the applicants that have reached the two year qualifying period there are:

- 85 applicants on the 1RKB list
- 21 applicants on the 2RKB list
- 94 applicants on the 3RKB list
- 77 applicants on the 4RKB list
- 18 applicants on the 5RKB list
- 4 applicants on the 6RKB list

The 229 applicants that have not reached the two year qualifying period can be broken down as follows:

- 102 applicants on the 1RKB list
- 32 applicants on the 2RKB list
- 64 applicants on the 3RKB list
- 27 applicants on the 4RKB list
- 4 applicants on the 5RKB list

SUPPLEMENTARY TO QUESTION NO. 271 OF 1997

HON J L BALDACHINO:

What was the figure for the 1RKB on those that have not reached the two year qualifying period?

HON H CORBY:

There are 102 applicants.

NO. 272 OF 1997

THE HON J L BALDACHINO

HOUSING - REMEDIAL WORKS - ALAMEDA HOUSE

Can Government state when it is intended to start remedial works at Alameda House?

ANSWER

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

Remedial works at Alameda House are scheduled to commence when the works at Kingsway House have been completed. However, given that the main task to be carried out is the re-roofing of the block, it would be unwise to carry out this work until the end of the rainy season.

SUPPLEMENTARY TO QUESTION NO. 272 OF 1997

HON J C PEREZ:

Is the Minister aware that tenants at Alameda House were told last year that their leaking roofs could not be repaired because of the rainy season and that we are now in the rainy season one year afterwards?

HON J J NETTO:

I am aware of much more than that. I am aware for instance that the then Director of Buildings and Works on 29 March 1994 said to the Alameda Tenants Association, "Please refer to your letter of 25 March 1994 on the future of the works programme for Alameda Estate. I am pleased to inform you that arrangements are now in hand to commence on the rehabilitation at Alameda Estate. This work will commence shortly". In other words, I am well aware of what the previous Minister for Buildings and Works had been saying since 1994 and since then. I am also aware to finalise this point, that Kingsway House will be finished in about two months and hopefully by April of next year Alameda House will start.

NO. 273 OF 1997

THE HON R MOR

SOCIAL SECURITY - INSURANCE CARDS

How many social insurance cards have been issued since 1 January 1997, to persons not previously in employment?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Since 1 January 1997 a total of 997 insurance cards were issued to persons not previously in employment.

SUPPLEMENTARY TO QUESTION NO. 273 OF 1997

HON R MOR:

Can the Minister provide a breakdown under the different nationalities, that is, Gibraltarians, Spaniards, UK, etc?

HON H CORBY:

Yes, I can give the hon Member the figure. Most of them are in the construction industry, there are 25 Gibraltarians; 38 British; 373 Spanish. In the retail industry there are 63 Gibraltarians; 25 British and 35 Spanish. In the restaurants there are 15 Gibraltarians, 35 British and 22 Spanish. The bulk of it again is in the banking and finance industry where there are 59 Gibraltarians; 30 British and 4 Spanish. All the rest are scattered in ones or twos, I thought he might want the bulk from where they came from.

NO. 274 OF 1997

THE HON R MOR

PRISON - NUMBER OF INMATES

What has been the total number of persons imprisoned during 1996 broken down under Gibraltarians and other different nationalities and what are these same corresponding figures up to the end of August 1997?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

During the course of 1996 a total of 278 persons were imprisoned at HM Prison, Gibraltar. These can be broken down by nationalities as follows:-

British (Local)	81
British (UK)	27
Spanish	84
Moroccan	68
Italian	1
Indian	1
Belgian	1
Maltese	1
Belo-Russian	2
Austrian	2
French	3
Ukrainian	2
Palestinian	1
Czech	1
German	2
Georgian	1

For the period 1 January 1997 up to 31 August 1997 a total of 146 persons were imprisoned. By nationalities these were:-

British (Local)	23
British (UK)	27
Spanish	49
Moroccan	43
Italian	1
Indian	1
Belgian	2

NO. 275 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 30 June; 31 July; 31 August and 30 September 1997, showing the amount from UK and local funds and the expenditure 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 31 May 1997 was £5.8 million. The hon Member will be aware that all current contributions continue to be paid into the Open Fund. However, moneys are taken from the Open Fund to pay the pensions now payable under the Closed Fund. In effect, for financial purposes the Open and Closed Funds are as a single Fund.

Receipts from the UK for the months of June 1997 and July 1997 were £1 million and £1.2 million respectively from which the expenditure of Spanish pensions totalled £1.1 million and £584,000 during June 1997 and July 1997 respectively.

Payments of local pensions totalled £918,000 and £698,000 for the months of June 1997 and July 1997 respectively. Other receipts of the Fund included interest earned on investments totalling £17,000 and £13,000 for June 1997 and July 1997 respectively.

The forecast balance of the Fund for June 1997 and July 1997 is £4.8 million and £4.7 million respectively.

The August and September 1997 balances are not yet available.

SUPPLEMENTARY TO QUESTION NO. 275 OF 1997

HON J J BOSSANO:

Can the Minister clarify what he meant by that remark that the Open and the Closed Funds are a single fund, I did not quite follow that?

HON CHIEF MINISTER:

For financial purposes they are a Single Fund, in other words, the hon Member will recall when we debated the two Bills that set up, the Closed Scheme and the Open Scheme, that the funds are interchangeable between the two because obviously as all current contributions are being paid into the Open Fund, the Closed Fund has no revenue at the moment and therefore for the purposes of financing the pension payments as opposed to entitlement under each scheme there is in effect one pot of money because the money flows freely on the basis of the schemes between the fund that sits on top of the Open Scheme and the fund of money that sits on top of

the Closed Scheme. The hon Member knows, for example, that the capital value of the Closed Fund is rapidly diminishing because it is paying pensions and receiving no share of the contribution as a logical consequence of splitting the schemes into two schemes as opposed to the one Ordinance scheme. The position remains as it has always been, in effect the current contributors are paying the pensions of current pensioners and that situation remains as it has always been.

HON J J BOSSANO:

I can understand what has been said which is effectively that there are two Ordinances because current contributors are apparently paying the benefits from the Closed Scheme as well as the benefits from the Open Scheme and I understood that the system was that the law provided that people would get a pension that would be made up of two sources, that is that they will get part of their entitlement from contributions post 1 January 1994 and part of their entitlement from contributions made pre-December 1993. That is as I understood it when we debated the two Bills. It does not seem quite to tally with the answer we have been given now.

HON CHIEF MINISTER:

The position is exactly as he has now described it which tallies perfectly with the answer that I have given which he has obviously not understood or misunderstood or I have not explained it clearly enough. There are two schemes each set up under a different Ordinance, the Closed Scheme and the Open Scheme. I said in my answer to the supplementary that for financing purposes there was, in effect, one pot of money because both financial funds, both the Open Scheme Fund and the Closed Scheme Fund were accessible to pay the pensions out of either scheme. It has always been the case that current pensions are in effect paid financially out of current contributions because the hon Member knows jolly well that the capital of the pension fund is insufficient without current contributions, incidentally, a position which we fully intend to address given what we regard as historical under-funding of the pension fund in Gibraltar. The hon Members know that the bulk of the moneys collected since the pensions schemes were frozen have been channelled into the Gibraltar Development Corporation Scheme Fund and that at the moment they are sitting in the Open Benefits Fund but although they are sitting in the Open Benefits Fund they are available to pay the Gibraltarian, but not the Spanish, pension liabilities due to current pensioners under the Closed Scheme as well.

HON J J BOSSANO:

So if they are available does it mean that it has not yet happened, that no payments have yet been made in respect of benefits from the Closed Scheme out of receipts in the Open Scheme?

HON CHIEF MINISTER:

No, that is not the case. There is sufficient capital left, one cannot separate the question of capital and interest. If we allowed the £5.8 million, I suppose we could run the £5.8 million of capital that there is left in the Closed Scheme Fund, we could reduce that before we started feeding it. The answer to the hon Member's question is as yet there have been no fund transfers from the Open Scheme Fund to the Closed Scheme Fund, that is why the figure is still reducing to £5.8 million but the

Government are taking steps very shortly to boost the amount of money that there is available and therefore the provision for the future in both funds, in both the Open Scheme Fund and in the Closed Scheme Fund, because we believe that there has been under-funding historically of the pension fund, not in respect of current pensions but in respect of what actuarially we believe will be the obligations of this fund in the future. But if the hon Member's question is the very narrow point, has there yet been a transfer of funds, in fact from the Open Scheme Fund to the Closed Scheme Fund, I would like the opportunity to check but my understanding of it is that as a matter of accounting, there has not yet been a transfer because there is still £5.8 million left in the Closed Scheme.

HON J J BOSSANO:

When pensions are paid at the moment to persons who are entitled, partly from the Closed Fund and partly from the Open Fund, how is that being accounted?

HON CHIEF MINISTER:

There are already some such people, I do not know how many there are. I believe there are about 300 or 400 but do not rely on that. I can tell the hon Member, if he is interested, exactly how many pensioners there already are who became pensioners after 1 January 1994 and therefore collect a small part of their pension entitlement from the Open Scheme and a large part of their pension entitlement under the Closed Scheme, there are a number of such people in that category and I believe that those are being drawn from the funds from which the entitlement derives. In other words, to the extent that somebody is due x per cent of his pension from the Closed Scheme he is getting that from the Closed Scheme Fund and to the extent that he is due y per cent of his pension under the Open Scheme he is getting that part of it from the Open Scheme. But I would be grateful for the opportunity to confirm that because it is really after all a bookkeeping matter rather than a matter of substance. But if the hon Member is interested in that detail I will certainly ensure that he receives it.

HON J J BOSSANO:

Returning to the point that the Chief Minister said that it was always intended that this should be a single pot of money as if two funds had not been created, is it not a fact that he said at the time that there was no provision for dealing with a future situation because there was no income coming in and that some way of supplementing the fund would need to be found? That is what he said at the time.

HON CHIEF MINISTER:

I do not remember saying anything of that sort. Is the hon Member referring to the business about the ability to increase the rate of pension?

HON J J BOSSANO:

No, it was the ability to keep on paying the pensions given the fact that there is no provision for income in the Ordinance.

HON CHIEF MINISTER:

The Government's ability to continue to pay the pensions is exactly the same as it was before the 16 May 1996, let us be clear, on the contrary what we have taken is steps to increase the amount of funding available to the pension fund. The hon Member will recall that the opposite of what he has asked in his last supplementary is true. There is actually a mechanism in both Ordinances to ensure that there can be a flow of funds from the Open Scheme Fund to the Closed Scheme Fund and, although it is unlikely ever to happen in practice, vice versa.

HON J J BOSSANO:

Is the mechanism that the Chief Minister is referring to the fact that the Financial and Development Secretary may authorise the transfer to another fund if there is surplus money?

HON CHIEF MINISTER:

No, there is specific provision, I do not recall if it is in the principal Ordinance itself, I believe it is, but if it is not in the principal Ordinance it is most certainly in the Regulations that were passed to establish the funds themselves but it does not rely on sub-section (4) of section 20 of the Public Finance (Control and Audit) Ordinance which is the one that gives power to transfer money from one special fund to another, it does not rely on that mechanism and there is actually specific statutory provision in the pensions legislation itself that enables this transfer of funds to meet the liabilities of one or other funds.

NO. 276 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 June, July, August and September 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 in receipt of payments from the Closed Long-Term Benefits Fund in June, July, August and September 1997 -

	<u>June</u>	<u>July</u>	<u>August</u>	<u>September</u>
Pre-1969 Spanish pensioners	8600	8607	8615	8623
British pensioners (Gibraltar and UK nationals)	4625	4637	4651	4665
Moroccan pensioners	819	827	833	835
Other nationalities	228	233	236	244

ORAL

NO. 277 OF 1997

THE HON R MOR

SOCIAL SECURITY - INSURANCE CARDS

Can Government state how many social insurance cards were in issue as at 31 December 1996, and how many have not been renewed to date?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There were 12,500 social insurance cards in issue as at 31 December 1996. Of these, 426 have not yet been renewed.

SUPPLEMENTARY TO QUESTION NO. 277 OF 1997

HON R MOR:

Is the figure of 12,500 accurate?

HON H CORBY:

Yes, it is an accurate figure.

HON R MOR:

What is the position on those 426 which have not been renewed?

HON H CORBY:

Initially there are follow up letters which are sent to the employers who have not returned the 1996 insurance cards as required by law. Those cases of non-compliance which are still outstanding are now being assessed and referred to the recently created Central Arrears Unit who will take whatever legal action is necessary to recover the arrears due.

NO. 278 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, will the Government provide a specific breakdown of the offences leading to their imprisonment?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

On 29 September 1997 there were a total of 33 inmates held in prison. Of these 13 were British (local); 3 were British (UK); 11 were Spanish; 5 were Moroccans and 1 was French.

As regards the Gibraltarians currently in prison, one inmate is serving a sentence for theft, false accounting, perverting the course of public justice; three inmates are serving prison sentences for burglary; one inmate is serving a sentence for causing grievous bodily harm and wounding with intent; one inmate is in prison for contempt of Court; one inmate is serving a prison sentence for drug related offences; one inmate is serving a sentence for theft, handling stolen goods and burglary; there are two persons on remand for drug related offences; one person is on remand for violent behaviour and wounding; one person is on remand for burglary, attempted burglary and causing damage; and another person is on remand for using threatening and insulting words.

SUPPLEMENTARY TO QUESTION NO. 278 OF 1997

HON R MOR:

Of the five Moroccans who are in prison, are they related in any way to the rescue at sea that took place recently?

HON H CORBY:

These are illegal immigrants who will be deported.

HON R MOR:

So does that mean that they are in prison as a result from an Order from the Governor?

HON H CORBY:

I will have to check on that one because there might be Moroccans who are there for drug related cases.

HON J L BALDACHINO:

Seeing that they are illegal immigrants, have the Government sought legal advice so that the fate of these Moroccan nationals will not be the same as the Russian nationals?

HON H CORBY:

I think that the hon Member will bear with me on this one. Illegal immigrants passing through the Straits are held in the Moorish Castle. There is an arrangement with the Consul in Algeciras who then produces passports and the necessary documentation and then we deport them back to where they came from. It is a different set-up insofar as the Russians are concerned.

ORAL

NO. 279 OF 1997

THE HON R MOR

SOCIAL SECURITY - SELF-EMPLOYED INSURANCE CARDS

Since the 28 June 1997, how many self-employed social insurance cards have been issued broken down as follows:

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

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Since the 28 June 1997 there are:

- | | |
|------------------------|----|
| (a) Gibraltarians | 6 |
| (b) UK nationals | 11 |
| (c) Spanish nationals | 1 |
| (d) Other EU nationals | 1 |
| (e) Non-EU nationals | 2 |

SUPPLEMENTARY TO QUESTION NO. 279 OF 1997

HON R MOR:

As regards the non-EU nationals, do we have an indication of the nationality?

HON H CORBY:

No, I have not got it now but I can give it to the hon Member later on. Does the hon Member want the information?

HON R MOR:

Not particularly but perhaps for subsequent questions it might be given.

HON H CORBY:

Will the hon Member then say in his questions by nationality so that I can have it for him next time.

ORAL

NO. 280 OF 1997

THE HON R MOR

FRONTIER WORKERS

Can Government state what is the latest number of frontier workers classified as self-employed broken down as follows:

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

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The latest number of frontier workers classified as self-employed is as follows:-

(a) Gibraltarians	Nil
(b) UK nationals	22
(c) Spanish nationals	16
(d) Other EU nationals	2
(e) Non-EU nationals	1

NO. 281 OF 1997

THE HON J J GABAY

EDUCATION - STUDENT TUITION FEES

Will Government give a commitment that they will not follow the UK Government policy of charging students tuition fees for university education as from 1998?

ANSWER

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

The tuition fees for EU students, including Gibraltar students, following designated courses (ie First Degree or Higher National Diploma) are met by the Local Education Authority (LEA) in which their university or college is located. Our students apply for a fees only award to the LEA as soon as they arrive at the start of every academic year. It is not yet clear how the LEA will deal with this matter next year, when UK students will be charged tuition fees. The Government will consider these options when these are available and not before.

SUPPLEMENTARY TO QUESTION NO. 281 OF 1997

HON J J GABAY:

The Minister must be well aware of the seriousness of the debate that has accompanied this radical decision on the part of the present Government in the United Kingdom. There are large numbers of students in the United Kingdom extremely anxious as to how they are going to meet the expenses that will be forthcoming which are calculated to amount to some £10,000 at the end of a three year course if we take into consideration the abolishing as well of the maintenance grants, I feel that it is of great importance to ask the Minister this to know where the Government stand in respect of the next academic year and therefore would the Minister not think it of consequence to explain his philosophy on this subject and whether in fact the Government will commit themselves to pay the fees themselves which have been paid from other sources currently?

HON DR B A LINARES:

I am well aware of the debate in Britain, as a matter of fact I was present during the debate in the Labour Party Conference when David Blunkett actually put forward his ideas on the subject. I have to say that not all the reactions to the proposals by the new Labour Government are exactly reflected by the views expressed by the Opposition Member, nevertheless I do agree with him that they are a cause of concern to us and when we know the position more clearly, obviously, that will be the time when we will be declaring our options in that respect.

HON J J GABAY:

Could I therefore ask the Minister to give this matter extreme urgency because there are quite a number of students locally extremely concerned? Unfortunately would he not agree, that it is the students from poorer backgrounds that are far more concerned and people are asking what the attitude of the Government will be? Students coming from less favoured backgrounds may well be deterred by the possibility of having to incur a debt of some £10,000 at the end of the three year course. Therefore, will the Minister consider giving the matter a great deal of urgency if only to allay the anxieties of the current group heading for university in the next academic year?

HON DR B A LINARES:

I can assure the Opposition Member to that effect. In fact, when I was in the Labour Party Conference I tried to get as much information as to how the tuition fees regime which is going to be implemented in Britain, what implications it will have for European students. As I say, no one could give me a clear answer but as a matter of urgency we are already in close contact with the Department for Education and Employment in Britain to get official information to that effect.

HON CHIEF MINISTER:

If I could just add to that, that although I have not been in receipt of any of this concern that the hon Member alluded to, but since he obviously has, perhaps he could tell those who have expressed to him concern that in my judgement there is unlikely to be any reason for them to be concerned.

HON J J BOSSANO:

Can the Chief Minister explain how his judgement is arrived at? Is it because he thinks it is unlikely that European students will pay or it is unlikely that the Government will refuse to pay?

HON CHIEF MINISTER:

Both, for one reason or the other. We are in the realms of speculation, indeed the whole question is speculative because there is no, as the Minister for Education has explained now twice, there is not yet a problem, there is no indication that whatever happens in the UK that there is going to be any change at all in relation to how Gibraltar students are treated by local education authorities. Therefore we are in the realms of complete speculation here. I think it is highly unlikely that any change of policy in the United Kingdom will be followed by, certainly not immediately, any change of policy on the part of the Government of Gibraltar. All that the Minister has said which is the position, is that we will consider the problem when and if there is a problem and that is not the position at the moment. In the meantime, if there are local students lying awake at night worried about whether they are going to be able to complete their courses without enormous financial pressure, my advice to them would be that there is no cause for them to be concerned.

HON J J BOSSANO:

If that is the advice that we have to transmit it would have been easier to transmit it if the original question had been answered saying, "In the event of students here being required to pay, the Government will not make them pay". If that had been the answer it would have been very simple and if it does not happen it does not happen and, of course, it would be preferable for Gibraltar that it should not happen. But is it not in fact the most likely thing, would the Government not agree that it would be a highly controversial thing in the United Kingdom if students from other Member States did not have to pay and UK students did? Therefore all the expectation naturally would be that it should not happen and it is possible, I think, for the Government to decide how they will handle the problem if it materialises without having to wait for the problem to materialise.

HON DR B A LINARES:

I think the whole issue has to be put in a factual context. When the question is put to me in terms of the Government in Britain charging students tuition fees and I myself in my answer also spoke of that in the same tone, it is not exactly what the real situation is. I think perhaps the hon Member will know that the latest statement coming through is that these tuition fees will be means tested, in fact, the figures are not yet clear but figures are coming through now such as any parental income less than £17,000 the tuition fees will not be chargeable at all to the student and it is only above the figure of parental income of about £34,000 tuition fees will be charged £1,000. As a whole in between the £17,000 and the £34,000 there will be a pro rata available, so as I say the factual content is still not there and that is why my answer was not as committed as perhaps I would want.

HON J J GABAY:

As a final comment on this, I would like to say that we are all aware of the development of this problem in England and the degree of uncertainty, that it is precisely as well because of the degree of uncertainty that a large number of students are anxious and the National Union of Students has actually made the point and other organisations as well, so it is simply to allay any worries on the part of our students. I do not agree with the Chief Minister that it is not very likely to come across those who have sleepless nights because when one comes to think of it, the same as being in England in respect of paying tuition fees, tuition fees for public schools range up to some £15,000 a year so nobody is going to bat an eyelid for the payment of £3,000 in terms of university tuition fees but there is an element that we need to consider who are genuinely worried even if the Chief Minister has not come across them. This is the point that I was trying to make and this is why I was asking for some sort of a commitment either on the philosophy of it or the financial capability of the community to put up with what might be something like £600,000 if we were to pay it.

ORAL

NO. 282 OF 1997

THE HON J J GABAY

EDUCATION - COMPREHENSIVE SCHOOLS

Will the Minister for Education inform the House whether any pupils have been suspended or expelled from either of the Comprehensive Schools during the last academic year?

ANSWER

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

During the academic year 1996/97, 11 pupils were temporarily suspended from both Comprehensive Schools, seven from Bayside and four from Westside. There were two indefinite exclusions at Bayside and none at Westside.

SUPPLEMENTARY TO QUESTION NO. 282 OF 1997

HON J J GABAY:

I presume that indefinite exclusion is the euphemism for expulsion and if they have been expelled could he possibly comment on the reasons for their expulsion and the age of the pupils concerned?

HON DR B A LINARES:

The age is 15 year olds; the reasons I am afraid are too personal and could lead to identification and I think it is prudent not to indulge in that.

HON J J GABAY:

May I just simply ask whether they were 15 plus or below 15?

HON DR B A LINARES:

I think that when they were excluded they were under 15, at present they are over 15, for the comfort of the Opposition Member let me say that these two students although they are excluded from the school ambience they are being attended to very directly by a specialist teacher, a very experienced teacher, in fact, an ex-head teacher of a special school in UK for children with behavioural problems and they

are directly being tuitioned by this lady outside the school ambience, in fact, in Bayview House where social workers operate and occasionally in the medical suite of the school because there is hope of an eventual reintegration of these students into the school community.

HON J J GABAY:

I am pleased to receive that information. My concern was in respect of under 15, whether there was a satisfactory follow-up system and not simply turning them out into the street.

NO. 283 OF 1997

THE HON J J GABAY

EDUCATION - GCE 'A' LEVEL

Will the Minister for Education consider taking into account an "A" grade in Spanish at 'A' level when taken and achieved in year 12 in conjunction with two "A" grades in year 13 when awarding Gibraltar Scholarships?

ANSWER

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

The Educational Awards Regulations 1990 state that students must obtain three "A" grades at 'A' level in one sitting to be awarded the Gibraltar Scholarship. The subjects in which these 'A' grades are obtained are not specified. Allowing students to be awarded the Gibraltar Scholarship in two sittings will mean that it will be less of an achievement to obtain this award. The Regulations as they stand at present, I will remind the hon Member, were introduced by the previous administration and this Government consider them very adequate and therefore we do not contemplate changing them at this stage.

SUPPLEMENTARY TO QUESTION NO. 283 OF 1997

HON J J GABAY:

On the question of achievement I, of course, disagree with the Minister. The whole point of the question was that in my own opinion, of course, a student for example who takes 'A' level Spanish a year before his usual time and acquires an "A" grade and then takes three 'A' levels at his normal time and gets two grade "A"s should be compensated with the Gibraltar Scholarship. The reason why some students are doing the 'A' level Spanish a year before is quite obvious, that they are not receiving a full education if they are talented because the demands made by Spanish, as the exam stands today, is virtually negligible. So an increasing number of talented, hardworking pupils prefer to take three normal 'A' levels and discard the Spanish in one year still obtaining an "A" grade and a star as well in the oral which is no great achievement, as we well know. So therefore I think those who take three normal ones at the end should be commended. I think it is unfortunate for somebody to get an "A" grade in Spanish 'A' level and then two "A" grades in say, maths and physics and a "B" in some other subject and still not be awarded a Gibraltar Scholarship. It is on grounds of achievement that I propose this.

MR SPEAKER:

What was the question?

HON J J GABAY:

Does the Minister agree with this suggestion?

HON DR B A LINARES:

It is very much a matter of opinion. I think any student doing 'A' levels and getting any form of achievement at 'A' levels is worthy of commendation of sorts. Where one sets the ceiling and one sets the targets is, as I say, a matter of opinion. What is not a matter of opinion is that lowering the targets is also lowering the sense of achievement and I think the targets as placed at the moment through the Educational Awards Regulations are perfectly adequate and gives a sense of motivation to students to achieve the top.

HON J J GABAY:

May I add to this that it is not a question of lowering the standards.

MR SPEAKER:

It is a question, that you have got to ask.

HON J J GABAY:

Is it not a question rather of putting it into a true realistic perspective as to the educational value of that particular 'A' level given the system that we follow?

HON DR B A LINARES:

I think it is a matter of opinion and we may differ at this stage, perhaps at a future date we may reconsider.

NO. 284 OF 1997

THE HON J J GABAY

EDUCATION - MANDATORY SCHOLARSHIPS

Will Government consider removing the two year limit on school leavers for eligibility to mandatory grants for higher education?

ANSWER

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

The two year limit is stipulated in the Education Awards Regulations 1990 introduced by the previous administration. I guess this two year limit is meant for students who want to defer a year or two either because they have been unsuccessful in securing a place in the university of their choice and want to try again or for those who want to take a year or two out before going to UK. At this stage, we believe the two year limit is adequate and reasonable. Applicants who may not qualify under the present conditions may still obtain grants from Government on a discretionary basis.

SUPPLEMENTARY TO QUESTION NO. 284 OF 1997

HON J J GABAY:

My reason for feeling that there might be some sense in withdrawing that limitation completely is based on two arguments. One, does it not make sense, for example, that a 25 year old might subsequently to leaving school develop, seek a place, obtain it and being more mature do extremely well at university and this, of course, may be applied to older age groups as well; might there not be some sense in eliminating it completely whatever Government set it up in the past?

HON DR B A LINARES:

There is some sense in that, a mature student as described by the hon Member. As I say, that mature student can still obtain a grant or an award to go to university but I think he will agree with the wisdom of the present system whereby late aspirants and mature students would do well to be filtered through the present discretionary mechanism because not all of them will be the type of student that the Opposition Member described a moment ago.

HON J J GABAY:

Might it not, however, be worthwhile giving more strict guideliness to the Scholarship Board with regard to the discreionary award? The Minister will know that there have been quite a few controversial cases and if the situation was defined a little more clearly then perhaps these could be avoided and we have had the opportunity to discuss other cases.

HON DR B A LINARES:

I do believe there is a question from the hon Member precisely on the criteria which have been defined for the Scholarships Awards Committee. Perhaps we can discuss that when we come to that question.

HON J J BOSSANO:

Can I ask the Minister, has anybody, for example, this year or last year to his knowledge been rejected because of the two year limit having had the necessary 'A' levels to get a place in university? Is it affecting anybody, the two year limit?

HON DR B A LINARES:

Not to my knowledge but I would like to check that one up.

HON J J GABAY:

May I add that there might be a little bit of confusion here in the sense that one particular candidate has been rejected not on the grounds of 'A' levels which she had not taken but she had actually obtained a place at university, in fact she had two offers, having done an entrance exam, so this showed a great degree of commitment on the part of this particular candidate. So the feeling was that the grant would have been automatic which was not and this has led to some disappointment and dissatisfaction. This is why I was saying whether it might not be possible to give a more specific guideline and regulation with regard to the basis upon which these grants are made?

HON DR B A LINARES:

When the time comes I will be describing to the hon Member the guidelines and criteria which have been sent to the Scholarships Award Committee, as I said a moment ago.

NO. 285 OF 1997

THE HON J J GABAY

EDUCATION - DISCRETIONARY AWARDS

Will the Minister explain the criteria used this year in making discretionary awards?

ANSWER

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

The criteria provided by me for the Scholarship Awards Committee are:

1. Relevance in broad terms to the needs of the local community (eg careers in the finance sector, tourism, service industries, etc). The Committee is asked to deal with this in a discretionary manner.
2. Higher degrees, that is masters, doctorates: no longer is the Committee to insist as a condition on a first class honours in first degree. Again, a more discretionary approach by the Board with particular attention to the student's track record and his/her acceptance for a higher degree by the academic institution or university concerned.
3. Applications for non-degree courses which are not available locally should be considered as well.
4. Post Graduate Certificates of Education: applications for these, the students year locally as a form of probationary year is not compulsory anymore but this option may be fully taken up by the applicant if he or she wishes.
5. Applicants for courses outside UK should be interviewed by the Board and appropriate recommendations on the intrinsic merits made to the Minister.
6. Whereas the Board should be mainly concerned in assessing the intrinsic merits of each application, this should be balanced against the financial costings involved.

SUPPLEMENTARY TO QUESTION NO. 285 OF 1997

HON J J GABAY:

This brings me to the point that I was trying to make earlier on and that is that there is a requirement for more detailed criteria so that not only justice is done but appears to be done. Is not the Minister aware that there is a degree of dissatisfaction and that some of the reasons given for refusals at times tend to make little sense when compared with other parallel cases? This is why I feel that and, hopefully, he might feel, that a more detailed list of criteria might be available.

HON DR B A LINARES:

As regards the adequacy or validity of the guidelines given to the Committee, I can tell the hon Member that the Committee which is made up of very professional and demanding persons, educators and persons in high places in industry, feel perfectly at ease and comforted by the guidelines that I have been able to provide them and that they feel they have the parameters in the context in which they can make adequate assessments of individual applications. As regards the disappointment and feelings and controversy to which the hon Member refers, let us be blunt about it. Any person who is rejected and fails to achieve the scholarship for which they aspired, obviously there will be an element of disappointment and even of controversy and of rejection, that is life and we all know well that situation and of course we share the sentiments of the individuals concerned but nevertheless there is very little that one can do about it when one has a systematic mechanism for these assessments and for these grants that are accountable, of course, to the Government because they involve a great deal of taxpayers money.

HON J J BOSSANO:

Can the Minister say how many applicants have been rejected for discretionary grants this year?

HON DR B A LINARES:

I am sorry, I should have had the figures with me but I have not. A very rough guess, I think a good 40 per cent of applicants have been accepted, 60 per cent have been rejected but we had an extraordinary high number of applications this year. I am sorry, I apologise I do not have the figures at my fingertips but I can obtain them later on this evening.

NO. 286 OF 1997

THE HON J J GABAY

EDUCATION - OPEN UNIVERSITY

Can Government confirm whether any grants have been made this year to persons undertaking courses with the Open University?

ANSWER

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

Yes, grants have been awarded this year, may I say, for the first time, to persons undertaking distance-learning courses including the Open University courses. These have taken the form of a subsidy to help students cover tuition fees, it does not cover the cost of attending weekend courses.

The main objective has been to support those more mature students who, for one reason or another, mainly job and family commitments, are unable to study in the UK.

Seven students are being supported with their distance-learning studies, four of whom are Open University students and the remaining three are studying with other distance-learning institutions; two students with the University of London and one student with the College of Estate Management.

SUPPLEMENTARY TO QUESTION NO. 286 OF 1997

HON J J GABAY:

If this is a new dimension, perhaps even a welcome dimension, why is it not circulated widely in the community? Why should it have to become a surprise to others who might have applied and be interested in it?

HON DR B A LINARES:

Let me explain, there is a public advertisement inviting all members of the community to apply to the Government for financial support and funding if they wish to follow any course of education, whether by going to UK to a college or university, as I explained a moment ago, for a whole variety of courses not necessarily degree courses, and these students who have actually obtained the subsidies went through that process. They applied for support and funding and they were fortunate enough to be assessed positively by the Committee and they were granted their awards. To move directly to the question, we make a public announcement inviting applications for all persons, whether for studying in UK or for studying through distance-learning mechanisms locally and they all apply for these awards. I do not see what the hon Member means by actually giving further information in this respect.

HON J J GABAY:

Apart from the global aspect of these applications, surely the Minister would not question that some people would rather doubt whether the grants would be given for an Open University course because this has been reflected in comments made to me and it was also considered, even wrongly, that these courses were there for people working and could afford them and making the sacrifice to pay for it themselves. But the idea of grants for Open University courses or indeed for any other correspondence course had not crossed their minds. So would it not have been better simply, since it is a new dimension, to publicise it? I am not saying it is not contained in the global regulations, part of the problem is there are too many global regulations and too little detail perhaps.

HON DR B A LINARES:

I am tempted to score cheap political points by saying that I can understand that given the negative regime that prevailed before, many students had never thought that they would have any chance in applying for these distance learning courses but I will be delighted actually to give the widest publicity to this possibility now. Obviously there is some political kudos to be obtained from that so I will be delighted to do so, yes, indeed.

HON J J GABAY:

The Minister is welcomed to his political capital.

HON J J BOSSANO:

Is it that the policy decision was taken that for the first time financial assistance would be given to people undertaking courses by correspondence this year?

HON DR B A LINARES:

The possibility has never been explicitly or statutorily excluded but there was a policy in terms of practical application this year whereby the Committee were advised that they could positively consider and assess applications in that respect.

HON J J BOSSANO:

Is it that the committee were advised, presumably by the Minister, that this year they could consider applications for this type of assistance because the Minister had a sudden feeling that there were going to be people applying this year who had not applied previously?

HON DR B A LINARES:

There is a sense in which that is the case, obviously I was drawing on experience, I think hon Members will know that it is not in any personal vested interest involved. But simply because I can draw the experience of demands and people who are crying out for this type of support, there are more mature students now beginning to see, particularly in the general employment situation that they should divert their opportunities by seeking further education and further studies, that is something that we sense from general contact and feedback from the community and in response

to that we felt that it would be very wise and proper that we should attend to bona fide cases because there are also applications in this area which are not intrinsically meritorious and we felt, when I say "we" I mean myself and my advisors in the department, that it would be proper to respond to this demand and this need.

HON J J BOSSANO:

Can I ask, apart from the seven that were accepted, how many other applicants asked for assistance for correspondence courses and were rejected?

HON DR B A LINARES:

Again I should have my figures before me and I apologise but I have a feeling that there were only seven applications and that the seven were fortunate to be considered meritorious and deserving, I can check on that later.

HON J J BOSSANO:

Obviously we will not know what the dividing line between the meritorious and the non-meritorious are until we discover who becomes non-meritorious. At the moment all we happen to know is presumably it is the level of the studies, are these for degree courses?

HON DR B A LINARES:

Yes, mostly for degree courses which will take longer, of course, because they are by correspondence. But there are many indicators for the deserving and intrinsic merit of each application. For instance, I can give one example that was manifest. Students who have already done a year's course with the Open University or with another College at their own expense initially and they have actually scored well, they have passed their first year, they have a good report from the tutors in the Open University and now they come with that evidence and recommendations from the tutors at the Open University and that, of course, is an indicator to the Board that this is a bona fide case deserving of support. That is only one example of the type of evidence that the Committee will look at in making their assessment.

HON J J BOSSANO:

Can I ask how much the level of support is and is in deciding whether to provide the support or not, any account taken of the student's financial circumstances?

HON DR B A LINARES:

I think the level of support is the tuition fees as a whole which I think is generally £1,000 a year. There are other expenses involved in buying books and equipment but at this stage the support has been limited to the tuition fees.

HON J J BOSSANO:

And the second part of my question was, in deciding whether somebody should be given £1,000 to pay for their tuition fees, is account taken of that individual's ability to pay, his financial circumstances?

HON DR B A LINARES:

At this stage we have not gone the way of David Blunkett in means testing for the tuition fees and since we are saving here, in these cases the greater expense of maintenance grants, travelling expenses, we have decided to have a standard rate of £1,000 in terms of tuition fees.

HON J J BOSSANO:

I do not quite follow how the Government are making a saving in providing something that never existed before. Is he suggesting that these people chose to do it by correspondence rather than going to the United Kingdom and that, in fact, the saving comes because they have been encouraged not to go to the United Kingdom, that they might have gone?

HON DR B A LINARES:

No, the decision to enter into a distance-learning course and not go to a university in the United Kingdom is entirely a voluntary decision of each individual, there has been no compulsion in that respect. When I said a saving perhaps it was the wrong word. I mean since we do not have to pay for maintenance grants it would have been rather mean again to means test the funding of the tuition fees.

HON J J BOSSANO:

Are we talking then of people who have never had a grant before and have never studied before?

HON DR B A LINARES:

I think so. If I can throw my mind back on the seven individuals, after all there are not so many to think of, I think they are all individuals who at this later stage in life feel that they would like to go back into the world of academia and develop their intellectual and educational potential and I have said it before, we thought that this should be supported by the Government.

NO. 287 OF 1997

THE HON J GABAY

EDUCATION - SUMMER 'LITERACY COURSES'

Do Government consider that there is a need for the setting up of summer 'Literacy Courses' for some middle school leavers prior to entering the Comprehensive Schools?

ANSWER

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

Summer 'Literacy Courses' are an innovation introduced by Blair's New Labour.

The Department closely monitors all UK initiatives and tends to wait for objective evaluations before embarking on similar ventures. In exercising this caution, the Department usually consults with colleagues in UK. Should it decide to offer such a scheme, the Department would need to identify the most appropriate age at which to offer these courses. It also has to weigh up the labelling that can result, Gibraltar being a small place, against the benefits that may accrue, if any. It also needs to decide on criteria for selection.

SUPPLEMENTARY TO QUESTION NO. 287 OF 1997

HON J GABAY:

It is quite well-known in the United Kingdom that this project has been a great success as reviewed in the Times Educational Supplement, I do not think there is much doubt about that. I think the matter was also highlighted at the Labour Conference which the Minister attended. Whatever is going on in the United Kingdom, does the Minister not feel that in respect of our own needs that one of the serious handicaps in the way that some of our children where mostly Spanish is spoken at home there is the lack of the command of the language when they go into the Comprehensive Schools and that a number of so handicapped children would be able to get the sort of personal attention that they have never had before. Would he not agree that one of the wonderful points about this project has been that some of the children have gone across their first experience of the sort of personal attention that can be given in these 'Literacy Courses' with excellent results? I feel it does not take a great deal of imagination to realise how beneficial such a project would be for the community if we could so arrange it to give those who have not full command of the language the opportunity to strengthen their command of the language prior to going to Comprehensive School where the demands are obviously greater.

HON DR B A LINARES:

Yes, I do entirely agree with the thinking put across by the hon. Member. I feel that I ought to say that he must not go away with the idea that we have totally abandoned the intensive literacy programmes but my view and the view of my advisers is that these programmes should be concentrated more at a very early stage, even the pre-school age for them to yield results in later stages rather than this summer courses just before entering Comprehensive. But that, again, is a matter of educational judgement. What I do want to say is that we very conscious and I do agree that intensive treatment of programmes aimed at the development of literacy at whatever age we can discuss that and debate that, are obviously beneficial and particularly in the linguistic context of Gibraltar particularly appropriate and that my department is very conscious of that and we will monitor methodologies and techniques which are being developed in the UK for their possible adoption locally.

NO. 288 OF 1997

THE HON J GABAY

EDUCATION - NUMBER OF STUDENTS COMPLETING THEIR STUDIES IN UK

Can the Government state how many students completed their higher education studies in the UK in the academic year 1995/96 and of these, how many have since remained in Gibraltar?

ANSWER

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

This same question was asked of me under Question No. 28 of 1997 and the answer to it will be the same. If the hon Member likes I will quote the figures that I quoted then but they are in Hansard.

As far as this present year is concerned, perhaps that is a more relevant question if he is interested, I can tell him that the department has very recently received notification from the Personnel Department to release all students from their contract, except those who have been employed as teachers, seven as permanent and pensionable teachers and four as supply teachers. What is happening at the moment is that the department is writing to each student to inform them of their release from contract and in that same letter they will be receiving a questionnaire to elicit the information required by the Opposition Member. I have a copy of the questionnaire which I think very adequately elicits the outcome in terms of employment of these students and I will be very happy to give the hon Member a copy of that.

SUPPLEMENTARY TO QUESTION NO. 288 OF 1997

HON J J BOSSANO:

The Minister said the rest were being released but he did not say how many the rest were, seven are not being released, what is the number for those being released?

HON DR B A LINARES:

I am sorry, I have not got the figure. He is catching me out with figures this afternoon but I will get him the exact figure.

ORAL

NO. 289 OF 1997

THE HON J GABAY

EDUCATION - GOVERNMENT NURSERIES

Will the Minister for Education provide specific information on the criteria used to allot places in Government nurseries?

ANSWER

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

The criteria used for selection are:

- (a) special education needs (assessed by Principal Educational Psychologist and the Senior Speech and Language Therapist)
- (b) medical problems of children and these are checked with the GHA by the Principal Educational Psychologist
- (c) number of other children in the family
- (d) children expected in the family
- (e) mother working full-time or working part-time and an employer's letter is required to verify this
- (f) mother wanting to work - evidence required
- (g) mother caring for an elderly or sick parent
- (h) financial hardship, for example, recipients of supplementary benefits in the family
- (i) problems at home which are verified by the health visitors.

Points are then allocated on the basis of these criteria and an order of priority is drawn up. Those obtaining the highest number of points obtain places as required by them. Others are placed on the waiting list or offered alternative placements in other nurseries for which they have not explicitly applied.

SUPPLEMENTARY TO QUESTION NO. 289 OF 1997

HON J GABAY:

Are the children of single parents given any special priority given the particular circumstances?

HON DR B A LINARES:

Children of single parents are given a degree of priority in the context of the other social and family factors which I have described in the criteria.

ORAL

NO. 290 OF 1997

THE HON J GABAY

EDUCATION - TENDER AWARD - COMPUTERS

Will the Minister for Education explain how the supplier of computers for the Education Department was selected?

ANSWER

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

The supplier of computers for the Education Department was selected following established Government tender procedures. The Department wrote the advert specifying its requirements. The Treasury Tender Board authorised its release. A Departmental Board met to recommend to the Treasury Tender Board its preferred supplier, with reasons. The Departmental Board consisted of the Director of Education, the Education Adviser, the Higher Executive Officer and the Chairman of the National Curriculum Working Group for Information Technology. The Treasury Tender Board accepted Departmental recommendations.

SUPPLEMENTARY TO QUESTION NO. 290 OF 1997

HON J C PEREZ:

Would the Minister not consider it odd that one of the reasons given for having accepted the specific tender was due to service and maintenance whereas when the tender was advertised there was no mention of service and maintenance but equipment only? That is to say, when the tender was advertised by the Department they only sought a particular equipment and the reasoning for having selected the successful tenderer was an added clause that said that service and maintenance was taken into account. There are certainly some people who tendered for the equipment who say that no one either from the Tender Board or from the Department bothered to assess their service and their maintenance before a decision was taken.

HON DR B A LINARES:

Precisely because that was not specifically mentioned in the advertisement, all the firms were approached after the closing date precisely to clarify this one and very essential aspect as regards school use of computers since this was not very clear from the start. In this case we accepted a slightly more expensive tender because it offered an after sales service like the Department has never had before. For the first time schools are getting an excellent service.

HON J C PEREZ:

I believe that the information that the Minister has and the one that I have is certainly in conflict. I am not saying that they should not have selected this or any other tender. What I am saying is that two of the companies that tendered for the equipment say that there was no approach made to them to look at the service and the maintenance and that since the rationale for having selected a higher price tenderer was advertised as being for service and for maintenance that that approach would have had to be made in order to make that assessment.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

If I may respond from the Treasury Tender Board's perspective. I do not have all the details of this in front of me, but as I recall it, two tenderers were significantly cheaper than all the other tenderers and as a result the Treasury Tender Board determined, I agree with the point the hon Member is making that in fact the tender should have specified it at the outset, but we decided as the two were significantly cheaper in this circumstance it was only necessary to go to those two and then to make a selection on that and as a result the one chosen, even with the addition of the maintenance albeit more expensive than the two short listed, was actually cheaper than all the others still with the maintenance. I think that might satisfy the hon Member.

HON J C PEREZ:

What the Financial and Development Secretary is telling me is that out of all the people that applied there was a short list and the short list was then contacted to see the service and maintenance, but the people that were not short listed are saying that no one went to them and said, "What is your maintenance and service like to be able to determine whether your service is better or worse?" I accept that the decision was that a short list was made and that that procedure was taken through the short list but not all the people that applied.

HON CHIEF MINISTER:

I do not know if the hon Member is implying that there has been some impropriety in the tender procedure. The hon Member should be aware that although the Government are entirely satisfied that this tender has been carried out in accordance with Financial Regulations, if the staff of the Department of Education were a little rusty on tender procedures it is because according to them they have not been involved in these procedures for the last eight years.

HON J C PEREZ:

They might have avoided these difficulties.

NO. 291 OF 1997THE HON J GABAY**EDUCATION - PERCENTAGE OF 18 YEAR OLDS STUDYING IN UNIVERSITY**

Will the Minister for Education state what percentage of 18 year olds in Gibraltar are currently studying for a first degree at university?

ANSWER

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

The students who sat for their 'A' level exams this past summer, that is the 18 year olds to which the question refers, started at the Comprehensive Schools during the academic year 1991/92 - 215 boys started at Bayside School in September 1991 and 199 girls started at Westside School in September 1991, that is a total of 414 pupils started at the Comprehensives during the academic year 1991/92.

This year, 125 of those 414 have proceeded to UK for higher education, that is in answer to his direct question, 30.2 per cent. A total of 177 scholarships were awarded this year and that, I would say, is a more relevant statistic, that is 44 per cent. We have to bear in mind that a number of students who sat for their 'A' level this summer decide to take a year out either because they have not found as yet a place of their choice or because they have decided to defer for a year. No doubt most of them will proceed to higher education next year. Of the 52 non-18 year olds that we had this year, some are precisely those students who deferred last year.

SUPPLEMENTARY TO QUESTION NO. 291 OF 1997

HON J GABAY:

I believe that the percentage of 18 year olds going to university in the United Kingdom is 30 per cent. What I was looking for really was the percentage of 18 year olds globally here going for further education. Specifically I have asked this point because, is the Minister not aware that His Excellency the Governor on board the Britannia with a little overboard quoted that we had 50 per cent of our 18 year olds at university? It is very encouraging but it seemed a little unrealistic and this is the reason for the question.

HON DR B A LINARES:

It is not a correct analysis of the statistics. I can give the figures over the last three years - 177 this year and that is 44.2 per cent of the intake; last year 180 which amounts to 45 per cent of the intake; in 1995 201 which is over 50 per cent of the intake. If we take these three years together and it is certainly a recurring pattern, we arrive at a figure every year, on a yearly basis, of 46.5 per cent over the time because as I explained in my answer, one cannot just focus on the 18 year olds this

year because some of them will be going next year so that there is an overlap and a recurring number and therefore the pattern must be seen over a number of years and certainly statistically the relevant figure is around 46.5 per cent and I am sure the hon Member will not want to depreciate this achievement of our educational system.

HON J J BOSSANO:

Whilst nobody wants to be involved in depreciating anything, least of all the achievements that people on the Government want to claim for themselves, is it not important to have accuracy if we are comparing our performance with the United Kingdom and if, in fact, the achievement in the United Kingdom is I think something like 32 per cent of the age group is entering degree level learning then we want to know whether in fact 50 per cent of our 18 year olds or 30 per cent are, not for the sake of devaluing or taking away anybody's achievements but to know whether we compare favourably or otherwise with what exists in the UK now and which the UK itself is trying to increase, in fact? Is it in fact the case that if we are comparing it using the same criteria as the UK, the figure this year would be 30 per cent?

HON DR B A LINARES:

The UK use also the concept of intake every year, on a yearly basis the number of students who go into university that year is a percentage of the intake and on that score, as I say and I am absolutely convinced of this, that the 30 per cent of the UK has to be related in terms of statistical equivalence to the 46.5 per cent that we are achieving on the basis of a number of years. So although His Excellency the Governor may have gone a bit over the top, I think he said nearly 50 per cent, well 46.5 per cent is not far off.

NO. 292 OF 1997THE HON J GABAY**EDUCATION - SCHOOL LEAVERS AGED 15 YEARS**

Will the Minister for Education state how many children left the Comprehensive Schools at the age of 15 in each of the last two academic years, 1995/96 and 1996/97?

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

The number of children who left the Comprehensive Schools at the age of 15 in each of the last two academic years, 1995/96 and 1996/97 are as follows:

<u>Westside</u>	1995/96	-	19 children
	1996/97	-	11 children

<u>Bayside</u>	1995/96	-	33 children
	1996/97	-	24 children

SUPPLEMENTARY TO QUESTION NO. 292 OF 1997

HON J GABAY:

I am grateful for that statistic. Is there any follow-up with regard to the reasons why they leave the school? It might be an interesting point to find out whether we know exactly the reasons where there might be difficulties in the home background or whatever.

HON DR B A LINARES:

When we are dealing with such small minimal figures it is very difficult to actually describe the generic reason, there are a whole variety of reasons, I think the hon Member has pointed to one, it could be family background, demotivation. There is also the attraction of the construction training courses and the cadet scheme for some students and, as I say, a whole multiplicity of reasons because we are dealing with a very small sample. I think the hon Member will agree that out of an intake of roughly 400 only about 47, another good indicator is that both Westside and Bayside the number of children leaving at 15 has dropped from 1995/96 to 1996/97.

NO. 293 OF 1997

THE HON J GABAY

EDUCATION - NATIONAL DAY

Have Government give any consideration to the possibility of commencing the school year after the holding of the National Day celebrations?

ANSWER

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

Government have considered this possibility but no decision has been taken at this stage.

SUPPLEMENTARY TO QUESTION NO. 293 OF 1997

HON J GABAY:

Would the Government give it more urgent consideration in view of the fact that it appears that a lot of time is wasted actually as a result of children either arriving late or not arriving at all or arriving exhausted and that it might be possible, in fact, to arrange the school year in a way that by eliminating the summer hours prior to the summer holidays that week could be made up so that it would not conflict with the new academic year starting in September?

HON CHIEF MINISTER:

Yes, this is indeed a dilemma and the Government are aware that as National Day celebrations become more festive and therefore more popular and enjoyable there is an increasing need to address the issue that the hon Member raises. The Government have the matter under review, obviously we have a degree of time in which to do it but at this early stage I think it is much more likely that we would advance the celebrations rather than retard the commencement of the academic year.

HON J C PEREZ:

Given that consideration was already being given by the Director of Education in early 1996 to do this and the only problem seemed to be that there had to be a number of academic days per year for each teacher, one of the solutions that was being looked at then was to extending the half-day period during the summer and eliminating the half-day period in September and that was something that was going to be considered when I was in office. Is that not possible rather than have the Chief Minister upset a lot of people by making National Day earlier?

HON CHIEF MINISTER:

No, no one has said anything about moving National Day. I said advancing the celebrations.

HON DR B A LINARES:

There is another point to that. There are many factors that have to be weighed up and that is why I feel that perhaps now that we have a newly formed organising committee representing different experiences and sectors of the community, that this is a good forum in which all the different factors can be considered but I will give just one. Encroaching into the summer period of the traditional summer holidays will certainly not help examinees, students entering for the public examinations because they are examined in May/June and that to them will mean the loss of 10 days of examination preparation and work which is quite crucial, I assure the House, because of the very tight schedules and syllabuses that they have to cover in the two years of examination work. That is an area that would not be covered by that device, apart from other factors that I think in any case this is not the proper forum to weigh them up but actually leave it to the experts. I am in consultation also with the educators.

ORAL

NO. 294 OF 1997

THE HON MISS M I MONTEGRIFFO

SPORTS DEVELOPMENT - EXPENDITURE

Can Government state how much money they have spent to date from this year's estimates, Head 4-F Sport, subhead 5(a) and (b), Sports Development?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Answered together with Question No. 298 of 1997.

NO. 295 OF 1997

THE HON MISS M I MONTEGRIFFO

GFA - SCHOOL OF EXCELLENCE

Can Government confirm whether the premises at South Barracks, including the area for the School of Excellence, has now been handed over to the Gibraltar Football Association?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The premises at South Barracks known as the old recreation rooms, have not yet been handed over to the Gibraltar Football Association.

SUPPLEMENTARY TO QUESTION NO. 295 OF 1997

HON MISS M I MONTEGRIFFO:

Can the Minister give the reasons why they have not been handed in view of the fact that we are now one and a half years on after it was earmarked for the Gibraltar Football Association?

HON LT-COL E M BRITTO:

The previous GFA Council who resigned recently had been sent a copy of the licence documents for their perusal and approval in principle. As the hon Member knows, events have overtaken that and I am awaiting the opinion and the views of the new GFA Council. I am expecting to meet them shortly and I presume that at that meeting those views will be expressed.

NO. 296 OF 1997

THE HON MISS M I MONTEGRIFFO

COMMUNITY SPORTS FACILITIES

Can Government explain the delay in providing community use for sporting entities?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The Government do not accept that there has been any abnormal delay this year, compared to other years, in the provision of community care sports facilities. It has been the norm, since its inception, for facilities to become available at the end of September or the beginning of October, and this will be the case this year.

SUPPLEMENTARY TO QUESTION NO. 296 OF 1997

HON MISS M I MONTEGRIFFO:

Will the Minister confirm that there has been in actual fact a couple of weeks delay with what has been the norm in the past?

HON LT-COL E M BRITTO:

I have just said that the norm has been for the facilities to be available at the end of September or the beginning of October. The facilities are available as from tomorrow which is the 4 October so there has not been a delay with what has been the norm in the past.

HON MISS M I MONTEGRIFFO:

Will the Minister not accept that the norm in the past has been that they have actually been provided before the end of September?

HON LT-COL E M BRITTO:

No, I do not accept that from the information that has been made available to me.

NO. 297 OF 1997

THE HON MISS M I MONTEGRIFFO

POST OF SPORTS DEVELOPMENT OFFICER

Can Government state their policy as to the filling of the new post of Sports Development Officer?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Following Mr Holden's rejection of the offer of employment as Sports Development Officer, and on the recommendation of the Gibraltar Sports Advisory Council, Government have sought a consultation with the United Kingdom Sports Council on the setting up of the Sports Development Unit. A dossier of information, including a copy of a report on Sports Development compiled by the Gibraltar Sports Advisory Council, has already been submitted to the UK Sports Council and a consultant is expected to visit Gibraltar shortly.

On the advice of the Sports Advisory Council, the Government will await the results of the consultation with the UK Sports Council before taking any further steps to set up the Sports Development Unit.

SUPPLEMENTARY TO QUESTION NO. 297 OF 1997

HON MISS M I MONTEGRIFFO:

I assume that the consultant will be paid by the Gibraltar Government?

HON LT-COL E M BRITTO:

The consultant will be paid out of funds allocated for sports development so the answer is yes.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm that it is Government's intention that the post should be advertised locally?

HON LT-COL E M BRITTO:

The post will be advertised locally but not exclusively for filling by people locally. The policy for advertising has not yet been completely finalised. I need a clearer indication of what is in the hon Member's mind.

HON J J BOSSANO:

Is it being treated as a vacancy in the civil service or not?

HON LT-COL E M BRITTO:

We are in a completely new situation now. We had a situation which arose out of direct identification of Mr Paul Holden by the Gibraltar Football Association which led to a particular set of circumstances. We are now engaging a consultancy which will throw up new recommendations and once we know what those recommendations are we will then assess the new situation that has arisen.

HON MISS M I MONTEGRIFFO:

So it could be that the post of Sports Development Officer in the Estimates might disappear?

HON LT-COL E M BRITTO:

That is a hypothetical question.

HON CHIEF MINISTER:

Yes, there is a possibility.

HON J L BALDACHINO:

When the Minister says that the post will be advertised locally, does that mean that it will only be advertised locally and nowhere else?

HON LT-COL E M BRITTO:

I have already answered that. As and when the consultation report is available, we will then decide how to proceed further.

HON J J BOSSANO:

Is it that in the terms of reference of this consultant are included whether a Sports Development Officer should be employed? Is that one of the things that he is going to be asked to advise on?

HON CHIEF MINISTER:

Well, it is a question of the job specification that is recommended. In other words, the consultant will advise the Sports Advisory Council of the sort of qualifications that this person should have. People with those qualifications may or may not be available in Gibraltar. If they are available in Gibraltar then logically we will wish to prefer local recruitment but as the Government do not yet know what the level of qualification the Sports Advisory Council is going to recommend to the Government for this particular position, we cannot yet know whether the post can be filled by a local recruit and as we do not yet know whether the post can be filled by a local recruit we cannot yet say whether recruitment advertising will be limited to Gibraltar. Of course, it goes without saying, that our preference would be to recruit the person locally if there is locally available a person with the qualification that the sportsmen themselves advise the Government is what is required.

HON J J BOSSANO:

What I am not clear is whether in fact the degree to which this is in the melting pot is as to the type of person that is considered to be needed to fill the post or even bigger than that, whether the post is needed at all because it seems that the post was created because the person was there and now that the person is not there the post is not necessarily there?

HON LT-COL E M BRITTO:

There is a danger in the questions narrowing down onto the Sports Development Officer. The topic is a much wider one than that since the situation has changed after the rejection by Mr Holden. I have been in contact with the Chairman of the UK Sports Council and of the English Sports Council, I have already met him once and I shall be meeting him again in a fortnight's time during a Sports Development Conference that is taking place in Edinburgh and which will also be attended by the Minister for Sport from UK who I also am arranging to meet. In that context the consultation that is taking place is much wider than that of the appointment of a Sports Development Officer. The approach that I have made to the UK Sports Council and to the English Sports Council includes the provision of assistance for sports development as well as the consultation. The form that that assistance can take can be varied and wide-ranging. It can include, although I said before that the Government will pay for the consultation, assuming that there is a fee, but such assistance could include a reduction in the fee or no fee at all. There is at the moment a much wider context and that is why I hesitate to narrow it down to the Sports Development Officer. At the moment we are looking at a completely new situation which I have been able to create because of the contacts that we have made in the Sports Council and it is only until such time as those contacts are developed and we can see to what degree that help and expertise of the UK Sports Council of which I may say that in the initial meetings and contacts that I have already had there has been a very positive indication of assistance being forthcoming, until that indication is given, we are not in a position to give further information simply because once that consultancy is available, it will come to the Sports Advisory Council, the Sports Advisory Council will assess it and the sportsmen themselves will assess it and then we will be in a position to make a policy decision. It is not that I am trying to hesitate and not giving information, it is simply that the information is not available at this moment in time.

NO. 298 OF 1997THE HON MISS M I MONTEGRIFFO**GRANTS TO SPORTING ASSOCIATIONS**

Can the Government provide a breakdown of the grants received by sporting entities to date?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

This information requested in Question No. 298 has already been made available to the hon Member through the approved minutes of the Gibraltar Sports Advisory Council which are regularly copied to her, to all the recognised sports associations and to the local media. Nevertheless these are the grants that have been allocated to date from Head 4-F:-

From subhead 6 a total of £24,670 as follows:

Gibraltar Island Games Association	£15,000
Gibraltar Federation of Sea Anglers	£ 2,200
Gibraltar Amateur Basketball Association	£ 2,590 (interim payment)
Gibraltar Pool Association	£ 1,100 (interim payment)
Gibraltar Federation of Sea Anglers	£ 1,280 (interim payment)
Gibraltar Shooting Federation	£ 2,500 (interim payment)

From subhead 5(a) a total of £20,900 made up as follows:

Gibraltar Island Games Association	£13,200
Gibraltar Rifle Association	£ 1,500
Gibraltar Clay Pigeon Association	£ 1,500
Gibraltar Pistol Shooting Association	£ 500
Gibraltar Football Association	£ 2,400
Gibraltar Amateur Basketball Association	£ 300
Gibraltar Volleyball Association	£ 1,500

From subhead 5(b) - nil.

SUPPLEMENTARY TO QUESTION NOS. 294 AND 298 OF 1997

HON MISS M I MONTEGRIFFO:

I would like to clarify what the Minister has said. The reason why I have asked for the information is because I wanted to compare the grants that are being given by the Government from one Head and as the Minister informed me during the Budget session that he would actually be using monies from subhead 5(a) for certain sporting activities.

HON LT-COL E M BRITTO:

I am not certain what the question is. Can she clarify?

HON MISS M I MONTEGRIFFO:

I am clarifying what the Minister said in the Budget.

HON LT-COL E M BRITTO:

Yes, essentially subhead 5(a) is sports development and the funds allocated from there have been for projects which are intended to be sports development orientated and those which come from subhead 6 are those which were the traditional grants to sports societies and associations to compete away from Gibraltar.

NO. 299 OF 1997THE HON MISS M I MONTEGRIFFO**PREMISES FOR SPORTING, CULTURAL AND CHARITABLE ENTITIES**

Can the Government state how many sporting, cultural and charitable entities have now signed their new licences for those premises that were left earmarked by the GSLP administration?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The Government do not accept the suggestion implicit in the question that it is carrying out the programme of allocation of the previous GSLP Government. After coming into office the Government revised the list of applications for premises from sporting, cultural and charitable entities, allocated new priorities and conditions and have drawn up our own programme of allocation.

Twenty-three entities have been sent copies of updated Licence Documents for their acceptance. To date, six entities have accepted in writing and one has decided to decline the offer and wait for other premises to become available. Five have written requesting further information. Reminders have been sent by Land Property Services Ltd to the other 13 entities to reply in writing, although some have been making verbal commitments.

SUPPLEMENTARY TO QUESTION NO. 299 OF 1997

HON MISS M I MONTEGRIFFO:

Is it possible for the Minister perhaps not in this House as he might ask me to write to him, to actually send me the information of the difference from his new licence to the one that we had put in place before he was elected into Government? Is that possible?

HON LT-COL E M BRITTO:

Yes, this is already in the public domain. The licences that the hon Member was offering, obviously she has a copy of. The licences that this Government are offering have already been sent to 23 entities but, of course, if she asks me for one I am quite happy to provide a copy to her, there is absolutely no problem.

HON MISS M I MONTEGRIFFO:

Can the Minister also confirm whether the new licences, we are talking about sporting, cultural and charitable entities that were, if my memory serves me right, 76 when we were in office, are there any other premises that will also have the new licence applied?

HON LT-COL E M BRITTO:

The list that I have at the moment runs to a total of 71 including the various categories that I have mentioned and some which are special categories. They are mostly sports because some of the more cultural and charitable entities, some of them have been taken over and are under the aegis of my hon Colleague the Minister for Education and have been allocated by him. I understand the licence terms are on a similar basis but I am not certain of that. Certainly all the units that I am allocating all have the same licence in the sense that we have tried to standardise and have exactly the same conditions for everybody including on the level of rents which rather than have a standard figure, as the previous Government had, we now have three levels based on the parameters of size of the areas of the premises concerned.

NO. 300 OF 1997THE HON MISS M I MONTEGRIFFO**SPORT - FINANCIAL ASSISTANCE**

Can the Government confirm whether they will be pursuing their policy that certain sporting standards will have to be met before they provide financial assistance for specific events?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The Gibraltar Sports Advisory Council has recommended and the Government adopted as policy that, particularly as regards participation in official international competition abroad, it is necessary for the sports associations themselves to specify standards which must be seen to be met before qualifying for financial assistance from Government. The standards in question are not just related to the level of quality of the participants but also regarding adequate preparation and selection procedures. The process is, and will continue to be, monitored by the Sports Advisory Council.

SUPPLEMENTARY TO QUESTION NO. 300 OF 1997

HON MISS M I MONTEGRIFFO:

Will the Minister not agree that on occasions it is important for Gibraltar to be represented and that the policy could debar Gibraltar from being represented abroad?

HON LT-COL E M BRITTO:

No, I do not agree. It is not important to be represented irrespective of the standard of the team or association that participates. There has to be a balance and there has to be value for money in the contribution that the Government decide to make.

HON MISS M I MONTEGRIFFO:

Will the Minister not agree that sporting associations in the past have actually used standards in order to determine whether their sports people represent Gibraltar abroad?

HON LT-COL E M BRITTO:

I am not aware that all sports associations have set standards on every occasion. In fact, the indications that I have are that that is not so. On the other hand, it is clear that some associations have and one clear example is the Commonwealth Games Association which has now for many years been running a system where the member associations that wish to participate in the Commonwealth Games set their own standards, those standards are put forward to the Commonwealth Games Association who vets them, agrees them or asks for them to be changed and then

supervises the trials or the meeting of those standards and that, fundamentally, is the sort of situation that we are trying to create. The policy is not intended to prevent people from participating abroad, it is not intended as an economy measure to spend less money in helping people to participate abroad but in a developing situation that we have where every year there are more sportsmen who want to participate abroad, we have to ensure that those that receive financial help from the Government are those who are best deserving and best deserving is being defined to include not just having the right selection procedures, having the right preparation but also being seen to meet the right standards.

HON MISS M I MONTEGRIFFO:

So, can the Minister confirm if the associations are happy with the selection procedures and with the standards, will that be sufficient for the Government to accept that they will actually provide assistance?

HON LT-COL E M BRITTO:

That is not quite what I envisage happening. The associations will be asked by the Sports Advisory Council to set the standards, the associations themselves will set the standards and the procedures and the Sports Advisory Council will agree them or otherwise. If the Sports Advisory Council advises the Government that it is satisfied then the Government will accept that recommendation.

NO. 301 OF 1997

THE HON J C PEREZ

NYNEX - INTERNATIONAL CALL FACILITIES

Will Government state whether Nynex will be permitted to provide its customers with international call facilities, as an extension to their existing licence and without having to use Gibtel in January 1998?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The Government are in the process of finalising legislation to transpose into Gibraltar law a number of Directives on the liberalisation of telecommunications. Among those Directives is one which will liberalise voice telephony services as from 1 January 1998. The Government intend to bring the new Ordinance to the House as soon as practicable.

However, the Government are currently in discussion with the shareholders of both Gibraltar Nynex and Gibtel over the feasibility of a merger of the two companies and the final outcome will have a bearing on the provision of international voice telephony service after 1 January 1998.

SUPPLEMENTARY TO QUESTION NO. 301 OF 1997

HON J C PEREZ:

I presume the Minister means that it will have the outcome on the actual provision of the service but not on the legislation that needs to be passed? The legislation is to apply a directive regardless of whether the merger takes place or not.

HON LT-COL E M BRITTO:

The thrust of the original question is whether Nynex will be able to provide international call facilities outside the terms of their existing licence. What I am saying is that the priority of the Government is to achieve a merger between the two telecommunications companies locally and in a situation where that merger is achieved, then the question of one company or the other company providing international services no longer applies.

HON J C PEREZ:

So the possible merger would not affect the legislation, it would affect whether there are two companies providing the same services by the 1 January or only one.

HON LT-COL E M BRITTO:

That is correct, that is exactly what I am saying.

HON J C PEREZ:

Could the Minister state how hopeful he is that in the time span left between now and the 1 January that there would be a successful outcome to try and achieve a merger of both companies?

HON LT-COL E M BRITTO:

I do not have a crystal ball to give a direct yes or no in answer to that question. But as the hon Member knows, this is a policy that goes back for some time now and so far the progress that has been made has been positive all the way. The indications are that it will continue to be positive, I cannot be more clear than that in my answer.

HON J C PEREZ:

I take it that the study that has been conducted into both companies is now completed and available to the three parties, that is, the Gibraltar Government, Nynex and Gibtel? That in itself could be an indicator of how successful the conclusion of this might be.

HON LT-COL E M BRITTO:

Yes, the answer to the first part of the question is yes, the studies are complete, the final reports have been drawn up and the information is available to all three parties and is and has been studied by all three parties. There has been informal contact between shareholders and the next stage of the process will be an actual meeting of shareholders which is scheduled to take place soon.

HON J J BOSSANO:

Can the Minister clarify, in answer to the original question, is it the case that once the legislation is brought in there will be no way of preventing Nynex from expanding in this direction if it chooses to?

HON LT-COL E M BRITTO:

There is another element to this equation which has not been mentioned so far and that is the subject of a question later on in the Order Paper, of the complaints by both companies to the European Commission and specifically about the problems of the numbering plan and of the Gibtel roaming agreement. In the absence of a solution to those two problems, it will in effect not be possible to liberalise on 1 January. So although it is intended to bring the legislation to the House, it will not be possible to give it practical effect in the absence of a solution to the subject of the complaints to the European Commission. But if the merger situation has been brought about or at least agreed in principle, then the problem no longer arises because there is no longer a conflict on who is providing the international service as envisaged in the original question.

HON J J BOSSANO:

So it is a case then, in light of that answer, that other than on practical grounds because of the external problems, the licence that Nynex has today will enable them, if they could do it physically, to expand their service or does it require that they submit an application or something like that and then they will be authorised?

HON CHIEF MINISTER:

That is the point that I wanted to interject, there is of course an administrative process, it is not just a question of turning up on Monday morning the 2 January and offering the service. There is a legal entitlement to participate in the market place provided one applies and that one complies with certain criteria and that is a process that would take some time to resolve but in principle there is no legalistic way of preventing the service being delivered.

ORAL

NO. 302 OF 1997

THE HON J C PEREZ

LYONNAISE DES EAUX - WATER PRODUCTION

Can Government state whether Lyonnaise des Eaux will be able to meet potable water demand for the next five years from the production sources presently available?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The annual output from the water production sources currently available are as follows:

<u>SOURCE</u>	<u>MAXIMUM ANNUAL OUTPUT (CUBIC METRES)</u>
Waterport Desalination Plants	750,000
North Front Wells	170,000
Purchased from Refuse Incinerator/Power/Desalination Plant under contract between "In Town/GOG"	<u>650,000</u>
TOTAL	<u>1,570,000</u>

The current average potable water annual demand is 1,080,000 cubic metres. The projected annual demand for potable water in five years time is estimated at 1,268,000 cubic metres.

The ability to meet demands currently and in five years time is heavily dependent on the operators of the Refuse Incinerator/Power/Desalination Plant meeting the obligations of the contract between In Town Developments Ltd and Gibraltar Government. The annual average being produced by that plant under the current operating regime is 260,000 cubic metres.

The inability of the plant to deliver the contracted amount is one of the matters being addressed by the arbitration proceedings currently under way between In Town Developments Ltd and the Gibraltar Government.

Lyonnaise is preparing the technical ground to be ready to invest in additional desalination plant capacity if it is judged that the Refuse Incinerator/Power/Desalination Plant will not be capable of producing the amount of water required.

SUPPLEMENTARY TO QUESTION NO. 302 OF 1997

HON J C PEREZ:

Am I right in saying that the figures that the Minister has provided estimates that the present amount of potable water sold is 1,080,000 total and that the totality of the production is 1,026,000, or something like that?

HON LT-COL E M BRITTO:

No, 1,570,000 is the total production availability.

HON J C PEREZ:

That is if the incinerator were actually producing the 650,000 cubic metres which it has not done since it started to operate?

HON CHIEF MINISTER:

The point that the hon Member is making is correct. In terms of actual production capacity the current figure is very close to current demand.

HON J C PEREZ:

I do recall a report that was submitted at the time that I was the Chairman of Lyonnaise where the projections over five years actually recommended that there should be investment in more plant even if the 650,000 tons of the incinerator was met. Obviously if that is not going to be met and we need to wait for the result of the arbitration there will be other sources of water that need to be done. Could I ask the Minister whether when he talks about Waterport Desalination Plant, whether the reverse osmosis plant production is included in the amounts there?

HON LT-COL E M BRITTO:

There are various aspects to that question. Let me take the hon Member back to the original supplementary question and confirm that on present levels of production by In Town we run into problems somewhere towards the beginning of 1999/end of 1998. So the short-term strategy is, in answer to his final supplementary, to refurbish the reverse osmosis plant in Waterport which is currently mothballed and not working and needs capital investment or maintenance investment, depending which way we look at it, basically to bring in the new membranes which are currently in a good condition and that is why that is not working; and that decision is very fresh, in fact, was made at the Lyonnaise Board meeting only yesterday, to refurbish the plant and bring it into service to make sure that there is no shortage in the water supply. The report to which the hon Member refers is a much longer term view. We are now projecting into the year 2011, I think, or something like that, where it will be necessary to provide again further desalination capacity even allowing for In Town meeting its contract commitments but that is further down the line and the decision that we have made in the short-term strategy is to refurbish the membranes, bring back the reverse osmosis plants into operation next year, see the development of the problem with In Town Developments and then, at that stage, make the longer term strategy decisions about multi-stage plant desalination which, as the hon Member knows, at the end of the day, provides cheaper water and is more suitable, I should say and not necessarily cheaper water, but is more suitable for the sea conditions around Gibraltar.

HON J J BOSSANO:

The figure of 750,000 cubic metres from Waterport is without the reverse osmosis plant because he has told us it is mothballed. What will that figure increase to when the reverse osmosis plant is put in?

HON LT-COL E M BRITTO:

I need notice of that question. Without going through the whole document, I do not think I can provide at short notice but I can make it available at a later stage in the meeting to the Leader of the Opposition.

HON CHIEF MINISTER:

140,000 cubic metres extra.

HON J C PEREZ:

That is for both the osmosis plants not for each? I believe it is 70,000 per reverse osmosis plant.

HON CHIEF MINISTER:

That is together, for both.

ORAL

NO. 303 OF 1997

THE HON J C PEREZ

GBC - SECOND TELEVISION CHANNEL

Have GBC informed the Government of any further developments in connection with the introduction of a second television channel?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Proposals by the Board of the Gibraltar Broadcasting Corporation for the introduction of a second television channel have been submitted to the Government and are under consideration.

The introduction of the second television channel forms part of the Board's proposals for the restructuring of the Radio and Television services provided by the Corporation.

SUPPLEMENTARY TO QUESTION NO. 303 OF 1997

HON J C PEREZ:

Does that involve added expenditure on the part of the Government? That is to say, not on an annual recurrent but on a one-off basis? Does that involve an investment by the Government into a second channel?

HON LT-COL E M BRITTO:

I am afraid I do not have that information available.

HON J C PEREZ:

He still has not read the submission?

HON LT-COL E M BRITTO:

Well, I say it is under consideration but it is not at the stage where I can have individual figures available off the top of my head.

HON CHIEF MINISTER:

There is a capital investment programme generally for GBC and I cannot remember offhand what part of that is required by the second channel itself. The information can be provided.

ORAL

NO. 304 OF 1997

THE HON J C PEREZ

POST OFFICE - RELOCATION

Are Government considering moving the General Post Office and the Sorting Office from its present location in Main Street.

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Yes.

SUPPLEMENTARY TO QUESTION NO. 304 OF 1997

HON J C PEREZ:

We have read in the Chronicle the report of the Minister for Trade and Industry that one of the things that they intend to put in the present Health Centre at Casemates is the General Post Office. Would the Sorting Office be going in the same location or would there be a different location for the Sorting Office? Could the Minister state whether they have given consideration to the location of the PO Boxes as a result?

HON LT-COL E M BRITTO:

Yes, the answer to all those questions is yes. The cause is the projected pedestrianisation of Irish Town and as well as the condition of the building which presently houses the Post Office and which the order of repairs is, if I remember rightly, of something like £80,000 or more. Taking those considerations into account, the in principle decision has been made and a feasibility study is being carried out of moving the Post Office counters, the administration and the accounts department into the Health Centre ground floor. The Parcel Post Stores at present in Landport Ditch, the Sorting Office, the PO Boxes and the Postmen's Room will be moved to what is presently the Moroccan Hostel on top of Grand Casemates Battery. In other words, going north from the Health Centre along Line Wall Road there is a little hillock up on the right hand side and once one gets in there there is a very large building which is presently part of the Moroccan Hostel. As part of the move of the Moroccans out of that area, that building will become available and that will be converted into the Post Office facilities.

HON J C PEREZ:

Accessed from Line Wall Road.

HON LT-COL E M BRITTO:

Accessed from Line Wall Road, yes.

HON J C PEREZ:

So the PO Boxes really would be when one comes south from Smith Dorrien Bridge to the left?

HON LT-COL E M BRITTO:

The PO Boxes will be just past the Health Centre on the right hand side travelling north, not in the Health Centre but in the Moroccan Hostel.

HON J C PEREZ:

At the Line Wall Road level?

HON LT-COL E M BRITTO:

At the Line Wall Road level.

ORAL

NO. 305 OF 1997

THE HON J C PEREZ

ORANGE BASTION DEPOT - RELOCATION

Can Government state when they expect to be able to move the Orange Bastion Depot of the Electricity Department to the new site at Rosia Road?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Demolition works have already started on those of the existing buildings which are to be pulled down at the Rosia Road site where the Electricity Department Depot, at present at Orange Bastion, will be relocated.

It is the intention of Government that the move be carried out as soon as possible. A precise date for the move cannot be given at present as the completion date for the new buildings required will depend on a number of technical aspects which have yet to be finalised.

SUPPLEMENTARY TO QUESTION NO. 305 OF 1997

HON J C PEREZ:

The Minister could have some idea, whether it is going to happen within this financial year or not, I am not trying to be specific. The works are being done but there are certain technical aspects.

HON LT-COL E M BRITTO:

There is no mystery here. The works have begun and in the process of the works beginning a number of facts have emerged which have delayed the completion of the project and they are basically heritage sensitive, for example, there is some sort of tunnel that has been discovered under the buildings which was not chartered or unknown before. There is a greater possibility of uncovering the walls which had not been realised previously, so there is a little bit of reassessment being done. Within that concept the intention is to do it as soon as possible and certainly the aim has always been to do it within the current financial year.

NO. 306 OF 1997

THE HON J C PEREZ

POST OFFICE - DELAYS IN LOCAL MAIL

Are Government aware of the growing complaints from the general public as to the delays being experienced in the conveyance of local mail?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Government are aware that abnormal delays have been experienced over the past few months in the delivery of local mail mainly because of absenteeism due to sickness and uncertificated sick leave.

SUPPLEMENTARY TO QUESTION NO. 306 OF 1997

HON J C PEREZ:

Is the situation now normal or are there long-term sick people? Is there a need for temporary replacements as a result?

HON LT-COL E M BRITTO:

No, there is no need for any of that. The situation is now back to normal, the cause of this situation was over the period between 14 July and the 28 August where there were an abnormally large number of people absent and this has created the shortfall. As the hon Member may know, it is Post Office policy not to have less than 12 and preferably 13 postmen available at any given time so that the 12 walks that are chartered can all have at least one postman with a little bit of spare. During that period the number of postmen available, I think I am right in saying was never above the figure of 11 and was on occasion as low as eight due, as I say, to the annual leave and special leave having been exceeded by uncertified sick leave and sick leave.

NO. 307 OF 1997

THE HON J C PEREZ

MANAGEMENT OF THE INCINERATOR

Can Government state whether a Spanish company has taken over, wholly or in part, the management of the incinerator?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Government's contract on the running of the incinerator is with In Town Developments Ltd which is a locally based company. Since the commissioning of the incinerator the plant has been managed under contract on behalf of In Town Developments Ltd by Kruger Ltd, an agreement which still continues today. Kruger have decided to appoint their sister company, Esys Montenay, as their sub-contractors to operate the plant on their behalf. This company operates a number of incinerators for Generale Des Eaux, this being the parent company of both Kruger and Esys Montenay. The running of the incinerator is currently being undertaken by the same personnel who operated the plant under Kruger.

SUPPLEMENTARY TO QUESTION NO. 307 OF 1997

HON J C PEREZ:

But Kruger itself, if I understand it, have given a subcontract to their Spanish firm. Has the Minister been asked permission for this to happen or contacted in any way before this happened? I remember the anxiety that the Minister expressed when I was in office about rumours that Kruger might be selling off the incinerator to Sevillana, that is why I am asking whether he is as concerned as he used to be when he was in Opposition?

HON CHIEF MINISTER:

Esys Montenay is the Spanish subsidiary of an American company. There is no provision in the contract, which of course we inherited from the previous administration, between the Government and In Town to enable the Government to prevent In Town to prevent its contractor from subcontracting out. In other words, there is a difference between the plant being sold to Sevillana, which is what I remember, expressing concern about and I would be equally concerned about it today. *[HON J C PEREZ: So would I.]* The difference between that which can be prevented under the terms of the contract and the transfer by the operator who is not in contractual arrangements with the Government of his operating contract to a sub-contractor which is (a) a company within the same group of companies as the present operator, and (b) which however unhappy we might be, we are not particularly unhappy with it, but even if we were very unhappy about it, we are powerless to prevent on the terms of the contract that is in place.

HON J J BOSSANO:

Did Kruger require the agreement of In Town to do this?

HON CHIEF MINISTER:

I would need notice of that question. My understanding of it is that they did not but even if they did not they have it. In other words, I do not think In Town are upset or in any sense aggrieved by that. But if the hon Member is interested in knowing what the precise legalistic position is I will have to refer to the contract and I will let him know.

NO. 308 OF 1997THE HON MISS M I MONTEGRIFFO**CATALAN BAY - BEAUTIFICATION**

Can Government confirm whether they intend to proceed with the beautification of the Catalan Bay area, as announced by the Minister for the Environment and Health in his budget contribution of 1996?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government are indeed proceeding with the beautification works for the eastside as had previously been announced. Certain works in this respect have already commenced with the first phase of the Sir Herbert Miles Road widening scheme having started in May of this year, this section being from the Caleta Palace Hotel up to the northern end of Both Worlds complex. The need to maintain public vehicular access to all properties at all times, together with the requirement to provide public access and parking to beach users during the summer months, has prevented us from undertaking other phases of these works in parallel. However, now that the bathing season is over, other phases of these works, which do not necessitate a complete road closure, will be commenced. These phases include the section of Sir Herbert Miles Road from the Piccolo Bar up to the southern portal entrance to Williams Way Tunnel and the section of road along the full length of Both Worlds.

Another element of the Eastside Development Programme which has now commenced is the development of the White Rock Camp area. Tenders were invited for the development of this site and a contract has been awarded for the construction of 13 luxury terraced houses with works on the construction of the same already having started.

The completion of the Eastside reclamation area and the development of the resulting site for leisure activities, is another element of the Eastside Development Programme which the Government will shortly be undertaking. The need to reprovide certain land occupiers on the site has resulted in the delayed start of the first phase of these works which consists of the reclamation and the levelling of the site. Such issues have now been resolved with the reprovisioning of the affected third parties currently being undertaken. On completion of the reprovisioning, works will immediately commence on the first phase of these works. In connection with these works, road improvement works at the Black spot will also be undertaken with the aim of eliminating this notorious danger area.

SUPPLEMENTARY TO QUESTION NO. 308 OF 1997

HON MISS M I MONTEGRIFFO:

Just one further point if the Minister is able to answer, in these refurbishments works that the Government have said they will be carrying out, does it include Catalan Bay Village at all?

HON P C MONTEGRIFFO:

No, none of the plans currently in train include Catalan Bay Village itself. The only thing I would add, if I am going to be completely extensive in replying, is that as the hon Member knows there is a plot of land known as "La Terrasa" where there was going to be a development above the area of what is now the Masai Grill and I am certainly personally interested in seeing the extent to which we can get that plot moving and if we do get a development on that plot, it would be a useful opportunity to then consider whether an element of work should be extended down to the Village itself because it would an appropriate time to combine both activities. But that is very much a general thinking and not anything that is currently planned.

HON J L BALDACHINO:

The Minister said that within the project is to eliminate the Black spot in the road, may I ask how will that be achieved, would it be by eating into the right hand side and if that is done how will that affect Shell which has the road that leads to Williams Way?

HON P C MONTEGRIFFO:

This is linked to the whole question of the future of Williams Way. In general terms and without going into too much detail, the Government are in discussion with Shell and their joint venture partner with regard to the future of Williams Way. Those plans involve the relocation of the current delivery depot which is indeed located on the right hand side of the road in that very spot known as the Black spot. What is envisaged is that the delivery point will in fact move to the left of that plot, namely, on to the reclaimed area thereby releasing land on the right hand side for the straightening of the road. Quite apart from the question of straightening of the road, I should add that the move is motivated more by safety considerations rather than Government's own desire to straighten that stretch of road. It is generally recognised by the operator of the facility that having a delivery point so close to where rockfalls occur is really a very unsatisfactory state of affairs.

HON J L BALDACHINO:

I understand what the Minister is saying. I was just wondering, because not only is the provision of Shell there but the road there leads into the tunnel. and I was wondering if that has been taken into consideration as the Fire Brigade would need access.

HON P C MONTEGRIFFO:

Obviously all those things have been taken into account, yes.

ORAL

NO. 309 OF 1997

THE HON J L BALDACHINO

RELEASE OF MOD PROPERTIES

Can Government state how many MOD properties have been released to Government and of these, how many have been put out to tender for residential purposes?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

All releases to Government of MOD properties since May 1996 to date, have been of residential properties. Of these three have already been sold by tender, as follows:-

51A and 51B Europa Road - sold by tender as residences.

59 Europa Road - sold by tender as residence.

The position on the others is as follows:-

19 Europa Road - this is pending a decision on the demolition of 17 Europa Road to enable the widening of the road and the surplus land being added on to this property to go out as one tender as a residence.

17 Europe Road - this is basically currently awaiting a decision on demolition.

Edinburgh House - that has been handed over and will be given for housing allocation after refurbishment.

Part of Old Naval Hospital - the south section was released to enable the demolition of two buildings affected by the landslide at Rosia Bay.

SUPPLEMENTARY TO QUESTION NO. 309 OF 1997

HON J L BALDACHINO:

Was the release of the one that was affected by the landslide prior to the landslide or after the landslide?

HON P C MONTEGRIFFO:

It was obviously after the landslide, it was released really in order to accommodate the works that had to be done with regard to the landslide. Generally on Old Naval Hospital I can tell the House that this is a very valuable property as far as Government are concerned in terms of its potential. The MOD is aware of the importance we give to this property and we are looking towards the handover probably in February of next year. That is not to say that we will not be seeking development proposals in advance of February so that we can actually make headway in possibly even selecting, on a tender basis, possible developers prior to that handover date.

NO. 310 OF 1997THE HON J L BALDACHINO**HOUSING - SALE OF RESIDENTIAL PROPERTIES**

Which residential properties have been sold by Government to sitting tenants since 16 May 1996 and at what price?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Twenty-six residential properties have been sold by Government to sitting tenants since 16 May 1996 as follows:

May 1996

E Montado	- 4 Mount Road	- £89,800
M J Sheppard-Capurro	- 1B St Bernard's Road	- £37,000

June 1996

A C & F A Isola	- 26 South Barrack Road	- £75,000
J P & J J Imossi	- 23 Scud Hill	- £97,000

October 1996

L & S Casciaro	- 4 Transport Lane	- £29,750
M E Correa	- 26 Morello's Ramp	- £20,667
C & G Pons	- 21 Willis's Road	- £35,000

November 1996

L Appleton	- 63/5 & 6 Europa Road	- £36,500
L Edmonds	- 5A & 12 North Pavilion Road	- £40,000
R & A Chichon	- 3B Flat Bastion Road	- £27,000
J J & A Vella	- 41/6 Europa Flats	- £27,000
J & B Winwood	- 41/5 Europa Flats	- £27,000

January 1997

J & S Montegriffo	- 1 Rosia Steps	- £14,000
R & P Santos	- 6 Transport Lane	- £25,000

February 1997

C Coelho	- 7 Transport Lane	- £19,000
F Picardo	- 5 Willis's Road	- £43,000
H & L Alvarez	- 3A Flat Bastion Road	- £29,700
J & E Cruz	- 3 Castle Steps	- £17,000

March 1997

L & A Romero	- 8 Transport Lane	- £36,000
M C Estella	- 1 Transport Lane	- £35,000
C & A Schembri	- 1B Engineer Road	- £22,500

July 1997

H & V Lugaro	- Unit 'F' Devil's Gap, Upper Rock	- £39,000
A & J Gordon	- 11 Chicardo's Passage	- £50,000

September 1997

M Martinez	- 61 New Passage	- £15,300
Dr C & Mrs M Montegriffo	- 30 South Barrack Road	- £110,000

SUPPLEMENTARY TO QUESTION NO. 310 OF 1997

HON J L BALDACHINO:

Will the Minister say if in Transport Lane, for example, and there have been two sales, if the offer has been to all the tenants who are living there but only two have taken up the offer?

HON P C MONTEGRIFFO:

I really could not reply in detail to that but, by and large, certain offers are made when it is a block or a unit which is comprehensive and coherent to all the tenants. Of course the only other case where sales take place really is when sitting tenants themselves approach the Government and seek a sale, a trend which we are very keen to encourage. Frankly, if people are prepared to buy their properties and to that extent invest in ownership, that is something that I think we are very, very willing to promote.

HON J L BALDACHINO:

May I ask one final question, the formula applied to the sale of properties to sitting tenants, has it changed since we left Government or is it the same formula or is it that they are applying a new formula now?

HON P C MONTEGRIFFO:

The formula is the same except in one respect and that is that under the previous administration we are advised that if sitting tenants could not afford the reduced price, they would do get a reduced price I think of 60 per cent of the market value, as thus calculated the previous administration was prepared to contemplate giving the tenant less than a 99 year lease and having a pro rata reduction of the purchase price thereby giving the same value, for example, to the last 10 years of the term as to the first 10 years of the term. Many sales went through in that basis, many sales went through on the basis of 70 year leases as opposed to 99 with a significant

reduction in price accordingly. The view taken by this administration is that that is not a fair valuation or fair basis for reduction in price because clearly the value of, say, the first 20 years is much in excess than the value of the last 20 years so a simple mathematical year for pound value is not justifiable. So the policy we are proceeding with is that essentially sales to sitting tenants are for 99 year periods and there is no reduction below that period to accommodate those sort of situations the previous administration tried to accommodate in the way I have described.

HON J J BOSSANO:

Does it mean then that all the ones that he has listed are for 99 years?

HON P C MONTEGRIFFO:

No, because those that were in respect of commitments already entered into, we have respected those negotiations that had taken place with the previous administration which de facto involved, and it is more than one it is a number of them. We thought it unfair if effectively negotiations had got to a stage that were quite advanced to reopen that situation. It is only for sales that have only been initiated when this administration has been elected.

HON J L BALDACHINO:

In an estate, and let me declare here an interest, must there be a percentage of people who have to buy or will the Government contemplate, that if there are two, then they will sell to the two?

HON P C MONTEGRIFFO:

We have not got a policy with regard to estates generally other than those estates where sales have taken place historically, for example, Shorthorn and Rosia Dale. Government are very keen to sell and I think the only thing that would impede a sale is pure practicalities. In my view and this is pure pragmatism, if at least the majority of tenants wanted to buy, that I think would be enough for us to want to proceed with the sale. I very much hope that the sort of values that people will be offered in Elliott's will induce people to go that extra step and take long leases and thereby acquire ownership.

NO. 311 OF 1997

THE HON J C PEREZ

AFRO-ASIAN SATELLITE COMMUNICATIONS PROJECT

Can Government state whether the Afro-Asian Satellite Communications Project is to proceed?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government have no information to indicate that Afro-Asian Satellite Communications Ltd do not wish to proceed with their project in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 311 OF 1997

HON J C PEREZ:

Can I ask whether the Government continue to have contact with the office of the Afro-Asian project or is it that we have not heard anything at all from them?

HON P C MONTEGRIFFO:

No, we are very vigilant as regards to this and the other telecommunication projects. As the hon Member knows these are very complex arrangements which involve many jurisdictions and involve very large sums of money and therefore there is great delays in moving in what appear to be very simple steps. The current position is that ASC are still not back in contract with Hughes. Hon Members will recall when I last answered a question on this I indicated that they were hopeful that they would get back into contract with Hughes for the production of the satellite. They are still not back in contract but we are informed by ASC that they hope to be back in contract by the end of the year. Government are conscious of the fact that we are earmarking areas of land in Lathbury Barracks; we are dedicating significant resources in terms of drafting; a lot of thinking is going into the licensing structure and that frankly we have got to make sure that we are going to get value for money. We are not going to invest time and energy unless we have real evidence that these projects are going to come to fruition. We are confident that the delays are delays which are explicable which are normal when something so complex as a satellite operation is being put together but I can assure the House that the matter is very much under the scrutiny of the Government and our officers.

HON J C PEREZ:

If the project goes ahead can the Minister confirm that the plans to have Gibraltar as one of the two gateways of the project has not been changed?

HON P C MONTEGRIFFO:

Yes, that continues to be the plan. As the hon Member may recall from the time he discussed this matter with them and generally with regard to such projects, since these projects are international in nature there often tends to be quite a lot of jealousy in the different nations that are involved in these projects wanting to grasp a larger slice of the economic activity. We are very keen to have obviously as much of the activity based in Gibraltar and I can assure the hon Member the current plan remains as originally conceived that there should be that presence in Gibraltar with the consequent employment that that would generate.

ORAL

NO. 312 OF 1997

THE HON A ISOLA

WESTERN BEACH

What plans do Government have for the use of Western Beach and the adjacent area?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government have no plans for the use of Western Beach and the adjacent areas.

ORAL

NO. 313 OF 1997

THE HON A ISOLA

QUALIFYING COMPANIES

How many qualifying companies have been registered since 1 April 1997?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Three companies have been registered as qualifying companies since 1 April 1997.

ORAL

NO. 314 OF 1997

THE HON A ISOLA

QUALIFYING COMPANIES

What was the number of qualifying companies as at 16 May 1996?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

There were 73 qualifying companies registered as at 16 May 1996.

ORAL

NO. 315 OF 1997

THE HON A ISOLA

EXEMPT COMPANIES

How many exempt companies have been registered since 1 April 1997?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Seven hundred and fifty-six tax exempt companies have been registered between 1 April 1997 to 26 September 1997.

ORAL

NO. 316 OF 1997

THE HON A ISOLA

EXEMPT COMPANIES

What was the number of exempt companies as at 16 May 1996?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Detailed figures on exempt companies registered on particular dates during past financial years are not readily available. However, we do have data for completed financial years. As at 1 April 1996 we estimate there were 7,100 tax exempt companies registered.

ORAL

NO. 317 OF 1997

THE HON A ISOLA

HAMILTON SPIRIT MANAGEMENT LTD

Can Government state what has been the outcome of the investigation into the activities in Gibraltar of Hamilton Spirits?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

There is currently a criminal investigation under way led in the United Kingdom by the Serious Fraud Office with the assistance in Gibraltar of the Fraud Squad of the Royal Gibraltar Police. This investigation is currently at an early stage and it is expected that officers from the Serious Fraud Office will return to Gibraltar shortly to continue their investigation.

An investigation is also being carried out in Gibraltar under Schedule 10 of the Companies Ordinance. The outcome of this investigation has been a recommendation that the company be liquidated. Further to this recommendation a petition has been presented to the Supreme Court for the winding up of Hamilton Spirit Management Ltd which is due to be heard on 17 October 1997. A provisional liquidator is already in place.

ORAL

NO. 318 OF 1997

THE HON A ISOLA

LATHBURY BARRACKS - PROSPECTIVE DEVELOPERS

Will Government list the seven prospective developers that have submitted proposals for parts of Lathbury Barracks?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The following are the seven prospective developers that have submitted proposals for parts of Lathbury Barracks:

1. Montagu Group
2. Gibraltar Confectionery
3. Prime Trust Corporation Ltd on behalf of a developer in the United Kingdom
4. Abco (International) Ltd
5. University College of Gibraltar in association with the University of Buckingham
6. Mr Robert Smith
7. The Rt Rev Mgr C Caruana on behalf of the Registered Trustees of the Roman Catholic Church

SUPPLEMENTARY TO QUESTION NO. 318 OF 1997

HON A ISOLA:

Would the Minister indicate what the proposals relate to insofar as the nature of the development? Obviously some of them are self-explanatory but some are not.

HON P C MONTEGRIFFO:

The outline proposals submitted and I set this out in the same numerical format that I listed the bids in, are as follows: The Montagu Group - for conversion of the site into a hotel/health clinic and adventure holiday centre, essentially a development for a hotel and touristic development; the Gibraltar Confectionery proposal is just to convert the Officers' Mess and the Key Tunnel into a 20 room hotel, banqueting, conference and meeting room with facilities for outside catering, but that is a proposal limited only to the Officers' Mess; thirdly, Prime Trust Corporation which is acting at this stage for an undisclosed developer in the UK, is conversion into a holiday village; fourth, Abco, that is for conversion into a retirement home complex for about 250 residents; the fifth proposal, the University College of Gibraltar is obviously for conversion into a University; the sixth, Mr Robert Smith, was for converting the Guard Room into a media studio, it is purely for that particular building; and with regard to the Catholic Church, it was just to convert the Officers' Mess into a Pilgrimage Youth Centre. Obviously the proposals are being evaluated.

NO. 319 OF 1997

THE HON A ISOLA

KING'S BASTION

Have Government now decided on their preferred use for King's Bastion?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government are currently assessing the feasibility of converting King's Bastion and the adjoining Generating Station into a Leisure, Cultural and Sports Centre.

SUPPLEMENTARY TO QUESTION NO. 319 OF 1997

HON A ISOLA:

Does this preferred use arise out of any individual proposal? Will the development be a Government development or will it be privately sponsored, is it the subject of a proposal?

HON P C MONTEGRIFFO:

As hon Members will know part of the Government's electoral commitment is to provide a leisure centre for Gibraltar. Over the last year and a half we have been considering various sites and the site at King's Bastion and the adjoining areas have seemed to us to be the area which is most appropriate for various reasons. There have been private sector interests in the development of a leisure centre on various sites but this decision is driven more by Government's own thinking rather than by any private sector initiative. I could also tell the House that we have contracted the services of the consultants and architects that undertook the conversion and works of the Jersey Leisure Centre, Roger Quinton and Associates, and they have already been out to Gibraltar, they have assessed the site, they have met the relevant people and we are awaiting their report on the feasibility of conversion.

NO. 320 OF 1997

THE HON A ISOLA

FINANCE CENTRE - LOWE BELL FIRST FINANCIAL

Have Government directly or indirectly employed the services of a Financial Services Public Relations Company and, if so, at what cost and on what terms?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government have engaged the services of Lowe Bell First Financial to promote the development of the Finance Centre in Gibraltar. The arrangement is for a period of 12 months, commencing 1 August 1997, for a fee of £5,000 per month plus expenses.

SUPPLEMENTARY TO QUESTION NO. 320 OF 1997

HON J J BOSSANO:

Can the Minister give some indication of what it is they will be doing for the department? Presumably the consultant the Minister has already for £85,000 free of tax was already supposed to be promoting the place.

HON P C MONTEGRIFFO:

We are talking about placing Gibraltar's finance centre and our whole industry, taking it into another league and really moving it in a very competitive environment. What First Financial do is effectively to monitor developments in the UK that affect Gibraltar and deal with issues that arise and act as a supporter to private sector initiatives in promotion. It is not uncommon for Finance Centres to have such PR firms. I should add that the recommendation of the Finance Centre Council and indeed of the General Economic Advisory Council that Government consult in economic matters has been very much that Gibraltar should have a PR firm. The brief includes many aspects, it involves also having a say in the sort of promotional literature that we produce; in assisting the private sector; speaking to editors in the UK, making sure that the Gibraltar message is clearly understood; promoting, for example, the insurance conference in the UK which we are going to hold in Gibraltar at the end of November. It is a general eyes and ears function in London where we think Gibraltar has to be very carefully sold where any issue that affects Gibraltar has to be very professionally handled. I am conscious of the fact that this is serious money when it comes to a place like Gibraltar, £5,000 a month is a lot of money for a place of our size but I am utterly convinced that it is only by tackling issues with that professionalism that Gibraltar is really going to be able to make that jump. That sort of quantum leap into first class financial services which the legislation and the regulatory structure and the professional infrastructure is in place to cater for but

which we have to generate interest from in the outside world. Therefore these are hard decisions to take; we are very transparent in the way the information we give to the House and that will continue to be certainly our policy. We understand that some people might find it hard to appreciate how value is achieved from these things but I am persuaded that this is the only way which Gibraltar really gives itself the best possible chance of promoting itself in an area which is so, so competitive.

HON A ISOLA:

The company the Minister has said is to provide support to the private sector by marketing and other things. Would it not be useful to tell the private sector that they exist in order that they can receive that support, assistance and guidance by communication, press release, at least tell the private sector and if that does happen what assistance can the private sector seek to obtain from this company?

HON P C MONTEGRIFFO:

The private sector should know about it. I am not sure how many meetings the previous Minister with responsibility for the finance centre had with finance centre operators but they certainly cannot be more than the ones I am having or that Anthony Fisher is having. We certainly are pursuing a very close consultative relationship with the industry, the Finance Centre Council is certainly very aware of this development and certainly anybody who approaches our Finance Centre Development Director, Anthony Fisher, will be informed of the assistance that we can provide to them. I think every time I have got on my feet to answer questions of this type I repeat the same offer to every single company in Gibraltar that may want Government support, both morally and in other respects, that we are here to help the industry promote itself because whatever the Government do it is ultimately much less than the private sector of its own volition can do because the clout often comes with the service provided, it is the professionals who deliver Gibraltar's products. If the message has not been transmitted loudly enough well I shall certainly ensure through Mr Fisher that the services that are available are well understood. The sort of help that is available is, for example, if somebody in the private sector wished to access media in the UK in the writing of articles then Lowe Bell can be helpful in getting into the specialist media. If there was to be some form of attempt to speak to people in specific institutions in the UK, Lowe Bell is very well connected in the financial institutions and we could put those opportunities if there were any private sector interest. Generally anything that has to do with promotion in the UK accessing potential clients or people of influence in the industry, Lowe Bell and the Finance Centre Unit here is at the disposal of the industry to do everything possible to assist. I want to make sure it is clear and understood that we have an open door policy here, it is open to everybody to come and to seek to what extent their plans can be helped by what we bring into it.

NO. 321 OF 1997

THE HON R MOR

SOCIAL SECURITY - INCOMPLETE CONTRIBUTION RECORDS

Have Government now worked out the overall cost of increasing pensions to persons with incomplete contribution records as a result of contributions not being compulsory or possible in their case?

ANSWER

THE HON THE CHIEF MINISTER

Yes, indeed we have. It is estimated that the overall cost of increasing pensions to those persons with incomplete contribution records who did not contribute because of the £500 earnings limit, or because they were self-employed at some time before 1975 is as follows:

Existing pensioners, that is to say, people who are already pensioners, including the widows of past contributors who may have died = An extra £358,713 per annum.

Future pensioners, that is to say, people who are in the category described in the question but who have not yet reached pensionable age = An extra £15,812 per annum for the first year increasing to £110,794 per annum by the year 2012.

Therefore the annual cost of the exercise at the end of 1998 would be £359,912 and by the end of the year 2012 it would be £469,507.

It is estimated that by the year 2012 all those persons with incomplete records for the reasons included in the question and in the answer will have reached pensionable age and I should also add, as a word of explanation and caution, that of course those are maximum costs. It does not take into account deaths between now and then, of course, which actuarially there will be many but that actuarial calculation of how many pensioners will fall out of the system during those 14 years has not been allowed for. So these are maximum figures which will certainly not be reached and therefore the net real cost will, in respect of the year 2000 be much lower than the figure of £469,507.

SUPPLEMENTARY TO QUESTION NO. 321 OF 1997

HON R MOR:

In another question, related to the same subject, we were given a total in the region of 754 affected.

HON CHIEF MINISTER:

No, from memory, it was 476. What is the hon Member referring to?

HON R MOR:

I am referring to the question that we asked, "Have the Government identified the number of people who have been affected?" and we were given a breakdown which were the current pensioners, the employed persons under pensionable age, persons under pensionable age who were no longer in employment but who had not contributed after January 1975 and persons of pensionable age no longer in employment who had not contributed after January 1975 and who had left Gibraltar and possibly some of them had died. The total that was provided here was 754.

HON CHIEF MINISTER:

Well, I have not got my working papers with me on this issue but I am almost certain that the total number of people affected by both categories, that is to say, existing pensioners and people who have not yet reached pensionable age, including widows, I will confirm this on Monday to the hon Gentleman, but I am almost certain that the total figure is 476 or of that order but I will bring the figure for him on Monday.

HON R MOR:

May I ask, what are the Government going to do now?

HON CHIEF MINISTER:

The Government are considering the position and hope to make an announcement very shortly.

ORAL

NO. 322 OF 1997

THE HON R MOR

MILBURY CARE SERVICES

What is the total value of the contract awarded to Milbury Care Services?

ANSWER

THE HON THE CHIEF MINISTER

The negotiations with Milbury Care Services are still on-going and it is therefore not possible at this stage to say what the total value of the contract, if awarded, will be. However, in accordance with this Government's policy of open Government, the hon Member will be able to read all the details of any contract entered into with Milbury when it is laid before the House.

SUPPLEMENTARY TO QUESTION NO. 322 OF 1997

HON R MOR:

Cannot the Government give us an estimate of the kind of contract they are talking about?

HON CHIEF MINISTER:

I think that question cannot easily be answered, an estimate of the kind of contract. It is a contract basically to deliver management expertise and consultancy services for the development of existing services and new services which do not presently exist. That is the basic nature of the exercise but that will include the structure of the employment of personnel and things of that kind. The Minister for Education and the Disabled has already given quite a lot of public detail about the nature of the contract. Part of the contract will relate to the new expertise that they will be injecting, that will contribute into social services in Gibraltar; the other part of the contract relates to the restructuring of the existing facilities and personnel other than those that are employed by Government who will continue to be employed by Government, for the employment of people who are presently employed other than by Government engaged in the delivery of social services in Gibraltar today. To be specific, the employees of the Dr Giraldi Trust.

HON R MOR:

I am well aware of what has been made public so far. What I am trying to find out is, what kind of cost are we talking about?

HON CHIEF MINISTER:

That is not the subject of a supplementary, that is the subject of the original question which I have answered. It is not possible to give even an estimate of valuation because we have not yet finalised the extent of the services that they will

be providing or what is a reasonable valuation of those services. That is precisely one of the principal matters still under negotiation. I am certainly not willing to prejudice those negotiations by giving premature and speculative information which will be of use to Milbury in the conduct of that negotiation and, in any case, it would be entirely speculative, I would not wish to mislead the hon Gentleman.

HON J J BOSSANO:

Who is Milbury negotiating the price of this contract with?

HON CHIEF MINISTER:

With the Government of Gibraltar.

HON J J BOSSANO:

Yes, but is it with the politician or with the civil servant?

HON CHIEF MINISTER:

It is with politicians and civil servants. That is to say, the detailed negotiation is conducted by a group of people that includes politicians and includes civil servants.

HON J J BOSSANO:

Does it follow from what the Chief Minister has said that the contract may not materialise if it is not possible to arrive at a price acceptable to the Government?

HON CHIEF MINISTER:

Absolutely, it is much really the same as we said this morning about the relocation of the Health Centre. A desire to do something is one thing and whether it can be obtained for a price that one is willing to pay is a very different thing and if we cannot agree mutually acceptable commercial terms then we will not be able to proceed with this highly desirable improvement to social services in Gibraltar.

HON J J BOSSANO:

Apart from the commercials in the answer, we will judge how desirable it is when we see what it is. In fact, the indications that have been given publicly therefore that that is now on the road and ready to proceed are not quite accurate, it may not happen?

HON CHIEF MINISTER:

The Government have made a policy decision to proceed along this line. In other words, the Government have made the decision that we want to do this, the Government have identified with Milbury and there is broad agreement on the nature of the services that Milbury will prepare and basically now we are haggling about price which, as the hon Member knows, is always the last item left on the haggling list.

HON J J BOSSANO:

Can the Chief Minister say whether in fact the proposals from Milbury are similar to the ones that were put in 1993, if he knows about the 1993 ones?

HON CHIEF MINISTER:

The proposals are not the same proposals. They are proposals which reflect what we told them we wanted rather than what they might have suggested when they first put proposals to the previous administration.

HON J J BOSSANO:

Do the organisation that are currently carrying out this work, which would be replaced by Milbury if an agreement was reached with Milbury, have to be given a period of notice before they are replaced?

HON CHIEF MINISTER:

I think that there is an arrangement, I am not sure if it is a firm contractual arrangement of one month's notice but let me say that that organisation is delighted at the initiative that the Government have taken.

HON J J BOSSANO:

What is the position with regard to Mount Alvernia? What would be the involvement of these people with Mount Alvernia which has been mentioned as part of the things they are taking on?

HON CHIEF MINISTER:

The contract that is presently being discussed does not extend to the actual delivery of any services in relation to care for the aged but the contract presently being negotiated does include a thorough review of that area with the idea of making specific proposals to the Government on making new provision in that whole area for the future. So the present contract contains an element of consultative input from Milbury in the whole area of care for the aged but does not extend to managing Mount Alvernia or to taking over Mount Alvernia, it is purely consultancy in relation to that aspect.

HON J J BOSSANO:

Can the Chief minister confirm that in fact there is no provision for this at present in the Estimates because this was not on the cards at the beginning of the financial year?

HON CHIEF MINISTER:

All of the activities that Milbury would take over, under the contract being discussed with them, are financially provided for somewhere or other in the budget. These are all existing activities which are provided for either in the form of a subvention to the Dr Giraldi Home or a departmental budget to the Bishop Healy Home or to the St Bernadette's Occupational Therapy Centre, for example. So there is financial

provision for the activity but, of course, the Estimates do not speak of it as being a fee to Milbury, it speaks in terms of the present structure. But to the extent that it will cost more money to deliver these services through Milbury than as at present, for example, Milbury are doing it for a profit, then that element of additional cost is not presently provided for in the budget and that would have to be the subject matter of a supplementary appropriation.

HON J J BOSSANO:

And that is the element that is currently under negotiation, is that correct?

HON CHIEF MINISTER:

Principally but there is also some discussion about the extent of the existing resources that Milbury should take over. In other words, it is a question of to what extent their proposal is gross or net of existing resources which they would inherit.

ORAL

NO. 323 OF 1997

THE HON R MOR

RGP - NUMBER OF ASSAULTS ON POLICE OFFICERS

What was the total number of assaults on police officers recorded during 1996 and how many have been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 324, 325, 326, 327, 328, 329, 330 and 331 of 1997.

ORAL

NO. 324 OF 1997

THE HON R MOR

RGP - NUMBER OF SEXUAL OFFENCES

What was the total of sexual offences recorded during 1996 and how many have been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 323, 325, 326, 327, 328, 329, 330 and 331 of 1997.

ORAL

NO. 325 OF 1997

THE HON R MOR

RGP - GBH WOUNDING OR ASSAULT OFFENCES

What was the total number of offences involving grievous bodily harm, wounding or assault against persons recorded in 1996 and how many have been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 323, 324, 326, 327, 328, 329, 330 and 331 of 1997.

ORAL

NO. 326 OF 1997

THE HON R MOR

RGP - NUMBER OF THEFTS AND BURGLARIES

How many thefts and burglaries have been recorded during 1996 and how many have been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 323, 324, 325, 327, 328, 329, 330 and 331 of 1997.

ORAL

NO. 327 OF 1997

THE HON R MOR

RGP - NUMBER OF MURDERS AND MANSLAUGHTER

How many cases of murder or manslaughter have been recorded in 1996 and have any been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 323, 324, 325, 326, 328, 329, 330 and 331 of 1997.

ORAL

NO. 328 OF 1997

THE HON R MOR

RGP - RECEIVING OR HANDLING STOLEN GOODS OFFENCES

How many offences involving receiving or handling stolen goods have been recorded during 1996 and how many have been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 323, 324, 325, 326, 327, 329, 330 and 331 of 1997.

ORAL

NO. 329 OF 1997

THE HON R MOR

RGP - CASES OF MALICIOUS DAMAGE TO PROPERTY

How many cases of malicious damage to property have been recorded in 1996 and how many have been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 323, 324, 325, 326, 327, 328, 330 and 331 of 1997.

ORAL

NO. 330 OF 1997

THE HON R MOR

RGP - FRAUD, FORGERY OR DECEPTION OFFENCES

How many cases of fraud, forgery or deception have been recorded during 1996 and how many have been recorded up to the end of August 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 323, 324, 325, 326, 327, 328, 329 and 331 of 1997.

NO. 331 OF 1997THE HON R MOR**RGP - DRUG OFFENCES**

How many drug offences have been recorded during 1996 and how many have been recorded up to the end of August 1997?

ANSWERTHE HON THE CHIEF MINISTER

Before providing the hon Member with the information that he has asked, I would just like to clarify what I have understood by his questions. The phrase 'recorded' is not a legalistic word. There can be reports, allegations of an offence and eventually there may be a conviction or not in relation to that complaint. Not everything that is reported to the police results in a conviction because not all reports actually disclose the offence that the complaint reports. So understanding the word 'recorded' as meaning reports to the police the figures are as follows:

	<u>1996</u>	<u>Up to 31.8.97</u>
Assault on Police Officers	32	4
Sexual Offences	23	8
Offences involving grievous bodily harm, wounding or assault	312	150
Thefts and burglaries	1142	643
Murder or manslaughter	3	Nil
Receiving or handling stolen goods	35	24
Causing damage	598	285
Fraud, forgery or deception	214	108
Drug offences	494	226

I trust the Opposition Members will commend the increasingly attractive law and order picture beginning to emerge in Gibraltar.

NO. 332 OF 1997

THE HON J C PEREZ

TRAFFIC FLOW - ROUTE TO ST BERNARD'S HOSPITAL

Are Government aware that as a result of increased traffic congestion and traffic jams at the junction of Prince Edward's Road with Hospital Hill, that patients have had to be taken off the ambulance and taken to hospital on stretchers?

ANSWER

THE HON THE CHIEF MINISTER

New traffic arrangements have been introduced recently on a trial and interim basis to alleviate the flow of traffic in that area pending the introduction of the new traffic flow arrangements.

SUPPLEMENTARY TO QUESTION NO. 332 OF 1997

HON J C PEREZ:

Certainly the new traffic arrangements announced last week alleviate the problem but does not decongest the area because it does not do anything to decrease the amount of traffic in the area. I would like to take the opportunity to remind the Chief Minister that as a result of the traffic flow from the Piazza upwards and the exchange flow via Engineer Lane that there is now more traffic in that junction than would otherwise be the case when the traffic was reversed and that that in itself is creating more congestion and could the Minister for Traffic take that into account when he looks at the review? I have been told that the question of the ambulance has happened on a couple of occasions and certainly although the problem could be alleviated the amount of traffic in the area has not decreased as a result. What will happen now is that on peak periods the tail end of the traffic jams will now appear at the Queen's Cinema rather than up the hill through Prince Edward's Road and up into Moorish Castle. It is certainly a better arrangement because it recognises the amount of traffic coming in the summer from the Upper Rock down where the free flow of traffic is more desirable.

HON CHIEF MINISTER:

I think the hon Member's comments are certainly true of the interim measure that has been taken. But I do not think that they are true of the intended permanent change flow of traffic. When traffic coming down from the Upper Town and from the Upper Rock flows south along Prince Edward's Road, in other words, the flow of traffic along which it is proposed to reverse the flow of traffic along Prince Edward's Road, that is to say traffic will flow from very roughly Sacred Heart Church the wrong way down Prince Edward's Road to Prince Edward's Gate and will emerge at the top of Trafalgar Cemetery, that means that there will be no traffic emerging from

the Upper Town opposite the Three Roses Bar, if the hon Member knows roughly where I am. So therefore as far as the ambulance is concerned, which of course is what the question relates to, it will not meet any traffic, that area will be a one way traffic system and it will not meet traffic coming down that hill. I therefore do not agree that it will generate more traffic.

HON J C PEREZ:

I do not know what the intention of the Government is. I can only go by what the Chief Minister tells me and he has been continuously telling me for 18 months that he is studying the situation. I reserve my comments until I see the overall flow of traffic which he is promising us that he is going to come up with. When I see the overall flow then I will reserve my comments for that. From what little I have heard of his permanent intentions I think it is a disaster but I reserve my comments until I see the proposals of the Government.

HON J L BALDACHINO:

From what the Chief Minister has said, does that mean that Gardiner's Road will also be reversed or is it that the only proposed change is just for Prince Edward's Road?

HON CHIEF MINISTER:

There are other aspects to it but the proposal does not include reversing the direction of traffic along Flat Bastion Road or Gardiner's Road.

NO. 333 OF 1997

THE HON J C PEREZ

NYNEX/GIBTEL -- COMPLAINTS

Can Government state whether there have been any new developments with respect to the complaints lodged by Gibtel and Nynex against Telefonica with the European Commission and which now fall under Article 90?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

There have been no tangible developments with respect to the complaints lodged by Gibtel and GNC against Telefonica with the European Commission.

Government are aware that on 12 September the Commission held bilateral talks with the Spanish Government on the status and quality of Spain's implementation of EU telecommunications directives. During this meeting the matter of the complaints was raised by the Commission in the form of a Note presented to the Spanish side. The Government are not aware of the contents of this Note.

SUPPLEMENTARY TO QUESTION NO. 333 OF 1997

HON J C PEREZ:

Could the Minister state whether the United Kingdom as the Member State responsible for Gibraltar has now taken a position on this matter? The last time I raised this question the Chief Minister said that there was the position of Spain now under Article 90 because it became a matter of Member States and that the position of Gibraltar was quite clear. Could he state whether the United Kingdom have now themselves taken a position on it and, if not, could he perhaps raise the matter with Mr Henderson when he comes next week?

HON CHIEF MINISTER:

It has not yet been necessary for the United Kingdom Government to take a position on the principal actions themselves but they have taken a position in the matter of the interim relief and negotiations being conducted by the Commission. I am happy to report to the hon Member that the United Kingdom Government have adopted the position recommended to them by the Government of Gibraltar as being the Government of Gibraltar's position.

NO. 334 OF 1997

THE HON J C PEREZ

CRUTCHETT'S RAMP - PETITION BY RESIDENTS

When do Government intend to give a definitive reply to the petition by the residents of Crutchett's Ramp and Demaya's Ramp dated 4 April 1997?

ANSWER

THE HON THE CHIEF MINISTER

The hon Members are obviously hopeful of recruiting support from Crutchett's Ramp.

The Government are not minded to accede to the petition by the residents of Crutchett's Ramp and Demaya's Ramp for unlimited vehicular access throughout the day. This would seriously compromise the benefits of pedestrianisation of Main Street and the forthcoming pedestrianisation of Casemates Square. Vehicular access to those streets, that is, to Crutchett's Ramp and Demaya's Ramp, will be allowed throughout the day and night except during a five hour period between 10.30 am and 3.30 pm which the Government judge to be the period during the day when the pedestrianisation of that end of Main Street is of value to Gibraltar's economy.

SUPPLEMENTARY TO QUESTION NO. 334 OF 1997

HON J C PEREZ:

And access to the site, obviously when Cooperage Lane is ready, will be via Cooperage Lane or via Casemates?

HON CHIEF MINISTER:

It will be only and strictly only by Cooperage Lane.

HON J C PEREZ:

And then out via Casemates?

HON CHIEF MINISTER:

And then out via Cooperage Lane as well.

HON J C PEREZ:

Well, two-way, Cooperage Lane will become two-way but we cannot have two-way traffic.

HON CHIEF MINISTER:

There is very little traffic. As one can see from the demonstration on the television there is actually relatively few people affected.

HON J C PEREZ:

As long as there is one person affected it is important to the Opposition. I know, in fact, that the Minister held a meeting with the residents of the area yesterday or the day before and that that proposal has been put to them, I am aware of it. But the Minister said that this proposal needed to now be rubber stamped by the Traffic Commission, is it that the Government cannot take a decision, it is the decision of the Commission or does the Chief Minister expect the Commission to go against this new policy of the Government?

HON CHIEF MINISTER:

We do not offend the sensitivities of people who are appointed to statutory bodies by describing them as a rubber stamp but I agree that the Government certainly put our traffic proposals to the Traffic Commission and do not expect the Traffic Commission to reject the Government proposals except for very good reason and they would certainly be required to explain and persuade the Government of the validity of.

HON J C PEREZ:

He is just much more polite about it.

HON CHIEF MINISTER:

No, rubber stamps do not give advise and if they could give advice it is not listened to and that is not the view that the Government take of the Traffic Commission.

HON J C PEREZ:

Given that they are going to have a problem at Cooperage Lane on the two-way flow, I presume that they will have traffic lights or something to allow access? However infrequent the movements of vehicles are, that Lane cannot sustain two vehicles at any one time and it could cause a jam other than by people reversing?

HON CHIEF MINISTER:

I accept that some system will have to be introduced but the hon Member must be aware that there are many systems that exist to ensure that people do not enter a lane that they can see both ends of at the same time unless the whole lane is clear. It does not require traffic lights. The problem of course, would be very different if one could not see the exit of the lane at the time that one entered it but as happily that is not the case, the solution I believe is actually quite simple but we will await the recommendations of the Traffic Commission.

HON J C PEREZ:

Have these proposals generally been accepted by the representative of the tenants?

HON J J HOLLIDAY:

During my meeting yesterday with the representatives that came to see me from Crutchett's Ramp, I explained to them what our proposals were and my impression was that they were very satisfied with what had been proposed although obviously they were not obtaining what they initially had come seeking. Nevertheless they undertook to consult the rest of the residents in the area and revert to me with their comments. At the same time I assured them that the Traffic Commission would be giving me an initial report during the course of today which obviously must be back in my office and that early next week, depending on whether we have a House of Assembly meeting on Monday or not, I will take the matter up with them so as to try and alleviate their problem as soon as possible.

NO. 335 OF 1997

THE HON J C PEREZ

CIVIL SERVICE - VACANT POSTS

Can Government state whether any further posts in the Civil Service are now vacant in addition to the provisional list of 93 drawn up as at 30 May?

ANSWER

THE HON THE CHIEF MINISTER

Yes, six posts of Vehicle Tester, the Board for which should be held shortly, and a Senior Officer post at Support Services which has just been advertised.

SUPPLEMENTARY TO QUESTION NO. 335 OF 1997

HON J J BOSSANO:

These are newly created posts that have been created since the Estimates, these are not jobs that have become vacant since there have been no vacancies through movement, I take it then?

HON CHIEF MINISTER:

I cannot answer that. These are new previously non-existing posts. These are posts that the Government have decided to create post the Estimates. I cannot, without the information, which I do not possess at the moment, say. There have been vacancies created through promotion, for example, and as we fill the SEO posts and the HEO posts, then the resulting EOs, eventually we get to vacancies at the bottom, at AA or AO level. We are right in the middle of that process now. In other words, SEOs are about to be deployed, that gives rise to vacancies in the EO grades from which they have been promoted. That will happen in the next week or 10 days. But vacancies other than by promotion have not been created since that date.

HON J C PEREZ:

Are all the posts that remain vacant at the lower echelon of the scales to be filled? If these posts were to be filled internally does that mean that there would be seven new recruits at the end of the line coming in from outside the service into the service and is that true of all the other promotions as well?

HON CHIEF MINISTER:

Insofar as the six Vehicle Testers are concerned, to the extent that applicants from existing Government service posts are successful in obtaining those positions thereby creating vacancies which the Government consider necessary to fill, there will of course then be the usual process to fill those resulting vacancies. But as the Board for those have not yet taken place, I cannot give the hon Member an

indication of whether all six will come from within the service or..... *[HON J C PEREZ: But it is not automatic?]* Well, vacancies are not filled simply because they arise. If a vacancy arises it is filled only if the Government consider that there is a continuing need for that particular post and I believe that in that respect we are doing little more than carrying on the policies of the previous administration.

HON J C PEREZ:

Not everything we did was bad.

HON CHIEF MINISTER:

Absolutely not, that was particularly good.

ORAL

NO. 336 OF 1997

THE HON J C PEREZ

CIVIL SERVICE - VACANT POSTS

Can Government state which of the 93 vacant posts in the Civil Service shown on the provisional list as at 30 May, have now been filled?

ANSWER

THE HON THE CHIEF MINISTER

Of the 93 vacant posts shown on the provisional list as at 30 May 1997, all but the following posts have either been filled, are about to be filled, which is a reference to what I have just said about the internal movements, following recent selection Boards, or should be filled as soon as the few pending Boards are held. These are the ones that do not fall into those categories of filled, about to be filled or Boards pending:-

- (a) 1 Senior Officer in Social Affairs and 1 Social Worker in Social Affairs
- (b) 1 Legal Assistant in the Arrears Section of the Treasury
- (c) 1 Constable in the Police Force
- (d) 1 Senior Professional Technical Officer in the Procurement Unit
- (e) 1 Draftsman in the Legislation Support Unit
- (f) 1 Senior Officer in the Employment and Training Board
- (g) 1 Assistant Archivist in the Ministry of the Environment and Heritage.

It goes without saying, as I am sure hon Members will have deduced for themselves, that to the extent that many of these vacant posts are filled on promotion from within the service this gives rise to a process of musical chairs right up the Civil Service. The Government have not yet decided which of the resulting AA and AO posts at the bottom of the scale will be replaced, and if they are replaced, they may not be in the exact section where the vacancy has originated. This is an opportunity to reassess, on a section by section basis, what are the proper manpower resources needs of each section following the substantial restructure that is taking place for the carrying out of the various functions within the public service.

SUPPLEMENTARY TO QUESTION NO. 336 OF 1997

HON J J BOSSANO:

Of the list which is divided into three categories, can the Chief Minister identify which have actually been filled in the sense that people have been appointed to them?

HON CHIEF MINISTER:

They have not yet been informed of the decision but the management decisions have been made. I think every vacancy which is a Senior Officer has already been filled except the two in the list I have just given which are still vacant. Every Senior Executive Officer vacancy, except the new post of Hospital Manager, has been filled

and the person is in post. The resulting HEO vacancies, following the movement of people into the new SEO posts, have now been allocated but the persons not yet informed and that will happen, I believe, on Monday or Tuesday of next week. Similarly with the resulting EO vacancies, as a result of the people who are being moved on promotion to HEO. All that following the Public Service Commission selection boards for promotion to Senior Officer, Senior Executive Officer, Higher Executive Officer and Executive Officer that have taken place over the last six or so months. So all of that will be in place, hopefully, by the end of next week leaving only the resulting AA and AO positions.

HON J J BOSSANO:

The Chief Minister said that the SEO posts except the new post of Hospital Manager, is it then that there is a new post which was not mentioned in answer to the previous question when he said there were six Vehicle Testers and one Support Services?

HON CHIEF MINISTER:

No, I suppose it is not a new post. The post has been upgraded, it was included in the last information given but whereas the Hospital Manager has hitherto been an HEO it is now an SEO, so it is not really a new post, it is more an upgrading of an existing post.

HON J J BOSSANO:

Can I ask, of the list of vacant AO posts included in the 93, have any been filled from AAs?

HON CHIEF MINISTER:

The hon Member is stretching my memory of something I would earlier have been told in passing. I believe that from the selection process that took place for AAs, five or six months ago, from which resulted a list of 50 people on standby, I believe that the hon Member should not hold me to the exact correctness of this figure but I believe about eight or nine or possibly as many as 10 people have actually been inducted into the service at the very bottom.

ORAL

NO. 337 OF 1997

THE HON J C PEREZ

POST OF DIRECTOR OF POSTAL SERVICES

Can Government confirm that they intend to retain the grade of Senior Officer for the post of Director of Postal Services and to fill the vacancy?

ANSWER

THE HON THE CHIEF MINISTER

The post of Postal Services Manager has been regraded at Senior Executive Officer level. It is still held by the same officer on temporary promotion.

SUPPLEMENTARY TO QUESTION NO. 337 OF 1997

HON J C PEREZ:

So it has been regraded to SEO level and that has been already agreed with the trade unions?

HON CHIEF MINISTER:

Everything that the Government do which radically affects existing practices is carefully consulted with trade unions. I have found the GGCA very open to a balanced package of improvements which the Government have introduced and I am happy to say that the GGCA, as part of a wider package of restructuring, has seen the wisdom and understood the reasons for the downgrading of this particular post which, as the hon Member knows, follows what has become, over many years, a narrowing of functions. There was a time when the Director of Postal Services had far greater responsibilities than he has now.

HON J C PEREZ:

Given that the person substituting for the post has been substituting on temporary promotion for over 18 months, certainly since I was in office, is there a problem in filling the post? Why is the post not being filled even if it is at the SEO level?

HON CHIEF MINISTER:

As the hon Member knows, the Government do not interfere with the decisions of the Public Service Commission. The particular officer that has been acting Head of the Post Office in effect for nearly two years applied for promotion to SEO and was not selected for promotion to SEO by the Public Service Commission a decision that I personally found surprising given that the man appears to have been doing the job for two years and no one, at least in the 18 months that I have been in office, has

come to me saying, "The Post Office is a disaster because the man running it is not up to the job". And I was therefore, to say the least, perplexed by the decision that this particular officer was not, at this point in time, suitable for promotion and therefore the only mechanism open to the Government as managers of the public service that I felt did not do this particular officer an injustice was to leave him in post on temporary promotion which the hon Member knows is a mechanism open to the Government of the day. Whilst we can leave him in post on temporary promotion, we do not have the power to actually promote him ourselves and I believe that the Government have done what is right and fair to this particular officer notwithstanding the decision of the Public Service Commission.

NO. 338 OF 1997

THE HON J C PEREZ

DISPOSAL OF REFUSE

What is the nature of the agreement between the Government and the Mancomunidad de Municipios for the disposal of refuse at the Los Barrios tip?

ANSWER

THE HON THE CHIEF MINISTER

At the time that this answer was drafted there was no agreement between the Government of Gibraltar and the Mancomunidad de Municipios for the disposal of refuse at the Los Barrios tip and, indeed, there is still not, as we speak, an agreement. What has happened is that when the incinerator broke down recently I think as a result of a fire, and refuse was temporarily piled up near Brewery Crusher or somewhere there near the water, the refuse that had been so accumulated got wet with salt water spray. This made it inadvisable to burn that particular refuse in the incinerator when it was eventually repaired, apparently because the salt in the refuse would have damaged the machinery. So we asked the Mancomunidad de Municipios whether they would clear the way for a contractor, In-Town Developments who have the contractual responsibility to dispose of refuse in such circumstances, to facilitate the disposal by In-Town in the Los Barrios tip of the rubbish that I have just described. There has been, in my view, an inordinate delay in that being set up as a result of less than expeditious co-operation from Madrid in relation to this particular request but I am happy to say that the agreement between either In-Town or their haulage contractor and the Mancomunidad has now concluded the necessary arrangements two days ago.

SUPPLEMENTARY TO QUESTION NO. 338 OF 1997

HON J C PEREZ:

So the agreement is directly between the Mancomunidad and a contractor and not between the Government and the Mancomunidad?

HON CHIEF MINISTER:

That is right. There has not been and there is not any such agreement although I have to say that I would have no difficulty with entering such an agreement if the Government of Gibraltar thought it necessary but given the existing contractual arrangements for the operation of the plant, the proper party to contract for the disposal of refuse is actually In-Town and not the Government.

HON J C PEREZ:

Does the Chief Minister know what has happened to that rubbish since? Is it still there or has it now been disposed of?

HON CHIEF MINISTER:

I have to admit that I am not aware and the Minister is not aware either but as the contract was signed two days ago we believe that the preparatory arrangements in the removal of that rubbish will now be in hand albeit in early stages.

HON J C PEREZ:

It is certainly not in Brewery Crusher.

HON CHIEF MINISTER:

Then the hon Member knows the answer to his question.

HON J C PEREZ:

I know it is not in Brewery Crusher, I am just asking the Chief Minister whether he knows where it is. If we had a problem in burning it three months ago and it is still around, it must smell.

HON LT-COL E M BRITTO:

The rubbish was only in Brewery Crusher for a space of about 10 days.

HON J C PEREZ:

So it has been burnt then?

HON LT-COL E M BRITTO:

No, part of it was moved back to the area of the incinerator and most of it is in the area of the quarry up the hill. It was in Brewery Crusher for a short space of time. *[HON CHIEF MINISTER: But long enough for it to get wet.]* Yes, under the restrictions placed by the Fire Brigade in the immediate aftermath of the fire and during the fire itself. Once the fire was under control it was moved back to the quarry.

HON J L BALDACHINO:

May I add that it is still at the quarry.

HON LT-COL E M BRITTO:

It is still at the quarry because the agreement was only signed two days ago.

NO. 339 OF 1997

THE HON A ISOLA

IMPORT DUTY STUDY

Have Government now completed the study into the restructure of import duty?

ANSWER

THE HON THE CHIEF MINISTER

Yes, Sir. The decisions made by the Government following completion of the study were made public by the Government yesterday.

SUPPLEMENTARY TO QUESTION NO. 339 OF 1997

HON A ISOLA:

There is one question relating to the announcement yesterday which is reported in today's Chronicle. There is a new duty of 12 per cent on building materials which do not relate to existing contracts. In the case of motor vehicles there is a reduction by 50 per cent in respect of those which are brought in, I assume, through established distributors of motor vehicles. Might it not be to the advantage of several small businesses that have exactly the same problem as the motor vehicles do in supplying building materials like, for example, floor tiles, kitchen tiles, which have exactly the same difficulty as the car importers have and it might be a possibility, I do not think the effect would be too great on the revenue, for such a concession to be given to locally established wholesalers or distributors of that particular material as well?

HON CHIEF MINISTER:

Yes, indeed, the innovative proposal that the Government have made by way of delivery of this particular assistance to the motor vehicle sector would be available and a case can be made for doing the same thing following the same procedure in other areas including the one that the hon Member has described. However, the Government have thought it prudent initially to monitor how the device works in relation to one product that can easily be monitored before deciding whether it is prudent to extend it to other sectors which suffer from much the same problems as motivated Government to do this for the motor vehicle sector. So the Government will certainly keep the hon Member's suggestion under review because it certainly applies to other areas and not just the building sector which he has described.

HON J C PEREZ:

Both the Minister for Tourism and I were lobbied downstairs this morning on whether printed matter included duty on newspapers and magazines where the said person said this would have a drastic effect on the trade. Could the Chief Minister state whether this is the case or not?

HON CHIEF MINISTER:

Indeed it is. As is made quite clear in the Government's press release on this subject which specifically mentions that printed matter includes newspapers. It is not possible to remove or reduce duty on certain items without increasing the duty on others. It is a matter of judgement for the Government which items are more likely to benefit than others are to suffer from these measures. Obviously nobody that deals with products which suffer a duty increase are happy. The Government's judgement is that whatever might be the immediate consumer reaction to the imposition of a 12 per cent import duty on printed matter, that this will quickly be reversed and we are confident that, in fact, in the immediate future whatever happens in the next week or in the next month, but once the dust settles that this will not have the feared adverse impact on volumes.

HON J C PEREZ:

It is my understanding that, I do not know about magazines but certainly newspapers have not got a duty anywhere in Europe. If that is the case certainly it might be cheaper to go and buy the Sunday paper in La Linea than to do it here, I do not know.

HON CHIEF MINISTER:

On the rare occasions when I have bought my British newspapers in Spain I have found that the price differential considerably exceeds the import duty of 12 per cent.

HON J J BOSSANO:

Can the Government, having made this announcement, say what they expect to gain and what they expect to lose by each of the changes so as to make it revenue neutral?

HON CHIEF MINISTER:

I cannot tell him right now but I can tell him that the study prepared on behalf of the Government by KPMG who have done the study for the Government, includes a matrix which contains a model of the projected, although it is not a scientific process, impact on demand and therefore on Government revenue. An attempt has been made to estimate to what extent raising duty on goods reduces the demand for them and the volumes therefore and vice versa. We are satisfied that in the case of the main increases in duty, namely the increases that have been announced on tobacco and the increases that have been announced on petrol, there will be absolutely no reduction in demand for those products because the price differential between the Gibraltar price and the Spanish price is still left such that no reduction in demand is envisaged. Printed matter and building materials are, of course, a matter for judgement. The Government's judgement has been that there in fact will be no reduction in demand and therefore volumes for building materials and that in the case of printed matter, my judgement is that there may be some immediate reaction to a price increase but that it will not be sustained and at the end of the day the addition that this represents to a price of a newspaper will not be such as to turn people off from reading newspapers. What is less clear on the positive side is to what extent there will be increased demand as a result of reducing duty on certain items. Indeed, it is possible that even though the Government have done these

things in an attempt that it should be revenue neutral and in an attempt to assist the industry, it is not inconceivable that we might actually end up raising more duty than we are raising at the moment. We shall have to see because, of course, the matrix is not a scientific exercise, we cannot know what will be the exact level effect of these measures on demand for the various products affected but they are designed and they are carefully balanced in terms of current yields to be broadly revenue neutral. There is an element of margin in that broad neutrality which is in our favour.

HON J J BOSSANO:

I am not surprised to hear that, I would say that a cursory glance at their list would suggest that the decline of petrol is unlikely or the increase of nappies likely. So on the basis that the volumes do not change very much it will not be neutral, it might well be an increase in revenue.

HON CHIEF MINISTER:

If the volumes on the articles on which we are imposing duty do not fall, yes, it is very probable that this will actually be earning enhanced revenue. We have chosen to be prudent and ensure that it will be at least revenue neutral, it may well be that if revenues increase as a result of these measures that we will be able to give further duty reductions to some of the goods where the duty has only been reduced as opposed to eliminate it altogether or perhaps extend the concession to items of goods that have not been altered yet.

NO. 340 OF 1997

THE HON A ISOLA

GCID - REPORTS

Can Government confirm that in the first nine months of operation the Gibraltar Criminal Intelligence Unit 140 transactions were reported to it and what was the total value of those transactions?

ANSWER

THE HON THE CHIEF MINISTER

In the first nine months of operation, that is to 30 September 1996, the Gibraltar Criminal Intelligence Unit, now called the Gibraltar Financial Intelligence Unit, received 139 suspicion reports. The total number received for 1996 as a whole was 186.

The reports do not mean that the transactions were in fact objectionable or unlawful. Given the risk of abuse of such figures by foreign entities, the Government do not consider it to be in the public interest to publish figures relating to the value of reported transactions. Such a figure would, in any event, be meaningless. It would certainly not be a measure or even an indication of the extent, if any, of money laundering in Gibraltar. I am however willing to provide this information to the hon Member on a confidential basis.

SUPPLEMENTARY TO QUESTION NO. 340 OF 1997

HON J J BOSSANO:

Did any of these reported transactions lead to any further action or were they all in fact found to be perfectly legitimate?

HON CHIEF MINISTER:

Speaking from memory, I believe that one or two cases have resulted in successful subsequent operations but very few, less than a handful. But again I am happy to provide that information on a confidential basis to the hon Member.

NO. 341 OF 1997

THE HON A ISOLA

RATES - NON-DOMESTIC PAYMENTS

What is the total amount of rates payable in the quarter ending 30 September in respect of commercial premises where the 20 per cent rebate can be claimed by those paying the rates demanded within three months of the due date?

ANSWER

THE HON THE CHIEF MINISTER

The total amount of rates collectable from non-domestic premises in the quarter ending 30 September 1997 where the 20 per cent discount would apply is £1.762 million.

SUPPLEMENTARY TO QUESTION NO. 341 OF 1997

HON J J BOSSANO:

So if in fact the proposal that is in the Bill before the House were to be taken up by everybody we would be talking about 20 per cent of that figure being credited in the next quarter, if everybody took it up?

HON CHIEF MINISTER:

Yes, credited but not lost because this is 20 per cent of collectable. Unfortunately for the Government of Gibraltar the Government do not collect 100 per cent of the duty collectable so we would not lose, in real terms 20 per cent of that figure because £1.762 million is what we would collect if everybody paid their rates, which the hon Member knows regrettably is not the case. So we will actually lose 20 per cent if everybody paid in manner that earns them the discount, we would lose 20 per cent of what is in fact collectable. As against that we hope to benefit from more people paying and especially from more people paying in good time.

NO. 342 OF 1997

THE HON A ISOLA

FINANCIAL SERVICES SECTOR

Can Government state how they have calculated that the financial services sector currently generates 20 per cent of Gibraltar's GDP?

ANSWER

THE HON THE CHIEF MINISTER

It is estimated that the contribution of the financial sector to GDP is in the order of 15 per cent to 20 per cent, I suppose that the hon Member got the idea for his question from reading the Minister for Trade and Industry in the Financial Times Survey. The latest, that is to say, to April 1996 Employment Survey, shows that the banking, finance and investment industries already account for 12 per cent of the employed population with an aggregate income which accounts for some 13 per cent to 14 per cent of the total income from employment. The Government are confident that with the addition of persons in self-employed finance-related activity together with the profits of companies operating in the industry and all their combined knock-on or multiplier effect, an estimate of 15 per cent to 20 per cent is a reasonable estimation.

SUPPLEMENTARY TO QUESTION NO. 342 OF 1997

HON J J BOSSANO:

When was the last calculation of the GDP done because the margin between 15 per cent and 20 per cent of several hundred million pounds is not exactly pennies?

HON CHIEF MINISTER:

GDP in Gibraltar I do not think is £750 million regrettably. The latest draft national accounts are in hand, I think they now exist in draft. I cannot tell the hon Member what the figure is for financial services in that, it has not been fully computed but it is in hand. I believe, these things are a long way out-of-date, I believe that this was for the year ended 1995. I will happily give that information to the hon Member when it is available as well. I should add, just for the hon Member's further information, although I am sure he knows this, that the procedures in Gibraltar for the computation of national accounts is, to say the least, unscientific, hit and miss, and certainly do not produce a result on which anybody should seriously rely. For that reason the Government are to commission a study into ways of improving the method of preparation and calculation of national income figures and indeed for the collation of the information that goes into them.

NO. 343 OF 1997

THE HON A ISOLA

RYDER CUP TOURNAMENT

What representations were made, officially or otherwise, to the Spanish authorities by Government for co-operation at the land frontier during the week, or any part of it, of the Ryder Cup Tournament in Spain?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No representations were made seeking the co-operation of the Spanish authorities at the land frontier during Ryder Cup week. The only official contact was in respect of the Jose Carreras concert on 26 September 1997. I held a meeting with the Mayor of La Linea, to suggest that La Linea might wish to benefit from the expected influx of visitors for the concert and to this end, it was suggested that car parking for concert goers from Spain could be provided in La Linea. It was decided that officials from both sides would meet to consider the logistics of the matter.

At this subsequent meeting between officials held in La Linea on 12 September, the Gibraltar officials were informed that assistance with car parking would be forthcoming provided that the Gibraltar Government purchased 1,000 tickets for each of the two concerts being organised by La Linea over the two days preceding the Carreras concert. Assistance from La Linea in this area was therefore declined and there was no further contact in respect of this mutual co-operation.

Over and above official contacts with the Spanish authorities, there was contact between me and the President of Valderrama Golf Club. The President undertook to make available to the Gibraltar Tourist Board a stand for marketing the Carreras concert and promoting Gibraltar tourism at Valderrama. Access was also agreed to cruise liners booked by the Ryder Cup Accommodation Bureau, which were to be berthed in Algeciras.

When the President was asked to make the stands available, his office informed the Ministry for Tourism that the request for Gibraltar stands and for access to Valderrama and the cruise liners could not be met. Furthermore, a mobile selling vehicle to promote the Carreras concert was denied access to Puerto Sotogrande and areas where Ryder Cup visitors were concentrated which came under the control of the Ryder Cup Committee.

ORAL

NO. 344 OF 1997

THE HON J J BOSSANO
(In the absence of the Hon A. Isola)

FINANCIAL SERVICES SECTOR

Can Government confirm that they expect the Financial Services Sector of the economy to generate 33 per cent of Gibraltar's GDP and to employ 2000 people within five years?

ANSWER

THE HON THE CHIEF MINISTER

The Government expect that the contribution that the Financial Services Sector will make to the economy of Gibraltar will grow and therefore increase as a percentage of GDP. The Government in broad terms expect the contribution of the Financial Services Sector to increase to around one-third of GDP but this is a general statement of medium to long-term objective and is not based on any scientific or targeted deadline. There is no fixed time scale within which the Government believe such a target might be achieved. Of course, it is in the nature of the way an economy develops that such predictions are always subject to variation and the matter will be kept closely under review by the Government.

SUPPLEMENTARY TO QUESTION NO. 344 OF 1997

HON J J BOSSANO:

Is the figure of 2000 people equally constrained by as many qualifications as the 33 per cent of GDP?

HON CHIEF MINISTER:

It is constrained by the qualifications of uncertainty but it is a realistic objective that the Government set ourselves as a target. In other words, we do not regard it as pie in the sky; we regard it as the target that we are aiming for. What we are not willing to say is that we will reach it within one year, two years or three years. But certainly on the basis of existing initiatives and existing legislative proposals and existing things like passporting and other initiatives being taken, they are capable between them of boosting employment to the 2000 mark from the 1600 or thereabouts that it was in April 1996.

HON J J BOSSANO:

I take it therefore that the article which quoted these figures which said, in fact, that the increase would be from 600 at present to 2000 in five years is either a misprint or somebody who is not familiar with the numbers that are employed currently?

HON CHIEF MINISTER:

I have not seen that misprint but 600 must be a misprint of 1600 which is what the figure actually is. I suppose almost everybody in Gibraltar knows that there are more than 600 people employed in the Financial Services Sector and I am happy to say that there is not that degree of ignorance in any relevant quarter in the Government.

NO. 345 OF 1997

THE HON J J BOSSANO

PROTOCOL X

Were the Government consulted by Her Majesty's Government on the wording of Protocol X prior to it being proposed at the Amsterdam meeting?

ANSWER

THE HON THE CHIEF MINISTER

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 345 OF 1997

HON J J BOSSANO:

Were the Government consulted at any stage subsequently, that is to say, after it had already been proposed and negotiated?

HON CHIEF MINISTER:

No, the position in relation to Protocol X is as I have said in my public statements in the past, namely, that language to similar effect, although not identical language to the one that eventually became Protocol X but to similar effect, had been found by us in an earlier draft of the Treaty. In other words, that is language giving Spain, in effect, a veto of a future UK accession to the Schengen Agreement and that that, having been spotted by us, was the subject matter of several letters by me to the Governor and to the Foreign Secretary. As a result of which - I say as a result of which, certainly following which the language in subsequent drafts of the Treaty was modified in effect to the Article 5(a)(3) language which is not unanimity and that was the position reflected in the draft up to and including the draft published on 12 June which was just four days before the summit itself. The offending language, so to speak, did not reappear again until the draft published on 19 June, that is to say, after the summit itself and I can inform the hon Member that there has been no consultation or discussion of any sort flowing between the British Government and the Gibraltar Government in between those drafts of the 12 June and 19 June or during the course of the day of the summit itself.

HON J J BOSSANO:

With due respect to the explanation given by the Chief Minister, Protocol X has nothing to do with any language about any vetoes. Protocol X is the Protocol that has three Articles, the third Article of which is the one that gives other Member States the right to introduce controls on their borders to establish the right of entry of people coming from either the United Kingdom or its dependent territory. Clearly the only dependent territory affected is Gibraltar and that is why we thought it was a

Protocol that would particularly place an obligation on Her Majesty's Government to consult the Government of Gibraltar. Is it the case that the Government are not even aware to the extent that Spain has influenced that wording as a result of the consultations that took place with the Commission prior to the commencement of the Amsterdam meeting?

HON CHIEF MINISTER:

The hon Member is quite correct. The explanation that I have just given relates to Protocol Y which is the next question on the Order Paper. Mr Speaker, the answer is yes, the wording relating as it now appears in relation to that Protocol did not appear in the draft and was not the subject matter of discussion for that reason. There has been no element of information in that respect and that is the position. We have had subsequent assurances about what the Protocol means, what the effect of them is and what the effect of them is not, but we have had no opportunity to input into the language of that Protocol prior to it being apparently agreed on the night of the summit itself.

HON J J BOSSANO:

Can the Government say whether they consider that the specific reference that there is in Protocol X that the right of a Member State to exercise such controls cannot be challenged by Article 7(a) of the Treaty or by any other Article in the amendments introduced at Amsterdam or by any measures taken under that is a very wide-ranging definition of the strength of the right of the Member State to exercise controls. Do the Government not agree that this means that it would be extremely difficult for the United Kingdom to prove that measures taken to establish the identity of visitors to Spain, to prove that any such measures are disproportionate would be as difficult for the UK to do to Spain as it would be for anybody else to do to the UK who has the same right?

HON CHIEF MINISTER:

The position is that Protocol X does not give Spain any new rights to take additional measures which she has not had since the Schengen Agreement itself came into operation. The fact that the Schengen Agreement has been in the form in which it has existed, there have been no alterations to the Schengen Agreement. The fact that it has been taken from outside the European Community Treaty and by the terms of the Amsterdam Treaty placed within the Treaties established in the Union does not alter the things that Spain can do in relation to free movement to what they were before. In other words, Spain remains free to take now measures that she has been free to take since the Schengen Agreement was first concluded and is now in operation since 1993 and therefore there is nothing in the Amsterdam Treaty itself which increases or enhances Spain's ability to take measures in relation to the right of free movement of people within other Articles of the Treaties. That is what the reference to Article 7(a) is intended to mean. The position of the United Kingdom, and that is what we have received assurances on, is that Spain is free to take measures for the particular purposes specified in Article 1 of Protocol X, namely, if one is an EU national, to verify that one is an EU national and if one is not an EU national to decide whether they should admit oneself into Spain or not. The position of the United Kingdom is that if what they call disproportionate measures are taken by Spain in relation to those two legitimate tasks, those remain challengeable in the ECJ. Of course, there is the same evidential difficulty now as there has always

been because Spain has always had the right to take measures of that type at the border. So nothing in the Amsterdam Treaty increases the evidential difficulty beyond that difficulty which it had before the Amsterdam Treaty during which Spain has been equally at liberty to take the same measures as she is now free to take. If the United Kingdom had wanted to challenge in the last 24 months some of the measures that Spain has been taking at the border as we in Gibraltar have been suggesting to the United Kingdom she should do, she would still have had the same difficulty in establishing whether or not these measures transcend the legitimate exercise of frontier controls and enter into that degree of interference with the free movement of people which is not permitted by a legitimate exercise of frontier controls for the limited two purposes that they are allowed under the Schengen Agreement to exercise those controls. I cannot say what the evidential difficulty will be and the hon Member is quite entitled to speculate that the evidential difficulties will be considerable. What I can say, and this is the position that has been put to us by the British Government, that the evidential difficulty is the same as it was before and that nothing has been altered. In other words, what Spain was doing at the frontier 12 months ago, the measures that Spain has been allowed to take at the frontier during the last two years were not in breach of the rights of free movement of people within the Community which existed co-extensively during that period of time. It remains to be seen whether there can be, in fact, a successful challenge if there should be what the United Kingdom calls disproportionate measures. He and I will probably agree that there have already been disproportionate measures over the last several years.

HON J J BOSSANO:

Is it not a fact that the specific reference is there for a particular purpose and the purpose is to make absolutely clear that whereas it was a grey area before it is no longer a grey area? Is it not the case that the United Kingdom itself, prior to this condition being attached, was being questioned by other Member States as to their right to demand the production of passports on EU nationals moving from another Member State to the United Kingdom and this explains, since it is a clause introduced by the UK, why the Prime Minister told the House of Commons that for the first time there was a legally binding agreement which made sure that the United Kingdom and only the United Kingdom decided the nature of the controls it operated on movement from another Member State. Therefore it cannot be the first or the first time for the United Kingdom and have always been there, surely, for the other Members?

HON CHIEF MINISTER:

That is one interpretation of what the Prime Minister said. It is not the interpretation placed on it by the British Government itself.

HON J J BOSSANO:

For us.

HON CHIEF MINISTER:

Well, or for them. If the Prime Minister's words had the meaning that the hon Member is attributing to them, it would amount to a concession by the Prime Minister that the actions of the United Kingdom which had been taken until then had been unlawful. In other words, if the words used by the Prime Minister meant, as the hon Member says that they mean, that for the first time the United Kingdom can decide what measures it can take at its borders, if the first time is as of the signing or ratification of the Amsterdam Treaty, it would amount to a damning concession and damaging concession that the passport measures that the UK had been taking up to that date had, by necessity, not been lawful and that is not the position of the United Kingdom Government. The interpretation placed on those words is that for the first time measures taken could not be challenged in national courts, not in ECJ courts, and therefore I agree with what the hon Member has said to this limited extent that if there was any doubt before and it is a very big "if" and the United Kingdom does not admit that there is an "if", but if anybody in Europe was arguing, rightly or wrongly, that measures taken in respect of frontier controls were by necessity and by definition a breach of Article 7(a), Freedom of Movement, such arguments were no longer even tenable, but of course that does not mean that the arguments were correct in the first place. It simply makes the issue unarguable as opposed to arguable. To that extent the matter has been put beyond doubt but putting the matter beyond doubt is not to concede that the measures have altered the substance because that would be to accept that those that were arguing that frontier controls were illegal as it being a breach of Article 7(a) before were right and no one has conceded that, certainly not the United Kingdom Government.

NO. 346 OF 1997

THE HON J J BOSSANO

PROTOCOL Y

Were the Government consulted by Her Majesty's Government on the wording of Protocol Y prior to it being proposed at the Amsterdam meeting?

ANSWER

THE HON THE CHIEF MINISTER

I apologise to the hon Member, I had the wrong question in front of me as I answered the previous one. I have given him the answer to that, perhaps he can just ask supplementaries on the basis of that information which to summarise is no, except to the extent that we raised it with them and thought that it had been corrected and were confident that it had been corrected and as of the 12 June draft, which is the draft that was taken into the summit, it had been corrected and it became apparent after the summit in the draft published on the 19 June that in fact the ground had been lost again.

SUPPLEMENTARY TO QUESTION NO. 346 OF 1997

HON J J BOSSANO:

My understanding of the position is in fact that the Protocol was not in existence on 12 June and that it was discussed with the Commission prior to the 16 and 17 and that there were exchanges taking place then between the Commission and the United Kingdom but it is not inconceivable that the Commission was also speaking to other parties. Do the Government accept that any measures that are taken in the new title, that is the new chapter that has been added to the Treaty which specifies that measures have to be agreed within five years of the Treaty coming into effect on the nature of the controls that have to be operated at external frontiers and that those measures require unanimity and that that in fact has been there throughout from the first draft of the 20 March?

HON CHIEF MINISTER:

There has been wording to similar effect but not this precise wording. The position under this particular Protocol which relates to the whole range of title 3(a) - Social Justice Measures, is that the United Kingdom is entitled, as a matter of right, to choose to participate in any measures that might be proposed when they are proposed. In other words, if next week or next month or next year there is a proposal in relation to any of the very broad range of issues, but let us limit ourselves to external frontiers which is, I suppose, the most relevant one covered by the new title 3(a). If there were such a proposal emanating at any time in the future, the United Kingdom is entitled to participate in those as a matter of right and what I have said to the United Kingdom is that I presume that participation as a matter of right means participation as a matter of right including Gibraltar which is part of the United Kingdom for these purposes. So if a measure is proposed and the United Kingdom wants to participate from the beginning, the United Kingdom does so as a

matter of right and I do not agree with any analysis that says that at that point Spain has got any veto whatsoever on the inclusion or the exclusion of Gibraltar because the United Kingdom's right to participate is as a matter of right. The problems may emerge if the United Kingdom chooses not to participate in any new proposal initially at the time that they are proposed. So let us say in two years time there is an external frontiers or an asylum or co-operation in justice matters proposal and the United Kingdom Government say, "No, we do not want to participate in this. I am opting out of this", the other Members then go forward and if at a subsequent date, subsequent to that initial refusal the United Kingdom Government decide that they wish to participate, Spain does not have a veto on that participation either, it is then this pretty nebulous Article 5(a)(3) procedure which is in effect that the Commission looks into the matter and establishes terms for the United Kingdom's participation. I do not share the hon Member's analysis which I have read that any aspect of the general Title 3(a) regime gives Spain a veto on future UK and therefore Gibraltar participation; but of course a very different question is whether regardless of the nitty gritty of the Treaty the United Kingdom agree in some future negotiation to the exclusion of Gibraltar but there is nothing in respect of Title 3(a) in future measures that require the United Kingdom to sacrifice Gibraltar in order to buy off the Spanish veto which of course is very different to the position prevailing in respect of any future decision by the UK to enter into the Schengen Agreement in the future in respect of which she would definitely have to buy off the Spanish veto because Spain does have a veto in that respect.

HON J J BOSSANO:

Given that when we talk of Spain having a veto what we are talking about is the requirement for unanimity for the United Kingdom to accede to any of the measures in the Schengen accord; that is what we are talking about, when we are talking about a veto it is not that the text mentions a veto, it is that it requires unanimity and therefore one Member voting against is enough to make it a veto. Is it not the case that what the new title in the Treaty says is that, for example, the measures that have to be agreed within five years, according to the text, it is mandatory, need to be agreed by unanimity and therefore if the United Kingdom say, "We want to be part of the measures on external frontiers" like they have been saying since 1991 on the External Frontiers Convention, there has to be unanimity and the United Kingdom participates in that discussion as to what the measures are and in the context of that discussion what is new and therefore extremely dangerous, it seems to us in the Opposition, in Protocol Y is that there is a clause that says that during that period of reaching agreement on the measures if it is not possible to reach agreement with the United Kingdom then the right of the United Kingdom to participate disappears because the rest will proceed without UK. That is precisely what it says in Protocol X where it says that, "if after a reasonable period of time agreement is not possible with the United Kingdom then the rest proceed without". So is this not the case that if we compare the situation post-Amsterdam on external frontiers as it was since 1991, since 1991 we have had a deadlock because it was impossible to reach agreement, it was not a question of vetoing who could form a part, everybody could form part of it but it was impossible, the 13 agreed amongst themselves but there were two Member States who could not agree with each other - Spain and the UK - and without 15 signatures the thing has been deadlocked. Under Protocol Y, if we have a repetition of that scenario and there is no reason to suppose that Spain is going to have a change of heart when it comes to discussing this, if we have a repetition of that scenario, after a reasonable period of time 14 will be able to proceed without UK. Is that not what the Protocol says?

HON CHIEF MINISTER:

No, I do not think that that is what the Protocol says and I think that this difference of opinion lies at the root of the dispute that exists between the Opposition Members and ourselves in relation to the interpretation of this particular part, that is to say, Article 3 of Protocol Y. In effect, provided that the United Kingdom goes in initially, both Spain and the United Kingdom preserve their veto and that preserves the situation as it has always been. Let me explain to the hon Member why that is our analysis of the Treaty. Article 1 of Protocol Y, just for the sake of Hansard let us be clear, new Title 3(a) of the Treaty itself, deals with a whole range of areas relating to social injustice policy, mainly justice as common asylum; common visas, co-operation in judicial and police affairs, including possible external frontiers arrangements. The United Kingdom and Ireland said, "We do not want to be bound to do any of that that might arise in the Treaty", this is not like Schengen where there is an existing agreement in which a Member can say, "We want to go into it" or "We do not". These are measures that might or might not emerge in the future so they are things that do not yet exist. The United Kingdom says, "We want out" and Article 1 of Protocol Y says, "Fine". Measures require unanimity but unanimity amongst Members that want to go in. Article 3 says that unanimity includes the United Kingdom, as the hon Member has himself recognised, if the United Kingdom wants. For example, just limiting the discussion to the example of external frontiers although we recognise that it extends to the whole title 3(a) range of measures which is much wider than external frontiers potentially, if measures are proposed and the United Kingdom says, "I am interested in that. I want to take part in those discussions", it becomes part of the unanimity. In other words, its signature is necessary as well. The United Kingdom gets external frontiers proposals and says, "The United Kingdom" which guide incidentally includes Gibraltar, "is interested in participating in these external frontiers provisions". That is all the United Kingdom has to do, give that notification whereupon she becomes part of the required unanimity. So having given that notification and having made herself part of the required unanimity, if Spain then tries to say, "I will not agree to it unless you exclude Gibraltar", the United Kingdom will then say, "Then exercise your veto", and if the rest of the Community says, "We agree with Spain, we want to exclude Gibraltar", the United Kingdom then has a veto because having given the notification of willingness to participate, her signature is also required and therefore she would have a veto if the others tried to exclude Gibraltar. Much more likely, however, Mr Speaker, than that scenario and I think there is a clear difference between that interpretation and the one that the hon Member has put, my concerns actually are in the next phase, in other words, particularly because in relation to external frontiers it seems unlikely, although not impossible, that if the proposals are in the next five years, for example, that this new Labour Government or any other Government in England will have changed their mind so radically on the matter of external frontiers that they will want to send them that notification saying, "Yes, we want to participate and make ourselves part of the unanimity requirement". Much more worrying therefore is what is the regime for what happens if the United Kingdom at that initial stage chooses not to notify a desire to participate therefore does not make herself part of the unanimity requirement and the others proceed without the United Kingdom and at some future date after that the United Kingdom decides that she wants to participate. That is when the United Kingdom has lost leverage in the sense that she is then back in the hands of the Commission, not in the hands of the Spanish veto but she is in the hands of the Commission under Article 5(a)(3) procedure which, whilst not giving the Spaniards a veto, certainly

gives the Spaniards the opportunity to lobby the Commission and produce some weak-kneed proposal from the Commission which will have, as a feature of it, aspects which will not be to our liking. But that will not be because the Spaniards have a veto at that stage, it will be because the Commission, under Article 5(a)(3) procedure has objectively, as the language is used, made proposals for the UK's future participation in whatever its measures might be which may contain an element of compromise at our expense. But it would have to be the Commission that sacrifices Gibraltar and not the Spanish veto and the United Kingdom Government believe that the Commission would not do that. We in Gibraltar I think are inclined to remain a little bit more sanguine about the prospects of that. But I disagree with the hon Member's analysis that any part of Protocol Y or any part of the regime relating to Title 3(a) except the aspects of it relating exclusively to the Schengen Agreement, I disagree with the hon Member's analysis that any aspect of it gives Spain a mathematical veto and the words that he relies on, "if after a reasonable period of time a measure referred to in paragraph (1) cannot be adopted with the United Kingdom or Ireland taking part" do not mean that a desire by the others to exclude Gibraltar means that it cannot be adopted with the United Kingdom or Ireland taking part. What that means, if the United Kingdom or Ireland cannot be persuaded or choose not to participate, that language is not there to facilitate and I believe that it does not facilitate the exclusion of Gibraltar in the sense that if the United Kingdom opts to go in it opts to go in with Gibraltar and the fact that the others then say, "We are not happy to allow Gibraltar to come in" or worse still Spain says, "I am not happy to allow Gibraltar to come in", does not mean that after a reasonable period of time a measure cannot be adopted for the United Kingdom or Ireland taking part which is the interpretation that the hon Member is placing on those words which leads him to the conclusion that after a reasonable period of time, in effect Spain maintains a veto but the United Kingdom does not. That is a difference of analysis. That is the view to which we came is shared by the United Kingdom but I suppose the hon Member can always say that time will tell whether his analysis was correct or ours but certainly we disagree with the hon Member's analysis stated publicly on that aspect of the matter.

HON J J BOSSANO:

As the Chief Minister says time will prove which analysis is correct. Can he say to me that in fact he has arrived at that analysis himself or he has been told by the United Kingdom that this is what it means? Because certainly the United Kingdom has not told us on any of the occasions that we have raised the matter that the analysis is the one that he has just exposed and it would have been very simple for the UK to reply saying, "The text means something different from what you think it means".

HON CHIEF MINISTER:

That is the analysis to which we have come and it is an analysis which has been confirmed by the text of the letters written by Foreign Office Ministers in the Government to all political parties in Gibraltar and I am informed that it is in fact not true, as the hon Member's party has published in a press release recently, that the Convent on behalf of the United Kingdom Government has confirmed to the Opposition Members that the United Kingdom has admitted that there is this indirect veto in the context of Protocol Y in favour of Spain and that the assertion by Opposition Members in their press release that the Convent had confirmed that is not correct.

HON J J BOSSANO:

I can assure the Chief Minister that having asked Her Majesty's Government whether in fact the scenario that I have painted would apply if the United Kingdom wished to be part of the external frontiers measures as we assume they will be because they have been participating in the discussions on external frontiers since 1991, the reply that we got was not to say, "No, this would not apply because you are interpreting it incorrectly". They said, "The relevant clauses which you quote will only apply in the event of the United Kingdom deciding to do it". That for me is confirmation because it would have been very easy to give me the answer that the Chief Minister has given me and it has not been given. Will the Chief Minister confirm therefore that because his interpretation is the one that he has described here he has not made representations to the United Kingdom therefore about the language in Protocol Y on the basis that it contains serious dangers for Gibraltar because obviously he does not think it contains them?

HON CHIEF MINISTER:

The answer to that question, Mr Speaker, is no, because even if Opposition Members' arguments were correct, the exact wording of this Protocol was simply not available earlier for that degree of persuasion of the United Kingdom to exclude the language to have had any prospect of success. This wording and this whole process, as the hon Member knows, takes place very rapidly and therefore the opportunity for a meaningful timely process of persuasion and consultation was simply not made available to the Government of Gibraltar but it is not, in any event, the case that representations were not made simply because the Government have formed the view that we have formed. It is also based on assurances and confirmations put to us of what the language actually means by the United Kingdom which coincided with our interpretation and our analysis of it.

HON J J BOSSANO:

In fact, Mr Speaker, when the House was told on 26 June by the Chief Minister in a statement that he wanted to emphasise that the Treaty was still in draft and that it was possible to bring in amendments, in fact at that date of 26 June it was already not possible to bring amendments, is that correct?

HON CHIEF MINISTER:

No, that analysis is not correct. The position is that until the Treaty was signed, yesterday or the day before yesterday or whenever, legalistically speaking it was a document capable of being amended. The problem is that the United Kingdom says that this is what they agreed to in respect of this particular Protocol, that is to say, the Protocol relating to Title 3(a) generally and having agreed to it at the summit they thought no need and no case for amending it; very different to the position in respect of the Protocol relating to the Schengen Agreement in which the position of the United Kingdom Government is that the language effectively giving Spain a veto through the need for unanimity which appeared, again, having been excluded from earlier drafts in the draft of 19 June, post-summit as purportedly representing something or some ground or some point that had been agreed at the summit itself had, in fact, not been agreed by the United Kingdom nor by Ireland. The Foreign Secretary claims to me that he has tried to persuade the Commission and the other

Member States that the United Kingdom and Ireland did not agree to the wording that gives Spain a veto on Schengen on possible future Irish and UK inclusion in Schengen but that they have failed to persuade the Commission and the other Member States to restore the language to that which they say had been agreed because apparently Spain threatened to cause all hell to break loose, hold back the signature of the whole Treaty and the other Member States who really did not have any great interest in this point shrug their shoulders and said, "Regardless of whether it was agreed on the night or not, we are just not willing to compromise the whole Treaty in order to support you on this particular point", and that is how Spain has acquired her Schengen veto in relation to future UK participation.

HON J J BOSSANO:

So, Mr Speaker, if in fact the United Kingdom in the case of Protocol X and Y is not even prepared to attempt a change of wording, would the Government not agree that with the passage of time any negative impact of that wording on Gibraltar is something for which the United Kingdom must assume full responsibility given that they have engineered the very situation which we find so dangerous?

HON CHIEF MINISTER:

Well, I think there is a large measure of disagreement about the extent of the dangers involved but the position is that in relation to the Schengen Protocol the United Kingdom would not concede that she has not tried to correct the situation, she would say that she has tried and failed albeit that she has not done the ultimate which is to say, "If you do not restore this Treaty to what I think I agreed on the night of the summit itself, I will not sign the Agreement and I will do what you are worried about the Spaniards doing, namely, causing all hell to break loose". It is true that she has not gone that far but she would say that she has moved heaven and earth diplomatically to try and restore the language short of actually preventing signature of the whole Treaty. Insofar as the possible consequences of this Treaty to Gibraltar, the position of the Government is that we hold the United Kingdom Government responsible for all that she agrees in relation to Gibraltar in an EU context given that she is responsible for Gibraltar within the European Union and not just for what might arise as the consequence of the language that she has agreed to eventually in respect of Protocols X and Y.

NO. 347 OF 1997

THE HON J J BOSSANO

INCOME TAX - EMPLOYEES DECLARATION

Can Government state how many employers have still not returned the 1995/96 Employees' Declaration and PAYE Certificates and the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, 141 employers, under which approximately a total of 800 taxpayers are registered, had not returned the 1995/96 Employers' Declaration and PAYE certificates as at 26 September 1997.

SUPPLEMENTARY TO QUESTION NO. 347 OF 1997

HON J J BOSSANO:

Given that these employers should by now have been returning the 1996/97 PAYE Certificates, can the Government say what are the steps actually being taken to get this documentation handed in?

HON CHIEF MINISTER:

The steps that are being taken is that for the first time in several years the Government are restoring the Arrears Collection and Enforcement Unit which will operate under the direct auspices of the Accountant General as part of the Treasury and will provide a sustained and well-resourced initiative to obtain, not just payment of PAYE arrears but indeed of all other forms of public revenue arrears including social insurance contributions, rents, rates and things of that kind but inclusive in that specific arrears unit will be responsibility for this area of what is in effect arrears collection.

HON J J BOSSANO:

We will no doubt see the effectiveness of the Arrears Section once it is functioning but my question is not about the collection of arrears since there are people who have returned the certificates and not paid the money but about the actual legal obligation to hand in the information as to the number of employees and the amount of money that has been deducted. Is something being done to get employers to meet the requirement to hand it in?

HON CHIEF MINISTER:

Indeed, part of the arrangement includes a system of inspectorate which, amongst other things, will visit employers and obtain compliance precisely in this area of non-compliance which is really an act of preparatory, it is part of an arrears act. In other words, people do not return their forms not because they cannot be bothered to travel down to the Tax Office but because they feel that if they do not return the forms they will not be pressed to actually pay their money. It is a form of arrears sense but I agree that there is technically a difference between those who return the forms but who do not enclose a cheque with it and those who do not return the form at all; both will be pursued by this unit.

HON J J BOSSANO:

Then at the moment or in fact since August last year which is when they were required to return the 1995/96 forms, nothing specific has been done in this matter, it is something that is going to be done, is that correct?

HON CHIEF MINISTER:

No, I suppose that the Commissioner of Income Tax continues to implement whatever resources or whatever system was in place and has been in place over the last few years in this matter. We have not cancelled whatever was in place before.

ORAL

NO. 348 OF 1997

THE HON J J BOSSANO

INCOME TAX - EMPLOYEES DECLARATION

Can Government state how many employers have returned the 1996/97 Employees' Declaration and PAYE Certificate to date and the number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, 1457 employers, reporting on approximately a total of 16,300 taxpayers, had at close of business on 26 September 1997, lodged their 1996/97 Employer's Declaration and PAYE Certificate.

ORAL

NO. 349 OF 1997

THE HON J J BOSSANO

INCOME TAX - EMPLOYEES DECLARATION

How many employers have not yet returned the 1996/97 Employees' Declaration and PAYE Certificate and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, 360 employers, under which approximately a total of 2,200 taxpayers are registered, had at the close of business on the 26 September 1997, not returned the 1996/97 Employer's Declaration and Certificate.

ORAL

NO. 350 OF 1997

THE HON J J BOSSANO

INTEGRATION WITH UK

Can Government confirm that they are prepared to support integration with UK as an option for Gibraltar's decolonisation?

ANSWER

THE HON THE CHIEF MINISTER

The Government can confirm that integration should be on the table for discussion as an option for Gibraltar's decolonisation. It is not an option in fact unless it is available in practice.

SUPPLEMENTARY TO QUESTION NO. 350 OF 1997

HON J J BOSSANO:

So is it that the Government are going to seek confirmation from Her Majesty's Government that this particular option which has been refused in the past as a possibility is in fact available?

HON CHIEF MINISTER:

The policy of the Government which reflects the fact that the United Kingdom Government has hitherto and consistently rejected the possibility of integration is reflected in our manifesto which is to go to the next nearest thing which is to a non-colonial relationship as a Crown dependency. The Gibraltar Government have a number of times in discussions with any number of officials from the Foreign Office mooted the possibility in the context of the Hong Kong handover, the possibility that the United Kingdom Government might review their position in relation to integration. That review, unless it is taking place now in the context of the dependent territories review has not yet taken place and we have had no indication from Her Majesty's Government that they have changed their position in relation to integration. But certainly the Gibraltar Government are sufficiently interested in the possibility of integration to keep on raising the issue as a possibility and certainly if the United Kingdom Government can be persuaded by the Government or by anybody else to favourably revisit the question of integration, the question of integration should be on the table for discussion by the people of Gibraltar as an option for their decolonisation. What the Government are not minded to do is to run with that particular ball if in fact it is a non-runner.

HON J J BOSSANO:

Do the Government believe that the visit of Mr Henderson to Gibraltar tomorrow can provide an opportunity for Mr Henderson to clear whether there has been any change in the position since the last statement was made saying that integration was out? It was in fact at the time that Mr Heathcoat-Amory occupied the position occupied now by Mr Henderson and therefore it was a statement made by a Minister in that position a few years ago which made clear that the United Kingdom would not consider the possibility.

HON CHIEF MINISTER:

It is certainly an opportunity to ask every time that one meets with Mr Henderson or some Minister in the Foreign Office. The Government's view is that the prospect of the answer being other than in the negative is enhanced by making the request in the context of a structured submission in relation to the dependent territories review rather than ask the question to a man who may not be involved in that review or may not be aware of the detail of it and who therefore would be driven by caution if nothing else, simply to say, "No, there has been no review". The Government intend to touch on this issue and in the submissions that we will make to the United Kingdom Government as part of their review of their policy towards dependent territories, we will be making a case, post-Hong Kong and especially in the context of Gibraltar's status within the European Union which is something that differentiates us from all the other dependent territories that cases can be made in Gibraltar's case which perhaps cannot be made in the case of other dependent territories.

ORAL

NO. 351 OF 1997

THE HON J J BOSSANO

EXCHANGE OF UK PASSPORT TO GIBRALTAR PASSPORT

Can Government state how many UK passport holders have exchanged them for Gibraltar passports since an appeal was made for this to be done?

ANSWER

THE HON THE CHIEF MINISTER

Two.

SUPPLEMENTARY TO QUESTION NO. 351 OF 1997

HON J J BOSSANO:

Can Government say in the same period how many exchanges there have been in the opposite direction?

HON CHIEF MINISTER:

No, I cannot but I understand that the rate is less fast than it has been in past years.

NO. 352 OF 1997

THE HON J J BOSSANO

CIVIL SERVICE - INDUSTRIAL WORKERS

When did Government introduce the policy that industrial workers in Government employment could not apply for promotion if they had a police record?

ANSWER

THE HON THE CHIEF MINISTER

The Government have not introduced any such policy.

SUPPLEMENTARY TO QUESTION NO. 352 OF 1997

HON J J BOSSANO:

Can the Government then explain how it came about that applicants for non-industrial vacancies from the industrial workforce were told by the Personnel Department that their application could not be considered for this reason, if no policy was previously in existence and no such policy decision was taken? How did it happen?

HON CHIEF MINISTER:

Yes, because nowadays the civil service is encouraged to have a brain of their own and to use it. [*HON J J BOSSANO: Not with very encouraging results if this is an example.*] The Personnel Department acted incorrectly when it informed two Government industrial employees that their application could not be accepted. On instructions from the Government, that is to say, from Ministers, the letters were withdrawn and the individuals concerned as well as the union were informed that their applications would be considered along with the other applications. All cases will be treated on their particular merits. Of course, particular merits may include historical background but that is a matter for the Public Service Commission to decide and not for the Government to seek to influence through whose application can actually go forward.