

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

11th & 21st SEPTEMBER, 1998
(Vol. II)

NO. 426 TO NO. 671

INDEX

QUESTIONS & ANSWERS

11th & 21st September 1998 (Vol. II)

Questions 426 – 671

| SUBJECT | NO(S) | PAGE(S) |
|--------------------------------------------------|--------------|----------------|
| Ambulance Service | 531-533 | 156-158 |
| Approved Contractors Committee | 574 | 231 |
| Camp Bay – Rock Face Works | 456 | 62 |
| Civil Service – AA Vacancies | 575-579 | 233-238 |
| Committees/Boards/Review Teams | 564 | 213 |
| Companies – Winding-Up Proceedings | 562 | 210 |
| Construction Training Centre | 427 | 3 |
| Construction Training Courses | 426 | 1 |
| Crown Dependency Status | 616 | 280 |
| Cumberland Buildings | 668 | 371 |
| Departure Tax | 582 | 242 |
| Deposits – Gibraltar Banks | 475 | 89 |
| Disposal of Asbestos Sheeting | 625 | 300 |
| Disposal of Refuse in Spain | 457 | 63 |
| Education – ‘A’ Levels | 434-435 | 17-18 |
| Education – Comprehensive Schools | 437 | 25 |
| Education – DTI Management Programme | 429 | 10 |
| Education – GCSE Results | 428 | 6 |
| Education – GCSE Results | 438 | 27 |
| Education – Gibraltar Scholarships | 441 | 33 |
| Education – John Mackintosh Hall | 443 | 35 |
| Education – Maintenance Works in Schools | 439 | 29 |
| Education – Mandatory Scholarships | 430 | 11 |
| Education – Mandatory/Discretionary Scholarships | 663 | 366 |
| Education – National Literacy Strategy Scheme | 436 | 19 |
| Education – Non-Mandatory Scholarships | 431 | 13 |
| Education – Non-Mandatory Scholarships | 432 | 14 |
| Education – Register of Graduates | 442 | 34 |
| Education – Reimbursement of Training Expenses | 662 | 365 |
| Education – Scholarships | 665 | 368 |
| Education – School Hours | 440 | 30 |
| Education – Supply Teachers | 664 | 367 |
| Education – Training and Development Courses | 636 | 312 |
| Education – Tuition Fees | 433 | 16 |
| Electricity Charges | 667 | 370 |
| Electricity Charges – Arrears | 669 | 372 |
| Electricity Charges – Collection | 445 | 38 |
| Environment – Monitoring of Radiation Levels | 548 | 180 |
| ETB – Employment Survey Report | 627-632 | 303-308 |
| ETB – Training Levy | 633 | 309 |
| ETB – Vocational Cadets | 634-635 | 310-311 |
| ETB – Wage Subsidy | 626 | 302 |
| ETB – Wage Subsidy | 638 | 316 |
| EU Conventions | 617 | 285 |
| EU Conventions | 620-622 | 289-296 |
| EU Funding – Applications | 476 | 90 |
| Financial Services – DTI Questionnaire | 478 | 93 |
| Fire Brigade – Emergency Calls – Upper Town Area | 446 | 40 |
| FSC – Banking Supervisor | 463 | 76 |
| FSC – Financial Services Commissioner | 465 | 78 |

| | | |
|---------------------------------------------------|---------|---------|
| FSC – Insurance Companies | 467 | 81 |
| FSC – Insurance Companies/Managers | 466 | 79 |
| GBC – Proposals | 447-449 | 41-45 |
| GHA – Conditioned Hours | 543 | 173 |
| GHA – Conditioned Hours | 549 | 186 |
| GHA – Direct Recruitment | 580 | 239 |
| GHA – Elderly Patients | 529 | 154 |
| GHA – Enrolled Nurse Students | 527 | 152 |
| GHA – Expenditure | 623 | 297 |
| GHA – General Practitioners | 522-523 | 146-147 |
| GHA – GPMS Prescriptions | 510-521 | 130-145 |
| GHA – Legal Fees | 624 | 299 |
| GHA – Manning Levels | 480-501 | 96-121 |
| GHA – Manning Levels | 542 | 172 |
| GHA – Minor Works | 526 | 150 |
| GHA – Naval Hospital | 546 | 176 |
| GHA – Number of Out Patient Attendances | 524-525 | 148-149 |
| GHA – Nursing Review Report | 534-541 | 159-171 |
| GHA – Patient Referrals to UK | 505 | 125 |
| GHA – Recruitment / Contractual Expenses | 528 | 153 |
| GHA – Social Security Pensioners | 544-545 | 174-175 |
| GHA – Sponsored Patients | 502-504 | 122-124 |
| GHA – Sponsored Patients | 506-509 | 126-129 |
| Gibraltar Economy | 584 | 245 |
| Gibraltar Identity Cards | 619 | 288 |
| Gibtel – International Telephone Charges | 454 | 60 |
| Gibtel – Joint Venture Agreement | 666 | 369 |
| Gibtel/Nynex – Complaints | 452 | 53 |
| Gibtel/Nynex – Proposed Merger | 451 | 49 |
| Gibtel/Nynex – Telephone Charges | 453 | 56 |
| Gold Bullion – Imports | 612-613 | 273-276 |
| Government Arrears – Hotels | 671 | 374 |
| Government Reports/Studies ETC Commissioned | 563 | 211 |
| Government Revenue – Financial Services Sector | 570 | 223 |
| Government Revenue – Tourist Industry | 569 | 222 |
| Hague Convention | 614 | 277 |
| Head 106, Subhead 5 – Gibraltar Enterprise Scheme | 477 | 92 |
| Head 2B, Subhead 6 | 637 | 315 |
| Head 7, Subhead 10 – Expenditure | 473 | 87 |
| Head 7, Subhead 14 – Expenditure | 474 | 88 |
| Head 7, Subhead 6 – Expenditure | 472 | 86 |
| Heritage – Gibraltar Skulls | 547 | 178 |
| I&D Fund – Expenditure | 583 | 244 |
| I&D Fund – Head 101, Subhead 6 | 639 | 317 |
| I&D Fund – Head 105, Subhead 1 | 455 | 61 |
| I&D Fund – Konver Projects | 458 | 67 |
| Income Tax – Corporation Tax | 590-595 | 251-256 |
| Income Tax – Corporation Tax | 603 | 264 |
| Income Tax – Direct Assessments | 597 | 258 |
| Income Tax – Mutual Assistance Directive | 615 | 279 |
| Income Tax – PAYE | 598-599 | 259-260 |
| Income Tax – PAYE | 602 | 263 |
| Income Tax – PAYE | 604-611 | 265-272 |
| Income Tax – PAYE Arrears | 600 | 261 |
| Income Tax – PAYE Declarations and Certificates | 585-589 | 246-250 |
| Income Tax – REPSS | 471 | 85 |
| Income Tax – Revenue Collected | 601 | 262 |

| | | |
|----------------------------------------------------------|---------|---------|
| Income Tax – Withholding Tax | 596 | 257 |
| King’s Bastion – Proposed Building | 552 | 194 |
| Lathbury Barracks Proposed Project | 479 | 94 |
| Lowe Bell/First Financial Contract | 464 | 77 |
| MOD – American Nuclear Submarines | 553 | 195 |
| MOD – Underwater Explosions | 550 | 189 |
| MOD – Underwater Explosions | 558 | 204 |
| MOD Properties Released | 462 | 75 |
| Moroccan Workforce – Repatriation Offer | 572-573 | 228-230 |
| Number of 50cc Motorcycles Reported Stolen | 581 | 241 |
| Number of Companies Registered in Gibraltar | 468-469 | 82-83 |
| Number of Exempt Companies | 470 | 84 |
| Peninsula Productions Limited – Proposals | 450 | 46 |
| Prince George’s Block | 460 | 72 |
| Proposals By Sr Matutes | 618 | 286 |
| Qualifying (Category 3) Individuals Rules 1998 | 565-566 | 215-219 |
| Question Withdrawn | 530 | 155 |
| Rates – Commercial Premises | 559-561 | 207-209 |
| Refuse Accumulation | 444 | 37 |
| Rosia Road – Proposed Building | 551 | 190 |
| Sale of Residential Properties | 461 | 73 |
| Social Security – Closed/Open Long-Term Benefits Schemes | 571 | 224 |
| Social Security – Insured Persons | 643-646 | 321-326 |
| Social Security – Social Insurance Cards | 641-642 | 319-320 |
| Supplementary Funding – 1997/98 | 670 | 373 |
| Territorial Waters – Incursions | 554-557 | 196-203 |
| Tobacco Retail Licenses – Applications | 568 | 221 |
| Tobacco Wholesale Licenses – Applications | 567 | 220 |
| Tourism – Arrivals By Air | 653 | 348 |
| Tourism – Arrivals By Sea – Morocco | 648-652 | 329-347 |
| Tourism – Tourist Expenditure | 657-659 | 355-359 |
| Tourism – Visitors Interviewed | 654-656 | 349-354 |
| Tourism – Visitors Interviewed | 660-661 | 360-364 |
| Tower Buildings | 459 | 69 |
| Varyl Begg Estate – Garages | 640 | 318 |
| Varyl Begg Estate – Installation of Lifts | 647 | 327 |

NO. 426 OF 1998

THE HON J J GABAY

CONSTRUCTION TRAINING COURSES

Can Government state how many places are being offered in each of the disciplines in construction training courses?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

Fifty-two placements are targeted altogether for the new intake in 1998. At this stage six disciplines are being offered with eight to 10 (and not more than 10) trainees per discipline. However, the breakdown for each discipline is not entirely pre-planned but dependent on the dexterity, ability and interests of each trainee and all this is assessed and discussed during the interviews and aptitude tests which will take place soon after the 28th September which is the closing date for applications.

SUPPLEMENTARY TO QUESTION NO. 426 OF 1998

HON J J GABAY:

Could the Minister comment on the actual capacity for these courses and how that relates to the uptake when one compares it to last year?

HON DR B A LINARES:

I am not entirely clear what the hon Member is getting at but if he asks me to compare with the intake originally, of this particular intake which is now finishing their training, well the intake then was tremendously inflated, we had 134 trainees in January 1996 against all the advice of management and staff in the Training Centre which yielded about a ratio of one instructor, one discipline for 22 trainees which was totally unacceptable.

HON J J BOSSANO:

The Minister has said he is not able to say how many places are offered for each discipline this year. How many were offered last year? That was said before so why is it that last year they were able to say how many were offered and this year they are not?

HON DR B A LINARES:

I have said exactly how many places are being offered, eight to 10 per discipline.

HON J J BOSSANO:

Is it not the case that he has also said that it depends on the interviews and the abilities and all the rest of it? Is there not a quota of places per discipline which is what the centre is designed to take?

HON DR B A LINARES:

The quota is eight to 10 per discipline. Between eight and 10, it will depend on the interests and the ability and dexterity of the students themselves.

HON J L BALDACHINO:

Can the Minister clarify, if it goes to the maximum which is 10 that would mean 80 new entrants, is that correct?

HON DR B A LINARES:

If my mathematics is right, 10 per discipline and there are six disciplines will yield a total of 60.

HON J L BALDACHINO:

How many are still in the training centre, plus the 60, how many will that be in total?

HON DR B A LINARES:

I am afraid I need notice of that, I do not know how many from the previous intake are still in the training centre.

HON J L BALDACHINO:

Obviously it would be much less than 136, I suppose?

MR SPEAKER:

This hardly arises from the original answer.

HON J J GABAY:

Could the Minister then give his opinion, even if he is not documented on it, as to whether there is a growing demand for such places or whether he spots a decline in applying for the number of available courses?

HON DR B A LINARES:

It is a matter of opinion, as the hon Member rightly puts it, I would have to study the evidence of the applications to be able to see any trends in that respect. I am afraid I am not, at this moment in time, ready for that.

NO. 427 OF 1998

THE HON J J GABAY

CONSTRUCTION TRAINING CENTRE

Can Government state how many students have left the Construction Training Centre after having completed their two years training course broken down in each of the disciplines?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The trainees leaving the Construction Training Centre having completed their two years training are as follows:-

| | |
|----------------------------------|------------------------------------------------------------------------------------------|
| CARPENTERS:- | 8 passed at level 2; 2 more at level 2 are pending the submission of their portfolio; |
| PAINTERS AND DECORATORS:- | 6 passed at level 2 1 passed at level 1 |
| PLASTERERS:- | 3 passed at level 2 1 failed at level 1 |
| PLUMBERS:- | 4 passed at level 2 1 failed at level 2 |
| TILERS:- | 4 passed at level 2 |
| BRICKLAYERS:- | 3 passed at level 2 1 failed at level 2 |

This gives a total of 30 trainees who passed at level 2 and seven at level 1 out of an original intake, as I pointed out in the context of the previous question, of approximately 134 trainees who started in January 1996.

SUPPLEMENTARY TO QUESTION NO. 427 OF 1998

HON J J GABAY:

Will the Minister state how many of these qualified students have found employment in the local construction industry?

HON DR B A LINARES:

I have not got the data in that respect, I should need notice of that.

HON J J GABAY:

Will the Minister kindly provide me with that information subsequent to this?

HON DR B A LINARES:

By all means.

HON J J GABAY:

Is there any direct follow-up by the centre to place these qualified students in the construction industry locally or are they left entirely to their own devices?

HON DR B A LINARES:

No, they are not left to their own devices. There is definitely a structured and systematic follow-up, particularly now through the Training Officer and the Training Unit which we are about to launch and I know that the Training Officer has been already quite active in liaison with the instructors and the management of the Construction Training Centre in finding employment outlets for these trainees.

HON J J BOSSANO:

Is the NVQ Level 2 the equivalent of the Indentured Apprenticeship in these trades?

HON DR B A LINARES:

It is a difficult and complex question. The comparison between the traditional Indentured Apprenticeships and the new NVQs is a complex thing that I would be happy to get my advisers to put before me but it would be too lengthy to explain here.

HON J J BOSSANO:

Can the Minister explain whether people who come out with an NVQ 2 are equipped to carry out the job of a qualified tradesman which is what the Indentured Apprentice is set out to do?

HON DR B A LINARES:

As far as the market is concerned in the industry, employers do accept the qualifications of an NVQ as being the equivalent of what they used to get before from the Indentured Apprenticeships.

HON J J BOSSANO:

Am I right in thinking that the training courses that have been announced in the case of the catering industry where we were told in the previous meeting of the House they would come out as a chef and waiter and so on, that was at Level 1, have I understood him correctly?

HON DR B A LINARES:

Yes, I think our aspirations there will be at Level 1 but there is always the open-ended possibility of a Level 2 but it will have to be assessed as we grow over the teething problems that no doubt we will encounter.

MR SPEAKER:

I know I always interrupt you but the thing is it does not arise from the answer. We are talking about the construction industry and you are now talking about potato peelers.

HON J J BOSSANO:

If you will allow me one question you will see how it relates. The Minister has said there are seven people who have come out with Level 1 in the construction trades so can he tell me what those people are qualified, given the answer that he gave about the Level 1 in the catering industry? What the seven who have come out with a Level 1 qualification, what that qualifies them to do?

HON DR B A LINARES:

Going back on the statistics that I gave, one is a painter and decorator; one is a plasterer; I think three are bricklayers – I am trying to work it out from the statistics that I gave earlier – so they are qualified to do bricklaying, painting, decorating at that level of attainment, at the level of an NVQ Level 1.

HON J J BOSSANO:

What I am trying to establish, as a result of the training if we have got 30 people who are considered by the industry to now be trying to be craftsmen, what are the seven people who have attained Level 1 considered by the industry to be capable of undertaking in terms of their employment prospects?

HON J J NETTO:

My recollection is that with an NVQ Level 1 he is classified as semi-skilled and not as a fully fledged tradesman.

HON J L BALDACHINO:

Can the Minister state if there is any problem with the work trade in the construction industry due to the way that they are qualified, for example, in Gibraltar is it that the industry still wants masons rather than having bricklayers, plasterers or tilers?

MR SPEAKER:

I have got to disallow this supplementary as it does not arise from the original answer. A supplementary must be on the original answer.

HON DR B A LINARES:

I am always happy, as the hon Member knows, to try to search for information for the Opposition but there are areas where I would need notice in order to survey the situation.

NO. 428 OF 1998

THE HON J J GABAY

EDUCATION - GCSE RESULTS

Can Government state how many male and female students have completed their education this year having obtained three or more GCSE 'O' levels and how many with lesser or no qualifications?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

I assume the question refers to GCSEs (General Certificate of Secondary Education) as there is no such thing as a GCSE 'O' Level.

The information requested is as follows:-

138 girls obtained 3 or more GCSEs
29 girls obtained 2 or 1 GCSEs
1 girl obtained no GCSE

103 boys obtained 3 or more GCSEs
46 boys obtained 2 or more GCSEs
2 boys obtained no GCSE

May I take this opportunity of congratulating the staff and pupils of the Comprehensive Schools for the magnificent results at GCSE this year with a record pass-rate of 69%.

SUPPLEMENTARY TO QUESTION NO. 428 OF 1998

HON J J GABAY:

In the United Kingdom analysis of the GCSE results, we all know that we used to call them 'O' levels but I am grateful for that final correction, concern has been expressed about what happens to an increasing number of children who obtain no GCSEs or the lower grades in three or four subjects. It would appear from the research that those are relegated really to the unemployment context without much possibility of further education, training or indeed employment. Since it is a growing trend I wonder whether the department has been carrying out a study to follow up on those students who get Fs and Es, particularly in mathematics and English and how employable are they in the local market?

MR SPEAKER:

This does not arise out of the original answer.

HON J J GABAY:

My feeling is, with all due respect, that it is absolutely and directly connected.

MR SPEAKER:

Well I rule that it does not.

HON J J GABAY:

We are talking about education and we want to know exactly what

MR SPEAKER:

You can ask the question in another form if you want to.

HON J J GABAY:

Given the results that have been explained by the Minister, has the Minister followed up the career possibilities of those who obtain very few GCSEs and particularly F and G or nothing in mathematics or English which, with all due respect, is exactly the same as I have already asked?

MR SPEAKER:

That is very cheeky of you. I have allowed you more freedom than anyone, in fact I even received a complaint from the Chief Minister that you are the blue-eyed boy so that is not fair of you. Anyhow if the Minister wants to answer.

HON J J GABAY:

Let me apologise and thank you for your leniency.

HON DR B A LINARES:

Of course, the Government as a whole are concerned about the fate and the outcome for pupils who do not reach academic standards at GCSE and who nevertheless have to fit into the world of employment. There are a whole number of strategies that we employ to try to assist and enable these pupils, both in training facilities, the Construction Training Centre that we spoke about, the School of Tourism, there is a whole variety of strategies that the Department of Education and Training, together with other departments, employ to try to enable and assist employment of these students.

HON J J GABAY:

May I subsequent to that ask the Minister perhaps to survey in a documented way exactly what has happened to those with the lower grades so that eventually we have some figures on which to comment a little more sensibly rather than saying that there is a structure to cope with it but that we know from example from previous years what has been the result for these youngsters?

HON DR B A LINARES:

I have to point out that there is no implication that we have not got the data and the facts concerning this. The only point is that if the hon Member wants to know them he has to give notice, I was not prepared for this. We do have note and data in the department as to the outcome of these pupils who do not get GCSEs.

HON J J BOSSANO:

In his original reply the question asked for the people who had completed their education, does that mean that the numbers that he has given are people who, having obtained those results, have left school or are they people who are carrying on studying and have not completed their education?

HON DR B A LINARES:

The hon Member is referring to the GCSEs?

HON J J BOSSANO:

Yes, I am.

HON DR B A LINARES:

Some are continuing their education, obviously because they qualified to pursue 'A' level studies; some are seeking employment, I have not got the data with me as to the decision taken by the 138 girls and 103 boys who obtained more than three GCSEs, some will have opted, I think actually there is in tow now because there is still a lot in the pipeline, that the girls having achieved a pass rate at GCSEs and by pass rate we mean grades A, B and C of 75 per cent which is extraordinary, the intake into their sixth form this year is going to put quite a demand on the school's resources.

HON J J BOSSANO:

So in fact from the figures I have been given it is not possible to calculate how many of these will be leaving school this year, of the 138 girls, for example?

HON DR B A LINARES:

Well, the options are open to them. Some may get five or six or seven or eight GCSEs and still decide not to stay in school. This, as I say, is still in the process of decision, interviews are carried out in the schools with all the pupils who obtain more than four or five GCSEs and they are counselled as to whether they should pursue 'A' levels and in what particular subjects and some are counselled to go into the College of Further Education, there is a Careers Advisory Service given to the pupils as a result of their GCSEs and the outcome is nearly ready. I could give the data to the hon Member very soon, there are still some pending and undecided but I have not got the data with me I am afraid.

HON J J BOSSANO:

The figures that have been given seem to suggest that everybody who was in the relevant age group sat the GCSE or are there people who left school with no qualifications because they did not sit them?

HON DR B A LINARES:

They are in the minority, a very small group both in the girls school and the boys school who do not sit the GCSEs but they leave at 15 because they find an opening or they decide that way but I have not got the exact numbers but I think I have quoted that number on other occasions in this House and it is always a very small minority.

HON J J BOSSANO:

The original question asked how many had completed their education with no qualification but that element of the question has not been answered, am I correct?

HON DR B A LINARES:

Yes, the hon Member is correct in that context. What I was referring to was those who did not obtain any qualification from those who sat it. I apologise for that, I understood the question in that context and not in the wider context which the Leader of the Opposition has now made.

HON J J BOSSANO:

Presumably the Minister will be able to give us that information?

HON DR B A LINARES:

Yes.

NO. 429 OF 1998

THE HON J J GABAY

EDUCATION - DTI MANAGEMENT PROGRAMME

How many students have enrolled for the DTI Management Programme scheduled for September 1998?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

Twenty persons have enrolled for the DTI Management Programme scheduled for September 1998 which in fact has already started. In fact the scheme has been over-subscribed this year and given the great interest shown the Government are considering a second scheme for February 1999 for an additional 20 persons.

SUPPLEMENTARY TO QUESTION NO. 429 OF 1998

HON J J GABAY:

Is the cost of the programme being shouldered entirely by the Government or is it being also partly subsidised by interested companies?

HON DR B A LINARES:

I have to confess I will have to check on the reply to that.

HON J L BALDACHINO:

Can the Minister tell us whether there will be any qualification obtained at the end of the programme?

HON DR B A LINARES:

Yes, it is a qualification awarded by the School of Business in Durham University.

HON J L BALDACHINO:

Are the students employees of any company or is there a mixture between both, employees of companies and just students who will be doing the course?

HON DR B A LINARES:

I understand that the majority are already in employment. Remember that this is aimed at senior management and the participants in this course are already in key posts in different areas of employment in Gibraltar. The terms of the qualification asked for, I did not look at my supplementary briefing here but I do have a note that the potential of going into NVQ Level 5 after submission of a dissertation is available to these students after a one year course.

NO. 430 OF 1998

THE HON J J GABAY

EDUCATION - MANDATORY SCHOLARSHIPS

Will Government state how many mandatory scholarships have been awarded for the academic year 1998/99?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The hon Member must know that scholarships are awarded in most cases for more than one academic year. This year, as at today, the Department of Education and Training has processed 168 mandatory scholarships. There are a further 47 applications still pending confirmation of a place in university through the clearance process. It is estimated that the final figure of mandatory awards this year will be in the region of 180 to 200. An exact figure should be available by early October.

SUPPLEMENTARY TO QUESTION NO. 430 OF 1998

HON J J GABAY:

In the last couple of years we have noticed a decline in the number of mandatory scholarships and this would imply, of course, that the number of mandatory scholarships has risen again in relation to the discretionary ones, so would the Minister comment on the reasons for the decline, I think it was 155 and then 159 and now there is a likelihood that it will go up to 200, can he give us some explanation for this, apart from the obvious ones? If there are any subtle reasons for this.

HON DR B A LINARES:

I do not identify any subtle reasons for this or any significant trends. I think those are the variables that will qualify one intake from another from year to year but perhaps it would be interesting to study more in depth, I accept the suggestion.

HON J J BOSSANO:

The estimate that was put for this year was £589,000 which was the same as the estimate put for 1997/98. Can the Minister say whether the figure that he has given means that there will be a need for more funds than the £589,000 estimated?

HON DR B A LINARES:

I am afraid I have not done any actuarial analysis of the cost of this because obviously the cost of scholarships are not simplistically estimated by the number of entrants because the maintenance grants are means tested so the final cost is still open to a great deal of variation.

HON J J BOSSANO:

Is it not the case that for last year we had a supplementary and it says that it is because the parental contribution was less than estimated so there must be an estimate in the parental contribution and given that in the supplementary it says that last year the result was less than estimated and that it required more money, has he got any indication whether the £589,000, which is a repetition of last year's figure, is going to be enough?

HON DR B A LINARES:

I have no reliable estimation or indication because the means testing in respect of parental contribution and all that is still in process. I can tell the hon Member that I am an interested party because my parental contribution has still not been assessed by the department, it has been left to the last I suppose. As I say, the final cost depends very much on the means testing mechanics and this has not been in any way yet finalised.

HON J J BOSSANO:

Is the £589,000 estimate produced on an average cost per student and a number of students?

HON DR B A LINARES:

Yes, we do have an estimate in that respect. I have not got the figures with me but we normally work on 180 students per year at the cost of about £3,000 maintenance grant for each.

MR SPEAKER:

I have allowed all these supplementaries but they do not arise out of the original answer. Supplementaries are only on the original answer.

HON J J BOSSANO:

But, Mr Speaker, with all due respect, and I bow to your ruling, if the original answer is how many have been awarded, once we get that information the only kind of supplementary that we can ask is relating what has happened to what was put in the budget which is what we have attempted to do.

MR SPEAKER:

What happened in the past not happening in the future. Next question.

NO. 431 OF 1998

THE HON J J GABAY

EDUCATION - NON-MANDATORY SCHOLARSHIPS

Will Government state how many non-mandatory scholarships have been awarded for the academic year 1998/99?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

This year the Government, on the advice of the Scholarship Awards Committee, have awarded 40 non-mandatory scholarships.

NO. 432 OF 1998

THE HON J J GABAY

EDUCATION - NON-MANDATORY SCHOLARSHIPS

Will Government state for what courses and for what duration have such non-mandatory scholarships been awarded?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The 40 non-mandatory scholarships this year have been awarded for the following courses:-

- 13 Post-Graduate Certificate of Education of 1 year duration
- 1 BA degree plus the Qualified Teacher Status of 3 years duration
- 3 NNEBs of 2 years duration
- 3 Masters (2 literature + 1 Food Science) of 1 year duration
- 1GNVQ in Health & Social Care of 1 year duration
- 1 First Degree in Ceramics of 3 years duration
- 1LLB – Law of 3 years duration
- 1BA in Counselling & Attitudes Skills Course of 3 years duration
- 1BA in Accounts, Marketing, Business Management of 3 years duration
- 1Bsc in International Disaster Engineering & Management of 4 years duration
- 1BA (Hons) Travel & Tourism with Spanish of 3 years duration
- 1BA (Hons) Media & Spanish of 3 years duration
- 1BEng (Hons) Marine Engineering of 3 years duration
- 1 – a 1 year subsidy for Part II Course of Institute of Legal Executives (ILEX)
- 1 – subsidy for PhD of 1 year
- 1HND in Hotel Catering & Institutional Management of 2 years duration
- 4 Diploma Courses:-
 - 1 in Photography of 1 year duration
 - 1 in HE/Social work of 2 years duration
 - 1 in Marketing Management of 1 year duration
 - 1 in Sports Therapy Studies of 1 year duration
- 2 Postgraduate Diplomas:-
 - 1 in Musical Theatre & Acting of 1 year duration
 - 1 in Performance of 1 year duration
- 1 – a 1 year subsidy for Diploma in ACCA (Association for Chartered Certified Accountants)
- 1 – a 1 year subsidy for Diploma in ICSA (Institute of Chartered Secretaries and Administrators)

SUPPLEMENTARY TO QUESTION NO. 433 OF 1998

HON J J GABAY:

Given the variety of subjects for which these are awarded and having previously debated the selection guidelines to the Board, could the Minister comment to what extent the selection is based on the individual career aspirations of the individual applicant and to what extent based on local needs? Is there a policy guideline to the Board as to how to balance these two very important factors?

HON DR B A LINARES:

We have debated this before. The guidelines are to the satisfaction of the Members of the Awards Committee. Yes, there is a balance but I would say that there is a prevalence in terms of the relevance of the course to the needs of the market in Gibraltar. Nevertheless, it is flexible enough to allow for very meritorious and deserving students who with a very good track record to pursue their studies into post-graduate work and research like Masters Degrees, as the House will have noticed, there are a number of Masters have been awarded.

NO. 433 OF 1998THE HON J J GABAY**EDUCATION - TUITION FEES**

Will Government provide figures for the cost to Government of "tuition fees" for the academic year 1998/99?

ANSWERTHE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

No, it is too early to provide figures for the cost to Government of tuition fees for the academic year 1998/99. All the students have to be means tested by the Department of Education and Employment in UK to establish whether they may or may not be eligible for financial support from the Local Education Authority in which their academic institution is situated. This is a complex process whereby the students have to present evidence of their parental and other income – a process which is currently underway but we reckon we will not know the final outcome and its financial implications in terms of total cost to Government until probably the end of the year.

SUPPLEMENTARY TO QUESTION NO. 433 OF 1998

HON J J GABAY:

Has the Minister at least some general idea of what might be recouped in terms of these tuition fees which are payable by the LEAs at the other end?

HON DR B A LINARES:

I am afraid not. It is still too early to give any significant estimate in that respect.

HON J J BOSSANO:

The £70,000 estimate put in the budget this year, did that contain any element of the new cost or was that based on the fees traditionally paid by Gibraltar?

HON DR B A LINARES:

No, the £70,000 has no reference at all to this commitment of the Government towards tuition fees for pupils who may not derive benefit from the Local Education Authority. That is the traditional figure for tuition fees which have traditionally and historically been paid by the Government in respect of Masters Degrees et cetera which have never been paid by the Local Education Authority.

HON J J BOSSANO:

Can I ask whether the £126,000 of the forecast outturn of 1997/98 is also that traditional and contains no element of the new system?

HON DR B A LINARES:

Yes.

NO. 434 OF 1998

THE HON J J GABAY

EDUCATION - 'A' LEVELS

Will Government state how many candidates have taken A-level Spanish (either in year 12 or year 13) in addition to three other 'A' levels?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

In Westside School nine students have taken Spanish in Year 12 this year and will take three more A-levels next year.

In Bayside School 12 students have taken A-level Spanish in Year 12 this year and will take three more A-levels next year.

May I also point out that in Bayside three students have taken Mathematics A-level this year in year 12 gaining high grades and will take three more A-levels next year (which may I say do not include Spanish).

There is a student in Bayside in year 13 who has taken four A-level subjects this year one of which includes Spanish.

SUPPLEMENTARY TO QUESTION NO. 434 OF 1998

HON J J GABAY:

Am I right in assuming, hopefully as a result of some of our exchanges here in the House, that in the Comprehensives it is being promoted now that there should be a one-year course leading to A-level Spanish – what we used to call at the end of the year the Lower Sixth Year, that is year 12 – is there now a policy being instituted not on discouraging students as used to be the case before but of encouraging pupils to attend a one-year course and taken a full complement of three A-levels? Is this policy now in some of our schools?

HON DR B A LINARES:

Yes, the figures speak for themselves, he will agree. However, let me qualify the fact that in terms of counselling and assessing and guidance and advice to the individual students, there is no generic policy that the department will impose on the schools but a lot of that is left to the careers advisers and the tutors in the schools themselves.

HON J J GABAY:

Would the Minister agree that when this happens and Spanish is taken in the first year of the Lower Sixth it gives us a more accurate picture of the performance of our youngsters at A-levels in terms of real performance?

HON DR B A LINARES:

I would agree.

NO. 435 OF 1998

THE HON J J GABAY

EDUCATION - 'A' LEVELS

Will Government state with reference to 'A' level results the percentage achieved in A, B and C grades in each of the subjects taken in our Comprehensives and compare this with the percentage achieved globally in the UK for such subjects?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The answer to this question can only be presented in the form of a complicated table of results running through individual subjects and different grades and it would be, if I may say so with respect, cumbersome to read out in this House. I do have all the detailed information sought by the hon Member and I would be happy to pass it on to him for his perusal.

SUPPLEMENTARY TO QUESTION NO. 435 OF 1998

HON J J GABAY:

I accept that I would be interested in seeing those figures but let me single out one particular factor which really motivated this question and is, in my opinion, related to it and that is both locally and elsewhere we are very keen on comparing needs and performances and taking pride on our achievement vis-à-vis standards in the UK. In order not to become complacent, I think when we analyse our A-level results we should take into consideration the implications of A-level Spanish. Looking at the Bayside results, for example, if we look at the total A grades obtained we have got 78, it is very imposing. But then we look at Spanish and we realise that 58 of these A grades were for Spanish that leaves us out of an entry of 208 candidates with 20 A grades. The same pattern repeats itself with Bs and the same pattern repeats itself with Westside. This is in no way trying to under-estimate the effort made by teachers and pupils.

MR SPEAKER:

What is your question?

HON J J GABAY:

The question I have already asked and I winded up by saying this as a corollary that it is not really to undermine or under-estimate the efforts made but perhaps then the Minister would agree with me that the point is that we should not become complacent when we quote the number of A grades.

HON DR B A LINARES:

I assure the hon Member that we shall never fall into the sin of complacency.

HON J J GABAY:

I sincerely hope not.

NO. 436 OF 1998

THE HON J J GABAY

EDUCATION - NATIONAL LITERACY STRATEGY SCHEME

Have Government taken up the Literacy Hour in our schools as required in the UK under the National Literacy Strategy Scheme?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

I am happy to inform the hon Member that traditionally our schools have provided our children with substantially more than a daily hour of literacy instruction. Most, if not all schools, provide one and a half hours per day as a minimum.

SUPPLEMENTARY TO QUESTION NO. 436 OF 1998

HON J J GABAY:

Will the Minister not agree that what we are referring to is a particular structured programme which has been imposed generally on most of the schools in the UK and although some have questioned its efficacy, generally it has been praised as having excellent results? This is the reason why I ask this question having raised it before.

HON DR B A LINARES:

The hon Member will be pleased to know that the Department of Education and Training was in receipt of "The National Literacy Strategy - A Framework for Teaching" - to give it its full title - well in advance actually of its official release to UK schools and certainly well before its publication in The Times Educational Supplement and the departmental advisers, of course, are evaluating the techniques and methodologies outlined in the NLS Framework for Teaching and although there is nothing, in our assessment, revolutionary in the NLS Literacy Hour, there is value in some aspects which will be studied by our Heads of English with a view to adopting and adapting some of these ideas and methods at classroom level which is what the hon Member was rightly pointing to, which is exactly what will be done by most schools in UK, after all we are dealing here with what is intentionally only a framework for teaching and not a prescriptive and magical package to be adopted wholesale into our schools.

HON J J GABAY:

Will the Minister agree that the system which is being implemented in the UK is prescriptive?

HON DR B A LINARES:

Yes, I think it is over-prescriptive.

HON J J GABAY:

We were talking about complacency not so long ago in answer to another question.....

MR SPEAKER:

You cannot refer to another question, you can only refer to the answer to this question.

HON J J GABAY:

May I not refer to a question and his answer quite some time ago?

MR SPEAKER:

No.

HON J J GABAY:

I see. Would the Minister then agree that as he has said in the past that there are no scientific or technical reasons to believe that our children require that new dimension? Has he actually researched this to find out whether there is a lead or not? Has it been researched and not just simply general comments as to our standards?

HON DR B A LINARES:

I assure the hon Member and I was only hinting at the complex and elaborate work being done by the departmental advisers in researching all the aspects of literacy both as they emanate from UK directives and initiatives and also as they are being practised in the real classroom here which need, of course, and as I said, traditionally and historically there has been always a great concern in our schools, even before the literacy phobia has arisen in UK, in Gibraltar and I think those of us who have been close to the classrooms know that traditionally and historically our teachers have always been concerned with the mechanics of literacy, with the instructional aspects of literacy and given it a lot of time but they will now adopt new methodologies, new styles which are valuable in the literacy framework for teaching that is now being elaborated, I do not deny.

HON J J GABAY:

The system has actually nothing whatsoever to do with phobias. It reflects an interest on the part of employers in respect of their worry as to the declining standard in literacy. In order not to become complacent on this, has the Minister carried out any particular study as to the opinions of prospective employers in respect of the standards of literacy of children who leave our schools?

HON DR B A LINARES:

The Minister has not, I admit, but my advisers and my departmental technical officers have.

HON J J GABAY:

Is the result of that that all is well?

HON DR B A LINARES:

The hon Member has now made it a habit to accuse us of complacency. I would not accuse him of taking every opportunity to try to depreciate the efforts of our advisers and educators. I think it is not a question that all is well but not that all is ill as he would like to suggest.

HON J L BALDACHINO:

Is it that pupils that fall into the category where when the Minister was Headmaster of Bayside introduced a system where some of the pupils used to be placed in the private sector, with employers and they used to go to the school for two or three days in the week, is that the same category of people that we are talking about? Are those the people who are affected by this?

HON DR B A LINARES:

No, this literacy programme in UK is much wider than that and it does not just limit itself to the secondary schooling, it is really going down to the very beginnings of education, particularly in the First Schools, in the primary sector.

HON J L BALDACHINO:

And the system then of the pupils that I have just mentioned is exactly the same as it was when he used to be the Headmaster in Bayside, is that correct?

HON DR B A LINARES:

At the secondary level, in the Comprehensive Schools, there is a system like that where pupils are taken out into the world of work but nevertheless given a grounding in numeracy and literacy in the school in a sort of release type of system.

HON J J GABAY:

In respect of the Minister's last remark.....

MR SPEAKER:

You cannot ask a supplementary on the last remark, you have got to ask a supplementary on the original answer.

HON J J GABAY:

Talking about the National Literacy Strategy, which is the main object of this question.....

MR SPEAKER:

No, the answer, you have got to ask a supplementary to clear the answer.

HON J J GABAY:

Since the answer was that we are doing very well and we do not require it, may I remind the Minister that when.....

MR SPEAKER:

I am sorry, it is not a question of reminding, it is a question of asking a supplementary to clear the answer.

HON J J GABAY:

With all due respect I think an initial statement upon which the question comes as a natural corollary is acceptable unless today we are going to become so strict.

MR SPEAKER:

Well, maybe with the number of questions and answers the time might have come, I hope not.

HON J J BOSSANO:

Mr Speaker, if you will allow me to say so, given the fact that today, for example, in a number of supplementaries we have been asked to give notice, it is only logical that today's meeting will result in more questions because we have to give notice. Either we have to put a lot of supplementaries or we have to give a lot of notice of questions.

MR SPEAKER:

The rules of the House is that supplementaries are allowed to clear the original answer nothing else.

HON J J BOSSANO:

Also, surely, Mr Speaker, if the original answer, in the judgement of the questioner, does not address the question is that permitted?

MR SPEAKER:

Yes.

HON J J BOSSANO:

What is missing from the original answer, that was not the question.

MR SPEAKER:

That might be to clear up the original answer but not the original question.

HON J J GABAY:

If I may say, the original reply from the Minister was that we are quite happy as we are and there is no need, at the moment, for having the National Literacy Scheme implemented. Is that not the original answer?

MR SPEAKER:

That was not the original answer. Will you give him the original answer again?

HON DR B A LINARES:

I am happy to inform the hon Member that traditionally our schools have provided our children with substantially more than a daily hour of literacy instruction. Most, if not all schools, provide one and a half hours per day as a minimum.

MR SPEAKER:

You can ask a supplementary on that.

HON J J GABAY:

He has not answered the question.

MR SPEAKER:

It does not matter.

HON J J GABAY:

We are talking about a specific.....

MR SPEAKER:

He is perfectly entitled not to answer a question.

HON CHIEF MINISTER:

Mr Speaker, on a point of order, I think what the hon Member is not entitled in any event to do is 45 seconds after he has heard the original answer attribute to the answerer sentiments which are not contained in the original answer. The original answer does not say that the Government think everything is fine and therefore for him to start a supplementary with the statement, "Since the Government think that everything is fine" is simply to deceive and mislead the House and listeners and is to attribute to the Minister sentiments which he has not expressed.

MR SPEAKER:

That was a point of order. It is no point of order because I decide the point of order, it is a comment. Ask a question and you will get an answer.

HON J J GABAY:

In terms of what the Chief Minister has said.

MR SPEAKER:

No, forget about the Chief Minister, ask the supplementary.

HON DR B A LINARES:

May I give him the answer before he asks the question.

HON J J GABAY:

After all he, according to you, described me as the blue-eyed boy so let me answer.

MR SPEAKER:

He is the second blue-eyed boy. Ask the supplementary.

HON J J GABAY:

All I want to say.....

MR SPEAKER:

No, all you want to ask.

HON J J GABAY:

All I want to ask is, would the Chief Minister not agree that what is said is one thing but there are implications as well and it is justified to take up these implications?

HON CHIEF MINISTER:

No, it is not. I personally have no difficulty with it but actually since he asks the question he should know that Standing Orders do not permit questions to be asked which contain an inference. If he is asking a formal question the answer to him is that he is wrong, he is mistaken. He may not ask questions which contain an inference.

HON DR B A LINARES:

For the record, I have to add, that I did in supplementary answers say the following, the departmental advisers are evaluating the techniques and methodologies outlined in the NLS Framework for Teaching and although there is nothing revolutionary in the Literacy Hour, there is value in some aspects which will be studied by our Heads of English with a view to adopting and adapting some of these ideas and methods at classroom level. If that indicates that I am complacent, that we are not attending to the demands of this, then I do not know.

NO. 437 OF 1998

THE HON J J GABAY

EDUCATION - COMPREHENSIVE SCHOOLS

Will Government state how many pupils (temporarily or permanently) have been excluded from our Comprehensive Schools and explain the grounds for such exclusion during the school year 1997/98?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

One boy was excluded indefinitely, not permanently, from Bayside School. Short-term suspensions (one day to one week) were issued to 13 boys and eight girls. The grounds are usually disciplinary problems, aggression, fighting, disruption in classrooms, there is a whole variety of the normal misdemeanours which become unacceptable in the classroom situation and in the school authoritative structure.

SUPPLEMENTARY TO QUESTION NO. 437 OF 1998

HON J J GABAY:

Were any of these cases that have not been specified related to drugs?

HON DR B A LINARES:

I have the record here of all the cases of suspension and from the information that I have there is only one case where it was smoking cigarettes and there is, in brackets, hash with a question mark. So there is one case of that but it is not clear whether the smoking crime was, after all smoking is also a bit of a drug, is it not?

MR SPEAKER:

No, it is not.

HON J L BALDACHINO:

The pupil that was expelled permanently, was he over the age of 15?

HON DR B A LINARES:

No, the boy is not over the age of 15, the date of birth of this boy is June 1984 so he was 14 in June this year.

HON J L BALDACHINO:

If he was younger than 15, have any provisions been made so that he can carry on with his education up to the age of 15?

HON DR B A LINARES:

Yes, of course, provision has been made for this boy. A special individualised programme mostly based on social education and behavioural modification has been planned for this boy with the grounding also of basic numeracy and literacy. This programme is being monitored by specialised teachers from the school outside the school context but in liaison with the Youth Office and the Youth Centre and working together with Social Workers and Youth Workers and, as I say, monitored by the teachers, hopefully this will yield an acceptable result.

HON J L BALDACHINO:

Could the Minister confirm then that the education that this young lad is receiving is the same as he would receive if he were at school or would there be any difference?

HON DR B A LINARES:

No, I would not say that it is the same in the sense that it is a differentiated type of education. As I say, an individualised programme, it is more tailored to the social and behavioural needs of this boy outside the classroom situation where he is totally disruptive and simply does not fit in that context socially and behaviourally. Nevertheless if what the hon Member is getting at is that the academic underpinning of his education is there, yes.

NO. 438 OF 1998

THE HON J J GABAY

EDUCATION - GCSE RESULTS

Will Government state how many pupils in our Comprehensive Schools failed to get any GCSEs at grades A, B or C, excluding Spanish?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

Twenty-nine Bayside School students out of 151 sitting the exam, to make it clear that we are talking about those who sat the exam, failed to get any GCSEs at grades A*, A, B and C, excluding Spanish. The corresponding number at Westside School was 21 out of 168.

SUPPLEMENTARY TO QUESTION NO. 438 OF 1998

HON J J GABAY:

In view of these results, could the Minister comment on the relative performance in English and Maths at grades A, B and C locally and compare them with the United Kingdom since the lists have been published in The Times Educational Supplement?

MR SPEAKER:

That is not a supplementary but if the Minister wants to answer it he can, he has got answers for everything.

HON DR B A LINARES:

We are happy to say that the pass rate at this level, even excluding Spanish, is much higher than the rate in UK at GCSE.

HON J J GABAY:

I question those figures but.....

MR SPEAKER:

That is contrary to the Rules of the House.

HON J J GABAY:

I will put it in the form of a question.

MR SPEAKER:

You put a question on the original answer and nothing else.

HON J J GABAY:

Talking about the original answer, may I ask the Minister that having given me these details about As, Bs and Cs locally, would he then at some convenient moment discuss with me the comparable averages?

HON DR B A LINARES:

The hon Member knows that I am always happy to discuss issues of education with him.

NO. 439 OF 1998

THE HON J J GABAY

EDUCATION - MAINTENANCE WORKS IN SCHOOLS

Will Government state what maintenance works have been carried out in our schools in preparation for the start of the school year, what remains pending and what amount of budgeted funds have been used?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

To give details of all the minor works which have been carried out in our schools during the summer months would be a cumbersome exercise in this House, but I can provide the hon Member with a full and detailed report of all on-going works and those already completed during the summer months.

As regards the cost element included in the question, the actual cost of the works completed during the summer months amount to £160,000.

NO. 440 OF 1998

THE HON J J GABAY

EDUCATION - SCHOOL HOURS

Have the Government now formulated their policy in respect of the proposals to change the pattern of school hours?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The Government have not yet formulated our policy in respect of a change in schools hours. The Government set up a Working Group chaired by the Director of Education and Training, whose terms of reference were to make recommendations to Government on the question of school hours. The Group first met on 19 February 1998 and on a number of occasions since. It has wide representation, namely, the Gibraltar Women's Association, the Gibraltar Teachers' Association, Parents' Associations, Headteachers, the Royal Gibraltar Police and the Traffic Commission.

The Group as such has not yet submitted its recommendations to the Government. Some of the individual organisations have submitted separate and distinct proposals. The situation at present is that the Gibraltar Teachers' Association intends to consult its members further on some proposals which the Committee have put to Government but which as yet have not been approved by the membership as a whole.

SUPPLEMENTARY TO QUESTION NO. 440 OF 1998

HON J J GABAY:

Since it is obvious from the answer and the fact that this has been an on-going problem in terms of deciding one way or the other which has serious implications about the style of life in Gibraltar, given the variety of proposals would the Minister not agree that it is most important, apart from the Working Group, for the Government to take an initiative and provide a leadership in one direction or another?

HON CHIEF MINISTER:

The Government always provide leadership in the sense that we ultimately make the decision but we like to think that this Government are particularly characterised by the extent to which we seek and consult the views of knowledgeable and affected people before we arrive at that conclusion. I certainly do not accept the inference contained in the hon Member's last intervention which I think insinuates, to put it no more strongly than that, that broad consultation is somehow comparable to lack of leadership. It is not an analysis that this Government would share.

HON J J BOSSANO:

All those additional remarks are permitted in answers but not in questions, am I correct, Mr Speaker?

MR SPEAKER:

That is right. Well the simple reason is that the question must ask a question on the supplementary. The people who answer one does not know what they are going to answer.

HON J J BOSSANO:

And they can do what they like.

MR SPEAKER:

Provided they are within the rules.

HON CHIEF MINISTER:

If Mr Speaker will allow me for just a few seconds. It is not and nor is it an answer which does not flow directly from the supplementary. I do not accept what the Leader of the Opposition has suggested that somehow the answer was extraordinary in that it did not relate to the supplementary. It relates directly, it is a direct answer to the facts put in the supplementary question.

HON J J BOSSANO:

The Chief Minister has used in his answer a reference to inferences in the question and not two minutes ago he was objecting to a previous question from my hon Colleague which he said was relating to inferences from the answer of the Minister for Education. It is a matter of judgement whether the inference is there or not. He read an inference into the question and my hon Colleague had read an inference; if we are being told we already have one and a half hours of literacy as opposed to one hour then that suggests we are okay, there seems to be an equally reasonable inference. It seems to me that either we have the latitude when we have questions that we reply or ask questions about what we think has been said as well as what has been said on both sides or on neither side.

MR SPEAKER:

Do not answer, ask.

HON J J GABAY:

Given the tremendous knowledge of our Chief Minister in analysing terms, is he quite sure that he knows the difference between consultation and sitting on the fence?

MR SPEAKER:

I think I have got to turn to the next question.

HON CHIEF MINISTER:

I accept that as a supplementary, if Mr Speaker will allow it. The answer to the supplementary question is this, this issue has been what he calls a hot potato for many, many, many years in Gibraltar. For many more years than we have been in office. The difference between now and then is that this Government have accepted the challenge of trying to drive the issue forward whereas the previous Government buried it because it was too difficult to deal with. That is the difference between sitting on the fence and consultation.

HON DR B A LINARES:

I am not one for sitting on the fence and the hon Member should know that but I do believe that in an issue like this one the repercussions can be quite complex and stretching to many spheres of life in Gibraltar, very thorough consultation with interested and relevant parties should be the order of the day and that is exactly what I am doing in all honesty and thoroughly and as efficiently as I can.

HON J J GABAY:

The Minister has said that he is not the sort of person to sit on the fence. Well, I tend to agree, on the other hand he is also very likely to fall accidentally on one side of it or the other.

MR SPEAKER:

Maybe grandparents were not asked about this because they might have something to say. Next question.

NO. 441 OF 1998

THE HON J J GABAY

EDUCATION - GIBRALTAR SCHOLARSHIPS

In the award of the Gibraltar Scholarships will Government consider an "A" grade in A-level Spanish, obtained in year 12, as one of the three required "A" grades for that particular category?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The position of Government at present is the same as when I answered a similar question, No. 283 of 1997, asked by the hon Member in October 1997. As he knows, the Education Awards Regulations introduced by the previous administration in 1990 regulates and thereby restricts the award of the Gibraltar Scholarship to students who obtain three "A" grades at A-level in one sitting. It is, indeed, generally acknowledged that obtention of grades in two sittings is less of an achievement. At this moment the Government do not see any pressing need to change the policy and the standards set by the previous administration.

SUPPLEMENTARY TO QUESTION NO. 441 OF 1998

HON J J GABAY:

Talking about merit, would the Minister not consider that taking three normal A-levels at the normal time and one A-level a year before is actually a greater achievement than waiting for the full complement of two years and at the same time sort of act as an encouragement, would it not further develop this business that we have discussed about a one year Spanish course?

MR SPEAKER:

Next question.

NO. 442 OF 1998

THE HON J J GABAY

EDUCATION - REGISTER OF GRADUATES

Will Government report progress on the Register of Graduates meant to record the whereabouts of students after graduation?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

Yes, some limited progress has been made. The Government have now set up a procedure to elicit the information concerning the whereabouts of students after graduation.

SUPPLEMENTARY TO QUESTION NO. 442 OF 1998

HON J J BOSSANO:

Can we have an indication of what the limited progress in the answer to the original question is?

HON DR B A LINARES:

The procedure is as follows:-

Of the 101 students who terminated in 1997 - 53 students returned questionnaires issued to them; 19 students sent in proof of qualifications but not the questionnaire; 12 did not reply at all; 17 students went on to the PGCE, student teacher programme or post graduate study.

Of the 53 students who have returned the questionnaire:- 10 found employment in Gibraltar; 16 found employment in UK or elsewhere; 11 intend to further their studies; 11 have returned to Gibraltar but no notice has been given of having obtained employment; 5 do not intend to return but no notice has been given of having obtained employment elsewhere.

NO. 443 OF 1998

THE HON J J GABAY

EDUCATION - JOHN MACKINTOSH HALL

Will Government consider installing air-conditioning at the John Mackintosh Hall Theatre?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The Management and the Board of Management of the John Mackintosh Hall have now scheduled a list of priorities in respect of repairs and improvements to the John Mackintosh Hall, and whereas the installation of air-conditioning is considered a desirable thing it ranks after other items such as a replacement of the fire-curtain which was made of asbestos based material, at a cost of £15,213; work on the roof which is in a very poor state of disrepair allowing seepage of rain-water causing extensive structural damage in parts of the building at a cost of £100,000; the construction of a lift for the use of disabled persons at a cost of £30,000; and the adaptation of toilets for the use of disabled persons at a cost of £3,964.

SUPPLEMENTARY TO QUESTION NO. 443 OF 1998

HON J J GABAY:

Referring to the priorities established, I do not think that we are asking for something really expensive or something really out of the ordinary in these days, given the fact that the theatre is the main theatre in Gibraltar, those of us who attended performances recently have found it stifling therefore might it not be reasonable to expect the Minister to influence these priorities since we were both there together and we know really what it is all about?

HON DR B A LINARES:

I think I am adopting the same prioritisation outlook that the previous administration did over the many years that they were responsible for the upkeep of the John Mackintosh Hall.

HON J C PEREZ:

In the context of all the expenditure that the Minister has read out which I presume is now committed to the Hall, perhaps the Minister could go back and see how much more the air-conditioning would be because if they are going to do a big overhaul in the area and whilst it is done the introduction of air-conditioning to the Hall is, say, another £30,000 or £40,000, if that sum is already committed – which I do not know whether it is or not – perhaps it makes sense to do it with the overall works that are envisaged by the Minister?

HON DR B A LINARES:

I have not excluded the possibility, I have said it is a desirable thing but I insist it must rank after these other priorities which I have announced to the House and which presumably are the same priorities that the previous administration had when deciding whether or not it was a feasible expense.

ORAL

NO. 444 OF 1998

THE HON J J GABAY

REFUSE ACCUMULATION

Will Government state for what periods refuse has been allowed to accumulate at the incinerator and explain the reasons for such accumulation?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Answered together with Question No. 457 of 1998.

NO. 445 OF 1998

THE HON J C PEREZ

ELECTRICITY CHARGES - COLLECTION

Can Government state how much has been collected in respect of electricity charges in the current financial year up to the 31st August?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The funds collected by Lyonnaise des Eaux in respect of electricity charges up to the 31st August amounted to £3,367,558.92.

SUPPLEMENTARY TO QUESTION NO. 445 OF 1998

HON J J BOSSANO:

On the basis of that figure, do the Government expect to reach the £8.8 million provided for as an estimate of revenue for the year?

HON LT-COL E M BRITTO:

I consider that a hypothetical question.

HON J J BOSSANO:

Given that every estimate is hypothetical, the entire budget that we have approved in this House is a whole hypothetical question.

HON CHIEF MINISTER:

No, with respect it is not. What the hon Member is asking is whether on the basis of a partial figure in respect of part of the year, the Government expect that at the end of 12 months extrapolated forward the estimate will be met and that is entirely hypothetical because it assumes that the rate of progression and collection throughout the year will be at the same rate.

HON J J BOSSANO:

So the Government do not know then how it is that they have been able to collect in the first five months of the year a pro rata rate which would appear to be five twelfths of the £8.8 million?

HON CHIEF MINISTER:

The Government have answered the hon Member's question.

HON J J BOSSANO:

Given the fact that at the time of the estimates I asked the Government for an explanation of why they were expecting to get £1 million more this year than last year, can the Government now that they have collected five twelfths of it explain whether this is due to a higher collection of arrears or a higher level of consumption?

MR SPEAKER:

Next question.

HON J J BOSSANO:

Is that a hypothetical question, Mr Speaker?

MR SPEAKER:

No, that is a non-answer.

NO. 446 OF 1998

THE HON J C PEREZ

FIRE BRIGADE - EMERGENCY CALLS - UPPER TOWN AREA

Can Government categorically state that the City Fire Brigade will be able to meet its target of response to emergency calls in the Upper Town area, if Government proceed with Phase III of the traffic changes announced in January?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The main factor influencing Fire Brigade attendance time to the Upper Town area is restriction of access to the Prince Edward's Road/Castle Road junction to only one road and this will remain so if and when Phase III of the Traffic changes is implemented. At present access is through Prince Edward's Gate via Prince Edward's Road travelling north east and in the future it will be from Town Range via Prince Edward's Road travelling south east.

The City Fire Brigade have indicated that the attendance times which they currently meet can be maintained provided that parking restrictions at certain key points indicated by them are strictly enforced at all times.

The Royal Gibraltar Police and the Traffic Commission have been informed of this requirement and the Fire Brigade will monitor the situation.

ORAL

NO. 447 OF 1998

THE HON J C PEREZ

GBC - PROPOSALS

Have Government now accepted the proposals by GBC for improving the public service television or are they negotiating with GBC the details of those proposals?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Answered together with Question Nos. 448 and 449 of 1998.

ORAL

NO. 448 OF 1998

THE HON J C PEREZ

GBC - PROPOSALS

Do the GBC proposals envisage that Government should provide extra funding above the annual subvention?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Answered together with Question Nos. 447 and 449 of 1998.

NO. 449 OF 1998

THE HON J C PEREZ

GBC - PROPOSALS

Do the GBC proposals envisage that the Corporation should employ more people?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The Government have neither accepted nor rejected GBC's proposed re-launch plan in its present form. Government are still actively considering the proposal and intend to have further meetings with GBC's senior management to discuss and fine tune the plan.

In general terms, the plan as submitted by GBC, envisages GBC increasing its hours of transmission to a minimum of four hours per day seven days a week. A gradual expansion of the alternative programme radio service is also planned.

The implementation of the plan would create a number of additional job opportunities at GBC and would involve extra funding.

SUPPLEMENTARY TO QUESTION NOS. 447, 448 AND 449 OF 1998

HON J C PEREZ:

When does the Minister envisage that we will have an outcome of these proposals? I presume that the Minister is agreeing that the matter is being negotiated with the representatives of GBC and when does he expect to be able to reach an agreement so that the general public knows what the actual changes to GBC are going to be?

HON LT-COL E M BRITTO:

It is not possible to forecast a date at this stage because negotiations, if that is the correct word and I doubt whether it is, have not really taken place; the proposals have been put forward, they have been discussed and there needs to be further discussion before anything else can happen. In any case, the answer to the following question may also throw some light to the hon Member.

HON J C PEREZ:

The Minister is aware, of course, of the length of time that the situation is in limbo and that there are expectations being created in the press and elsewhere and a decision on what is going to happen should be imminent?

HON LT-COL E M BRITTO:

What I am aware is that in his period as Minister he forecast he would solve the problem of GBC in six months. Six years later, he went out of office as Minister and he still had not sorted out the problem. It is taking us a bit of time to sort it out, I have a good precedent to work on.

HON J C PEREZ:

The Minister is perhaps not aware that the problems that were faced by GBC at the time were sorted out by the previous administration and that the problems that GBC has today are different ones.

HON CHIEF MINISTER:

No, first of all, the situation is not in limbo as the hon Member says. GBC continues to operate on the same basis as it has done. There is no "in limboness" about it. GBC is the statutory broadcaster in Gibraltar, it continues to enjoy Government's financial support in accordance with the subvention and estimates and therefore there is a continuation of a status quo. What has happened is that that continuity of the status quo was interrupted and whilst that continued to be the case the Government received proposals from a third party and the Government said to the third party, "Look, we will consider yours or any other proposals" and in the meantime the status quo continues at GBC. GBC also said to us, "We would also like to put proposals to change ourselves to the Government" and we said, "Well, fine, you put to us whatever proposals you like as well and we will consider those" and in the meantime the status quo continues and continues to continue. The Government have rejected the proposals from Peninsula and therefore it follows from that that unless Peninsula between now and 21st September when the Government close the opportunity for proposals comes in with something which I do not think they will come up with given the nature of the discussions that have already taken up between the Government and Peninsula, then the broadcasting in Gibraltar will continue in the hands of GBC and what is then left is GBC's own proposals to the Government to modify its own product and its own system. There are aspects of that GBC proposal to transform itself which are acceptable to the Government and there are aspects of it which are less acceptable to the Government in financial terms and those are the aspects, the latter one, that the Government need to discuss with GBC to try and minimise the fact that the financial impact in terms of Government subvention to the Government of GBC's plans which, if it were not for the fact that they needed Government subvention they would not need Government approval of at all and that is really the situation. I think it is not correct for the hon Member to suggest that there is some unresolved limbo situation where people are not able to get on with their jobs and with their work.

HON J J BOSSANO:

Is there a date by which GBC has to stop retransmitting BBC programmes? Is there a problem in the present situation that something needs to be done to replace it with a different system?

HON CHIEF MINISTER:

That is a decision to which GBC have come by with themselves, it is part of their proposals for their own future, it just involves eliminating the reliance on BBC Prime so that they have more flexibility with scheduled management and therefore can increase the public service broadcasting element during the evenings. The problem to which the hon Member may be alluding is that under the existing contract between GBC and BBC, GBC are not able to interrupt BBC programming so if GBC decides that there is a programme that they want to put out locally at 10.10 pm and there is a BBC programme, they cannot interrupt it for advertisements or for programme interjection and that severely restricts GBC's ability to manage its programme slots. Certainly the discontinuance of BBC Prime is certainly not anything that the Government are asking GBC to do, it forms part of their own proposals.

HON J J BOSSANO:

I am aware that it is not the Government. What I was not clear was whether the need to produce changes on the part of GBC had somehow been triggered off because of BBC changing its own selling of the programmes through GBC with decoders because I seem to remember something in the press that it would be possible to get the BBC programmes without a decoder in the not too distant future and that therefore that apparently created a problem with the nature of the arrangements with GBC. Is there anything in that?

HON CHIEF MINISTER:

To the Government's knowledge and as far as the Government are aware, there is no connection between the two things. The Government's understanding is that the present arrangements relating to BBC transmission could carry on if GBC were happy for them to carry on. GBC has never put to us any connection between their proposals to change the BBC Prime broadcasting arrangements and any issue between GBC and BBC.

HON J J BOSSANO:

There was also in the press reflected at some stage a suggestion that a second channel would be proposed. Is the new proposal the result of GBC deciding they did not want a second channel or that the Government thought the idea of a second channel was something they would not be wanting to support financially?

HON LT-COL E M BRITTO:

I think I have already answered the question but in essence the second proposal does not envisage a second channel and that initiative was entirely GBC's with no influence from the Government.

NO. 450 OF 1998

THE HON J C PEREZ

PENINSULA PRODUCTIONS LIMITED - PROPOSALS

Can Government confirm that they are still in negotiation with Peninsula Productions Limited for the provision of television and/or radio in Gibraltar?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Proposals from Peninsula Productions Limited for the provision of television and radio services in Gibraltar were discussed with company representatives on 5th August 1998 and, after subsequent consideration by Government, formally rejected on 7th August 1998. Since that date, Peninsula Productions have written to Government indicating that they intend to submit new proposals. Government have confirmed that any such new proposal would be duly considered as long as they are received by 21st September 1998.

SUPPLEMENTARY TO QUESTION NO. 450 OF 1998

HON J C PEREZ:

Were the proposals by Peninsula Productions partly to take over part of the public service or were they for the provision of private radio and television?

HON LT-COL E M BRITTO:

As I indicated and I cannot find it right now, but as I indicated to the hon Member in answer to a question that he asked me in the previous meeting of the House, the Government consider the detail of the Peninsula Productions proposals as commercial in confidence and we are not prepared to discuss it.

HON J C PEREZ:

I am not asking for the details but I think it is a matter of public interest and certainly of interest in this House if there is a proposal that envisages taking over a public service which is running at the moment or whether those proposals - and I do not want to know the details - are to provide private radio and television which is being provided in the rest of the European Union nowadays. That is not giving details of anything, it is just saying on what basis the proposals have been made.

HON LT-COL E M BRITTO:

I have to maintain the same position, in anticipation of possible new proposals coming in shortly, I think it would be inappropriate to discuss those proposals at this stage, even the previous ones that have been rejected.

HON J C PEREZ:

But one can take it then that if the Minister has said in answer to previous questions that they are in negotiation with GBC for GBC to continue to provide the public service and although I know it is only television that we were talking about, that therefore if they are still considering proposals from Peninsula Productions it must follow that those proposals are for private television because GBC is to provide the public service and Government are negotiating with GBC for the provision of that public service.

HON CHIEF MINISTER:

The Government are not considering proposals from Peninsula. The proposals from Peninsula have been rejected. Peninsula have asked whether they can submit new proposals and we have said that we are not willing to delay the decision for the GBC proposals any longer, that the Government want to be in a position to put this matter to bed by the end of September and that therefore if they want to come up with anything that the Government can consider quickly it has to be before the 21st September. There are not presently before the Government any proposals from Peninsula which the Government have not rejected.

HON J C PEREZ:

Then I can take it from the Chief Minister's reply that the proposals and since they are giving them time before they decide on GBC, have to do with taking over at least part or whole of the public service which is the question I am asking him, whether the Peninsula proposals envisaged taking over part of what is today a public service or whether they were for the provision of private television? That is all I want to know.

HON CHIEF MINISTER:

The Peninsula proposals involved taking over GBC in effect, taking over the whole of the public service broadcasting. They were unacceptable to the Government for that and for several other reasons and indeed the Peninsula proposals contained the elements that the hon Member has described in his latest supplementary. It suffered other defects. During the course of the meeting and sensing that it was not going well for them, Peninsula Productions said, "Can we submit new proposals?" and we said, "We cannot prevent you from submitting proposals but time is running out. If you want to submit proposals you submit them but the Government are not willing to go back to square one in the timescale on this matter simply because you now want to submit new proposals". As we speak such proposals have not yet been submitted and therefore the Government's mind is already very much focused on what we would like to see GBC do to its own proposals from the purely financial point of view to make them financially more attractive in terms of the level of the subvention that they will require in the future.

HON J J BOSSANO:

Is it correct to draw a conclusion from that that in fact the time limit is because the possible proposals have to do with taking over GBC but that, in fact, is there anything stopping anybody at any time putting proposals for a second channel? Is there anything to stop that happening at any time?

HON CHIEF MINISTER:

At the moment there is a statutory impediment in that television broadcasting is not yet liberalised and therefore under the Gibraltar Broadcasting Corporation Ordinance, GBC has a monopoly on broadcasting in Gibraltar. Secondly, I understand that there are more scientific and technical obstacles which is that all the frequencies allocated to Gibraltar and that are usable in technical terms for television broadcasting, are in the possession and use of GBC.

NO. 451 OF 1998

THE HON J C PEREZ

GIBTEL/NYNEX - PROPOSED MERGER

Have the Government, British Telecom and Bell Atlantic now signed a memorandum of understanding over the proposed merger of Gibtel and Gibraltar Nynex Communications Limited?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

No.

SUPPLEMENTARY TO QUESTION NO. 451 OF 1998

HON J C PEREZ:

Did the Minister not tell the House that it was imminent that that memorandum of understanding would have been signed by July and, if so, can the Minister explain what the delay is all about?

HON LT-COL E M BRITTO:

Essentially, one of the shareholders asked for a delay from July to August – BT in particular – for their senior management to take certain decisions and consideration and subsequently the other shareholder, Bell Atlantic, has asked for further delay because they want to study certain aspects of the merger and we are awaiting the results of that further consideration by Bell Atlantic.

HON J C PEREZ:

When does the Minister expect this to happen if there is a chance of it happening? Is it that the shareholders of these companies are having second thoughts about the possible merger and is it possible that at the end of the day there will not be a merger?

HON LT-COL E M BRITTO:

The hon Member is almost asking me to give an opinion which would be against Standing Orders. All I can say is what I said before, Bell Atlantic are considering and when Bell Atlantic give us an answer we will be in a better position to judge. At the moment we are not in a position to judge.

HON J J BOSSANO:

Is the position of the Government that their preferred option is that the merger should go ahead or are they sort of neutral on the subject?

HON CHIEF MINISTER:

The preferred position of the Government is that it is content for the merger to go ahead. It is worth pointing out also that the fact that a memorandum of understanding is or may be signed should not be interpreted by the hon Member as meaning that the merger will take place. The memorandum of understanding itself is a very loose adherence to principles and is non-binding on any of the parties. In other words, even after the memorandum of understanding has been signed there is no commitment to a merger, it is just a step in the discussion process whereby everybody really puts down on paper for the first time that they are serious in the intent and therefore it would still have required very detailed, lengthy and complex contractual negotiations which could have taken and will take, if the merger does proceed, months and months to complete. So the hon Member should not attach undue importance to the fact that the memorandum of understanding has or has not yet been signed. I can tell Opposition Members that the fact that the memorandum of understanding has not yet been signed is in no way attributable to a position that has been taken by the Government of Gibraltar as shareholder in either company. It is for reasons in respect of both companies and their positions in respect of international telecommunications generally.

HON J J BOSSANO:

The answer that I got from the Chief Minister as to whether it was the preferred option was that they were content, I take it that means that they are content if it goes ahead and they are content if it does not go ahead, am I correct?

HON CHIEF MINISTER:

That is absolutely correct. The last thing that anybody in this House I am sure would wish to do is to create the impression to those with whom the Government are negotiating on behalf of the taxpayers of Gibraltar is to give the impression of excessive enthusiasm for a transaction in manner that might debilitate our negotiating position.

HON J J BOSSANO:

Is the implication of that answer then that at this stage the negotiating position as to the respective benefits or cost to the Government have not yet been finalised? Is this something that will have to start after the memorandum of understanding then?

HON CHIEF MINISTER:

No, this is not so much a question of cost. The discussions that have taken place so far have been on the premise from which the Government, in any case would not depart, that the Government would remain a 50 per cent shareholder in the merged company just as it is today a 50 per cent shareholder in both companies separately, therefore there is no question of cost here. We are not still negotiating the respective percentage shareholding, at least not as far as the Government's shareholding is concerned.

HON J J BOSSANO:

What precisely is the risk that the Government's position might be debilitated if they said their preferred option was for the merger to go ahead which is the answer he has just given? Where is the Government vulnerable in these negotiations that they are cautious about not being debilitated?

HON CHIEF MINISTER:

Well, the hon Member will understand, and if he does not he will have to accept, that it is not appropriate to invite me to lay out the Government's negotiating hand in this matter but even the hon Member, given that he is not a commercial lawyer and has little experience in these matters, must understand that in contracts of this nature there are dozens and dozens and dozens of issues of interesting concern to the taxpayer of Gibraltar, to the consumer of Gibraltar, indeed to Gibraltar as a whole in an international political context which needs to be satisfactorily protected in any such contract and they do not relate to matters of cost necessarily.

MR SPEAKER:

There is one thing that has got to be clear. You can ask a supplementary on the answer but what is not allowable is to ask supplementaries on supplementaries. The answer was, "No", but carry on, I am not going to stop you.

HON J J BOSSANO:

But, Mr Speaker, if the Chief Minister chooses to draw my attention to the fact that I am not a commercial lawyer.....

MR SPEAKER:

That is a different matter, that you will be allowed.

HON J J BOSSANO:

Presumably I am allowed to show my ignorance of being a commercial lawyer.

MR SPEAKER:

At least a Californian lawyer.

HON J J BOSSANO:

Can the Chief Minister then say that the implications of the latest answer he has given is that it is possible that in the new set up there will be changes to the Government's relationship with the merged company if the merger proceeds as compared to the Government's relationship now other than the 50 per cent shareholding? What is it that in the new joint venture would be demanded by others and why cannot simply all the things that exist now in the joint venture independent of each other be transposed into the new one, as far as the Government's part in it is concerned? What is there to change?

HON CHIEF MINISTER:

The hon Member must know the answer to his question but let me point out just one more that I omitted to point out in my previous answer which should be obvious to him. The hon Member must know that usually the natural consequences of two commercial entities merging is loss of employment and that the Government, amongst many interests that we are seeking to protect, are the interests of the employees. That is not a matter of financial cost to the Government. I am not going to stand here taking the hon Member through an issue by issue list or discussion of the issues that arise in a negotiation between the merger of two of Gibraltar's largest companies. But I would have thought that some of the issues that he would expect the Government to be taking account of were so obvious as to obviate the need for him to ask.

HON J J BOSSANO:

I am trying to establish why it is that the Government believe that their position can be debilitated, this is why I am asking at all. All that my original question asked was where they neutral on the merger and the answer was that it would be wrong to suggest they were predisposed or in favour of the merger as opposed to being neutral because that could debilitate their negotiating position. Since I was surprised by the nature of that answer I am trying to establish where the vulnerability of the Government lies and therefore can the Government explain to me so that I can understand the predicament that they are in, why it is that they feel that the two companies that presumably have got satisfactory arrangements today with the Government separately would want to have different arrangements when they are both in the same company with the same partner in the Government. I can understand what the Chief Minister says about the employees of the respective companies but, of course, those employees are well protected by their union. I would expect the Government to take an interest but I am sure the union can look after them.

NO. 452 OF 1998

THE HON J C PEREZ

GIBTEL/NYNEX - COMPLAINTS

What further developments have there been on the two telecom matters before the European Commission, namely the question of the numbering plan and the matter concerning roaming for mobile telephony?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The position in respect of the two complaints to the European Commission by Gibtel and GNC on telecommunication matters remains as outlined in answer to Question No.236 of 1998.

Apart from on-going bilateral contacts, there have been no tangible developments.

SUPPLEMENTARY TO QUESTION NO. 452 OF 1998

HON J C PEREZ:

Is it not the case that the Commission is now considering the option of using the old 44 code for Gibraltar and is that not a development from the reply he gave me on the last question?

HON LT-COL E M BRITTO:

I have nothing to add to what I have said.

MR SPEAKER:

He has nothing to say.

HON J C PEREZ:

I am trying to convince him to add something.

MR SPEAKER:

If the answer is, "I have got nothing to say" how can you ask a supplementary on "I have nothing to say"?

HON CHIEF MINISTER:

The Minister said, "I have nothing to add" which is not quite the same thing.

HON J C PEREZ:

Is the Minister not aware that by having nothing to add to nothing.....

HON CHIEF MINISTER:

He has nothing to add to the answer that he has given which is complete, the answer is that the position is exactly as it was when he last asked the question and that is a full answer.

HON J C PEREZ:

But when I last asked the question the Commission had not written back to consider the old 44 code and my understanding is that what the Commission is today looking at, which it was not looking at when I last asked the question, is the possibility of using the United Kingdom code for Gibraltar and in that context I would like to know, because I know that the Chief Minister said that although the preferred option of the Government was the 350 code, there were commercial companies that were taking up these matters and at the end of the day it would be up to them. That is what the Chief Minister has said before.

HON CHIEF MINISTER:

No, when the Minister says that the position is the same as in answer to Question No. 236, that means No. 236 and supplementaries thereto. Amongst the supplementaries that the hon Member has repeatedly put is what is the Government's position in relation to the 44 code and that situation has been explained to him repeatedly by me and it has not changed and that is what the answer to his question says. It is not for the companies to accept the 44 solution... *[HON J C PEREZ: It is not?]* Well, the companies can indicate that they would accept it but they are not in a position to deliver it. That is a political matter, it is not a commercial matter.

HON J C PEREZ:

Are the Government aware now that the position of the Commission is that they are looking at a solution by using the United Kingdom code? Are the Government aware that that is happening?

HON CHIEF MINISTER:

I cannot say what the Commission is looking at now but I can tell him that the Commission have been looking, if that is the right word, they have been aware that that is a possible solution from the very outset. Indeed, it is part of the Spanish Government's submission to the Commission that that is what should happen. This is not something that arises since the hon Member asked the last question. The Commission are no fools, the possibility of settling this matter; well disposing of the current complaint which is based on competition matters and nothing else.... *[HON J C PEREZ: That is the other one not the numbering plan.]* Both complaints. The hon Member is not aware of what he is saying. Both complaints are made to the same part of the Commission and they are both made on grounds of competition and on no other ground. The hon Member's source of information should be equally knowledgeable about that as he appears to be about everything else that he feeds the hon Member.

HON J C PEREZ:

The Chief Minister is wrong, there are two different basis for the claims. One is purely on a commercial one which is the roaming for mobile telephony where there is unfair competition, and the other one is based on the numbering plan which is a different consideration. Although the Chief Minister said that in supplementaries to the question he explained what the Government's position was in relation to the 0044, what I am asking now is whether they are aware that the Commission is seriously looking at that avenue to give us that solution to the problem which the Chief Minister said was unacceptable to the Government?

HON CHIEF MINISTER:

First of all, the fact that the Commission may be looking at it has nothing to do with whether or not it is acceptable to the Government. The hon Member may think that he is omnipotent and that the mere fact that he indicates that something is unacceptable to him prevents anybody else even from thinking about it. That is not the real world. What the hon Members have been told is that the Government's position has not changed since the last time that we gave him an answer to these questions including the answer that we gave him about the 44 code and what I will tell the hon Member again is that he is mistaken, he is ignorant of the correct situation if he believes that one part of the complaint is on competition grounds and the other part is on numbering plans. Both the numbering plan complaint and the roaming agreement complaint are formulated as competition, abuse of dominant position competition complaints and formulated under the sections of European Union law that deals with those matters. I am not going to stand here repeating facts to the hon Member. He either accepts the facts that I give him or he can go away and consult somebody else but I am simply not prepared to stand here repeating facts just because the hon Member does not accept that what I am saying to him is true. Why would I wish to be misleading him about whether the complaints are competition or not?

MR SPEAKER:

One more question if it is a question and one more answer.

HON J C PEREZ:

It seems to me that the ignorance attributed to me is perhaps true of the Government since it seems to me that I am more aware of what is happening than they would like to admit from that side of the House.

NO. 453 OF 1998

THE HON J C PEREZ

GIBTEL/NYNEX - TELEPHONE CHARGES

Is it still the policy of the GSD that telephone charges should go down, even if it means that Government use the dividend payment they receive from Gibtel and Nynex as a subsidy?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

It is GSD policy, and therefore also the policy of Government as a major shareholder in both GNC and Gibtel, that telephone tariffs should be reduced to levels which are as competitive as possible. Such reductions must be achieved as the result of aggressive commercial policies, efficient management, technological improvements and increased productivity.

The use of Government funds obtained from dividend payments to subsidise telephone tariffs would be state aid and therefore, in EU terms, anti-competitive and against Article 92 of the EC Treaty.

SUPPLEMENTARY TO QUESTION NO. 453 OF 1998

HON J C PEREZ:

So the position is that the statement made by the Hon Mr Caruana from the Opposition side, that that would be the preferred policy of the GSD when in Opposition is now not the policy because it is not permitted by the EEC and not because he is in Government?

MR SPEAKER:

Do you want to ask a supplementary now?

HON J J BOSSANO:

Thank you, Mr Speaker, yes. Can I ask a supplementary on the answer that has been given, if in fact what prevents the use of the dividend pay, that is that this would be a subsidy which is not permitted under EU law, whether in fact the level of profits can be looked at on the basis that if the profits are rising then some of the benefit of those profits might be channelled back to the consumer which presumably it would not be the question of illicit state aid?

HON CHIEF MINISTER:

I answer the question on the basis that the hon Member is distinguishing between level dividends paid to shareholders and level of profits made by the company as an operator. The level of profits made by the company as an operator is determined by the issue of tariffs and demand as applied to those tariffs. That is a matter for the company. Of course the Government, not wearing our shareholder hat but our general hat as the custodian of the general public interest, impress upon the company the

need to keep costs to the consumer to a minimum consistent with the company's need to (a) retain sufficient profits to ensure that it makes the adequate level of capital investments, and (b) that gives a proper level of return to the shareholders, especially to the commercial shareholders. One of those companies, Nynex, indeed this year has collected the first dividend and has certainly not obtained – I think the shareholders from Nynex have had one dividend – anywhere near a return for the large sums of money that is invested in this operation since it was established. Certainly it would not be appropriate, in those circumstances, for the Government to use our powers as a telecoms regulator, for example, to set tariffs at a level which reduce profitability to a shareholder that has not even recovered his original investment let alone a return. But certainly if the Opposition Members are concerned that the profit motive should not lead to galloping tariff rises, well hon Members can rest assured that the Government are acutely sensitive to that fact and would not allow the companies to simply apply whatever tariffs they wished and indeed the evidence of behaviour of those companies is that they seek to reduce tariffs and have reduced tariffs in recent years rather than any inclination to increase them.

HON J J BOSSANO:

My question was directed to the nature of the supplementary answer which was given to the original question which suggested that the obstacle of the EEC legislation was something that was making it impossible for the Government to do, as the original question suggested and has been suggested by the Chief Minister in the past when he was in Opposition, to use the Government's share of the profits to reduce the tariffs which he says is against Community law. Given the fact that Nynex has collected a dividend in the last couple of years only and not before, I think there was an amount in 1997/98 shown in the Estimates and there is another amount shown this year, but Gibtel..... [*Interruption*] Well, we are assuming, until we get definite information, that the estimate is going to materialise otherwise we would be in the realm of hypothetical projections which we were told in answer to a previous question we should not indulge in, so assuming these Estimates are not hypothesis but expectations, they have got dividends for two years running but, in fact, the same surely is not true of Gibtel. In the case of Gibtel the original investment by BT has been recovered several times over and is it not the case that the international calls are in fact at the level that they are particularly because Gibtel takes a share of the cost in addition to what Nynex keeps from what the consumer pays? Is there not a different consideration in the case of BT's investment which, as I recall, has been recovered several times over and therefore the argument that has been used for Nynex is not the case?

HON CHIEF MINISTER:

Yes, BT have made a spectacularly successful investment in Gibraltar on the back of the terms that they were able to extract from the Opposition Members when they negotiated the contract with them.

HON J J BOSSANO:

I am afraid, if I may put the record straight, he should ask his friend, Brian Perez, who was the Minister that negotiated those terms and was a member of the AACR and I believe now a supporter of his party, we inherited the contract.

HON CHIEF MINISTER:

I hope that Mr Perez and many other people are supporters of ours, but very well I am grateful to the Leader of the Opposition for that correction as to the chronology. The position is the same and that is that the contracts do not give the Government the right to manipulate the level of profits in that way. The Government have not addressed our mind to what means it would apply if the contrary were the case. But, of course, it is almost impossible that the companies could seek to apply tariffs of which the Government did not approve because the Government are a 50 per cent shareholder in both companies and are able to impede tariff rises. So any tariff rises that take place would either be because they are contractually entitled and the Government cannot impede it, I think that is the case in the water contract with Lyonnaise but not in the case of the telephone contract, or because the Government were content with the tariff increases and that has not been the case. At the moment the Government are using our influence within the companies, as I understand Opposition Members used to do as well, to bring pressure to bear on the companies to employ new technology and to reduce tariffs. So the Government do not have that fear. I do not think that the hon Member can correctly make a distinction between Gibtel and Nynex in the context of the EU law point. The hon Member may be able to make a distinction between the two as to their merit if they were otherwise permissible and if the only obstacle was, "is it fair to do it?" the hon Member could well make the distinction that he draws but I do not think he can make it on the basis of what we are advised should be the applicable legal constraints. If what Opposition Members are trying to say is that the Government would not, if we were free to, use the dividends to reduce telephone tariffs, in other words, use the Government's revenue as a form of subsidy, the answer is that the Government have not considered that matter but indeed the position might be that we would now not be willing to. I am not politically shy about that, intelligent political administrations ought to have open minds and ought to be willing to change those minds when circumstances require and I would not feel at all shy in coming to this House if those were the facts and saying, "Although in Opposition we suggested to the Government of the day that they might do this, we have now taken the view that we would not do it either". That is actually not the situation but if it were I want the hon Members to know that I would not feel any sense of political shyness in adopting that position.

HON J J BOSSANO:

Would the Government not agree, in fact, that the way that tariffs for international calls are coming down as a result of the liberalisation of the telecoms market worldwide means that indeed if there was a case when he suggested it from the Opposition side of the House, that case becomes more compelling all the time if Gibraltar wants to be in the field, as it does, where the cost of telecommunications is an important factor in the development, for example, of the financial services industry and that therefore in the context where competing centres are all bringing down charges because of the changes that are taking place with liberalisation, we need to be reviewing ours on the basis that if we just stay still and others are dropping then our charges look more expensive by comparison even though they may not have gone up.

HON CHIEF MINISTER:

The Government are anxious as always to give the Opposition Members full and complete answers to their proper questions but we are concerned, especially given the inordinate number of questions that the Opposition Members have chosen to put down on the Order Paper, not to allow them to initiate a lengthy debate on each and everyone of them. I believe that I have given the hon Members a full and complete

answer to his question, both at a technical level and gratuitously in answer to the last supplementary at a political level which is, where I think, was the thrust of the original question in the first place and I think on that basis that the hon member's last question has been answered.

HON J J BOSSANO:

If the last question has been answered I am sure that I have not been able to glean it from all the other things that he has said. Is the answer yes, the Government agree that we ought to be moving to reducing tariffs for the reasons that I have given or is it no, they do not agree?

HON CHIEF MINISTER:

It is self-evident that both companies are reducing tariffs.

HON J J BOSSANO:

When?

MR SPEAKER:

Next question.

NO. 454 OF 1998

THE HON J C PEREZ

GIBTEL - INTERNATIONAL TELEPHONE CHARGES

Are Government aware whether Gibtel is to continue to reduce international telephone charges, and if so, when is it expected that the next cut will be announced?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Yes, Government are aware of Gibtel's plan to continue reducing international call charges. The implementation dates for further reductions will be considered at the next Gibtel Board meeting.

SUPPLEMENTARY TO QUESTION NO. 454 OF 1998

HON J C PEREZ:

The Minister is perhaps not aware that there have been any cuts at all on charges by Nynex in the last three years?

HON CHIEF MINISTER:

That there have been no cuts?

HON J C PEREZ:

No reductions which is what the Chief Minister has just claimed.

MR SPEAKER:

That is not a question.

HON CHIEF MINISTER:

Yes, the hon Member is presumably aware that when there is inflation the effect of not increasing tariffs to keep pace with inflation is a real reduction. The Opposition Members may wish to giggle but the fact of the matter is that whilst his salary has risen during the last year to take account of inflation, his telephone tariffs have not and the hon Member must therefore know that in real financial and economic terms what that means is that the real cost of the local tariff has fallen. It would not surprise me to learn that they do not understand that point given the way that they have failed to increase tax allowances over the years to take account of inflation as well.

NO. 455 OF 1998

THE HON J C PEREZ

I&D FUND - HEAD 105, SUBHEAD 1

How much of the funds available in the Improvement and Development Fund in Head 105, subhead 1, have already been spent in this financial year?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The total expenditure on this subhead as at 31st August 1998 stood at £61, 742.

Total orders to the value of £322,601 have been placed in respect of expenditure to be met from this subhead and the balance of £260,859 is expected to become due for payment before the end of the current financial year.

NO. 456 OF 1998

THE HON J C PEREZ

CAMP BAY - ROCK FACE WORKS

Can Government state when the works on the Rock face immediately above Camp Bay are expected to commence, and how much of the funds available in the Improvement and Development Fund under Head 104, subhead 15, will be spent on this project?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The permanent stabilisation works at Camp Bay are programmed to commence in mid-October 1998. The project is currently under the tender process and it is expected that an award of the contract will be made shortly. Given that the tender has still not been awarded, it is not possible at this stage to give a figure for the cost of the works but it is expected to be a substantial amount of the figure available in Head 104, subhead 15.

SUPPLEMENTARY TO QUESTION NO. 456 OF 1998

HON J C PEREZ:

I know that the Government were trying to make sure that the works would be ready before the end of next summer but given that the tender award would be in mid-October and that it is really the commencement of the rainy season, do the Government now expect that the project will be completed by the beginning of next summer or has there been a slight delay in the projections made by them?

HON LT-COL E M BRITTO:

No, the works are programmed to be completed before the start of the bathing season in June 1999.

NO. 457 OF 1998

THE HON J C PEREZ

DISPOSAL OF REFUSE IN SPAIN

Can Government state whether any Gibraltar refuse has been disposed of in Spain since April this year?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORTS

Question No. 444 of 1998 does not specify what date parameters the hon Member has in mind. I have assumed that he is aware of the answer to Question No. 443 of 1997 applying to the calendar year 1997 and this answer therefore covers the period of the current calendar year. In any case, it would require ~~a disproportionate amount~~ of administrative time and effort to provide the information for the whole life of the Incinerator as implied in the question.

The Incinerator does not ordinarily store refuse during normal operations of the plant. However, when there is an outage of the plant due to maintenance, et cetera refuse is continued to be delivered at the plant as normal; but is then collected by larger vehicles for subsequent disposal. The plant was shut down from late June to early August 1998 for major repairs and maintenance, during which time refuse was collected and disposed of in Spain.

SUPPLEMENTARY TO QUESTION NOS. 444 AND 457 OF 1998

HON J J GABAY:

I feel confident that the Minister will agree that the fact that mountains of refuse have accumulated actually outside the perimeter of the yard has drawn a lot of justified criticism. The answer gives the impression that it has been carted away efficiently, this is hardly the case. A spokesman, it appears, from the Government stated that repairs, as he rightly points out, would take two months during the summer months, in fact, to put right and no suggestion was given about possible plans to cope with the situation. I do not know if subject to the report that we have read in the press, the Government have now come up with a plan to counteract this ugly and unhealthy accumulation of refuse outside the incinerator.

HON LT-COL E M BRITTO:

I refute the thrust of what the hon Member has said. Firstly, I have no report on mountains of refuse. Secondly, when there is an unexpected delay it always takes a few days for the system which is in place to get going and therefore the hon Member might be referring to the first three days after the shutdown. Thirdly, there is a contingency plan but that is the responsibility of In-Town, the management of the incinerator; the management, I should say, which Opposition Members put into place.

HON J J GABAY:

On the 29th June, a spokesman for the Government said that a contingency plan with details of new arrangements for the disposal of rubbish would shortly be made. I would have thought that shortly should have been before now and, of course, I quite disagree with the Minister in giving the impression that there has been a smooth collection of that refuse. This is far from the case.

HON J C PEREZ:

Can the Minister state under what conditions refuse has been sent to Spain? Whether there is an agreement with the Government of Gibraltar, with Kruger or with In-Town Developments and whether the Government have to approve or have approved that arrangement or are in any way involved in that arrangement?

HON LT-COL E M BRITTO:

As the hon Member knows the responsibility for disposal of rubbish is that of In-Town as drawn out by the contract that Opposition Members, when in Government, drew up. When there is an outage at the incinerator it is up to In-Town or its delegated sub-contractor to make the arrangements. The Government of Gibraltar are not involved in those arrangements.

HON J C PEREZ:

Is the Minister not aware that a letter from the Department of Trade and Industry has been necessary in order for the contractor to be able to dispose of the refuse in Spain? Is he not aware that there is a semi-official arrangement with the Government through a letter from the Department of Trade and Industry?

HON LT-COL E M BRITTO:

If the Opposition Member is referring to some letter from the Department of Trade and Industry which was written in his time then I am not aware. I am not aware and I know that there is no such letter in the period of this Government being in office.

HON J C PEREZ:

So the Minister is not aware then that in order for the Mancomunidad to accept the refuse it has to have a letter from a department from the Gibraltar Government approving the contractor and that there has subsequently been two letters, one approving the contractor which was a local one and then one approving the sub-contractor which was a Spanish sub-contractor because the local one could not take the refuse over notwithstanding that it was a contract?

HON LT-COL E M BRITTO:

The Government of Gibraltar are not involved in writing letters in respect of disposal of rubbish in Spain.

HON J J GABAY:

Finally, will the Minister accept that refuse is being done outside the perimeter and that this is unacceptable and that it is the responsibility of the Government?

HON LT-COL E M BRITTO:

No.

HON J J GABAY:

May I just then illustrate this as a final question, did the Minister see the excellent photographs that appeared in the Gibraltar Chronicle illustrating the fact without any doubt whatsoever?

HON LT-COL E M BRITTO:

As a final answer, because I have already gone into the details, the incinerator has a certain capacity for burning refuse; trucks which take the refuse into Spain have a much smaller capacity. It follows to any constructive observer that it takes longer to dispose if it is taken out by truck than it does if it is put into the incinerator.

HON J C PEREZ:

To be absolutely clear on the previous point that the Minister was stating, I take it then that the Minister is not aware that a Government department has to write a letter to the Mancomunidad before the Mancomunidad agrees to accept a contractor to take refuse to the Los Barrios tip? The Government are not aware that that has happened?

HON LT-COL E M BRITTO:

The hon Member is wrong, that might have happened in the time of his Government, it has not happened in the time of this Government.

HON J C PEREZ:

And I am suggesting that it has happened in the time of his Government and that it has happened twice, for the approval of the contractor who could not take the refuse over and then for the approval of the Spanish sub-contractor that subsequently took the rubbish over.

MR SPEAKER:

That is not a question, that is a statement which is not part of questions and answers. Next question.

HON LT-COL E M BRITTO:

In supplementaries to Question Nos. 444 and 457 of 1998, the Hon J C Perez asked if "a letter from the Department of Trade and Industry had been necessary in order for the contractor to be able to dispose of the refuse in Spain" to which I replied, "I am not aware and I know that there is no such letter in the period of this Government being in office". The hon Member then asked, "So the Minister is not aware then that in order for the Mancomunidad to accept the refuse it has to have a letter from a department from the Gibraltar Government approving the contractor and that there has subsequently been two letters, one approving the contractor which was a local one,

and then one approving the sub-contractor which was a Spanish sub-contractor because the local one could not take refuse over notwithstanding that it was a contract?" To which I replied, "Mr Speaker, the Government of Gibraltar is not involved in writing letters in respect of disposal of refuse in Spain".

Following the hon Member's insistence that this had been the case, I have subsequently asked Support Services Department to investigate the matter. I can now confirm that following a request received from the Environment and Waste Management Services Limited in July 1997, Support Services Department did write a short letter to the Mancomunidad informing them that Monteverde and Sons Limited had been appointed by In-Town as their contractor for the transportation of domestic waste from Gibraltar to the Los Barrios tip. The letter reads as follows:

"I refer to my telephone conversation with your Mr Francisco Humanes and confirm the following as requested.

I confirm that Monteverde and Sons Limited, acting on behalf of the operators of the incinerator, is the contractor which is intending transporting domestic waste from Gibraltar to the Los Barrios tip".

The letter is on Support Services Department letterhead signed by the Senior Executive of this department.

In-Town had engaged Monteverde and Sons Limited to dispose of their refuse following a fire which occurred at the incinerator and Monteverde had engaged the services of a broker, namely Environmental and Waste Management Services Limited, to prepare all the necessary paperwork and obtain the necessary permits for the exportation of the refuse to Spain. This company had experienced some difficulties with the Spanish bureaucratic system and was informed by Spanish officials that a letter from a Government Department to the Mancomunidad, informing them of the name of the contractor who would be transporting the refuse, would expedite the process. This is the only letter written by a Government department to the Mancomunidad during this Government's term of office in respect of disposal of refuse in Spain.

The hon Member also requested confirmation that a second letter had been written by a Government Department authorising a Spanish sub-contractor to deliver the refuse to Spain due to the appointed local contractor not having fulfilled his contractual commitment. In this respect I would reiterate what I previously stated in the House which is that Government are in no way responsible for the arrangements necessary for the transportation of the refuse to Spain. Government have a contract with In-Town to dispose of the refuse by incineration at the local plant. Should the plant be out of service, it is then In-Town's sole responsibility to dispose of the refuse and in so doing to appoint whoever they please to act on their behalf. Government have only been approached once during our term of office, this being in 1997, for assistance in expediting the arrangements with the Spanish authorities as has previously been stated. No such request has been received this year when there has again been a need to deliver refuse to Spain I can also confirm that no Government department has written a second letter approving a sub-contractor either local or otherwise.

NO. 458 OF 1998

THE HON J L BALDACHINO

I&D FUND - KONVER PROJECTS

Can Government state how much of the estimated £2 million expenditure of Konver Projects has been spent in the current financial year up to 31st August giving a breakdown of projects involved?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

A total of £252,665.57 has been spent on Konver Projects up to the 31st August 1998. £205,673.80 has been spent on the refurbishment/conversion of Bleak House and £46,991.77 on the Casemates project.

SUPPLEMENTARY TO QUESTION NO. 458 OF 1998

HON J J BOSSANO:

The inclusion of Bleak House under the Konver, is it because Bleak House was an MOD building or is it because the use of the place is intended for redundant MOD workers?

HON P C MONTEGRIFFO:

It is the former. Since Gibraltar is required to use Konver funds in the context of something connected with defence. The refurbishment of Bleak House was a golden opportunity for expenditure under the Konver programme.

HON A J ISOLA:

In respect of the Casemates project, in respect of what have the £46,000 been spent to date?

HON P C MONTEGRIFFO:

I have not got details of that expenditure but from memory obviously there is the excavation works that have been partly funded, there is also a project management that started in respect of the Casemates project in dealing with various aspects in respect of the co-ordination of that project so it is matters of that type. If the hon Member wishes a further breakdown then I can certainly have that prepared for him.

HON J J BOSSANO:

Is the sum that has been used for Bleak House now the total cost from Konver funding for Bleak House?

HON P C MONTEGRIFFO:

I cannot confirm that. It would seem to me to be the case that it is because Bleak House is about to be inaugurated or is nearly finished but I would not want to confirm to the House that this is the totality of expenditure because indeed this talks of expenditure up to 31st August, I am not sure if any further expenditure has been undertaken in the course of September.

HON J L BALDACHINO:

Are there any other projects that will be financed under the £2 million in subhead 3 of Head 106? Are there any other projects in the pipeline that will be financed from the £2 million?

HON P C MONTEGRIFFO:

We will be looking towards other projects but there are none which expenditure has currently been undertaken.

HON J J BOSSANO:

Have the Government a figure for what is committed in respect of the Casemates project out of the £2 million, committed but not spent?

HON P C MONTEGRIFFO:

The Government obviously have figures but since the project is one that will go out to tender the actual work involved in the refurbishment and a figure for the Government estimates will be the appropriate figure is not one that we wish to put specifically as a figure in the public domain. Obviously the Government have estimates and the Government have made a tentative allocation of those funds.

NO. 459 OF 1998

THE HON J L BALDACHINO

TOWER BUILDINGS

Can Government state what is the intended use for the site previously occupied by Tower Buildings?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Government are still awaiting the transfer of the former Tower Buildings site. We will need to come to a decision on what it will be used for when the transfer is received. Various proposals have already been received.

SUPPLEMENTARY TO QUESTION NO. 459 OF 1998

HON J L BALDACHINO:

The proposals that the Government have received, can the Minister elaborate a bit more on that? Are they intended for commercial or residential purposes?

HON P C MONTEGRIFFO:

There have been a number of ideas, some involve possible reprovisioning of Government facilities; others have involved expressions of interest from the private sector for the construction of a mix of residential and light industrial use, garages et cetera. The probabilities really would boil down to either a Government lead project which would involve us being able to reprovide existing facilities that we are keen to vacate from current premises or indeed the tendering out of the site for commercial interest.

HON J C PEREZ:

Is not part of the site being used by the Government or is that the one where the hostel was? We are talking about the Tower Buildings area which is the one beside where the refuse.....

HON CHIEF MINISTER:

I think that is Cumberland Buildings.

HON J C PEREZ:

No, that is Tower Buildings.

HON J L BALDACHINO:

There is another question on the Order Paper on Cumberland Buildings.

HON CHIEF MINISTER:

Let us be clear, the answer has related to the lower site.

HON J C PEREZ:

That is Cumberland Buildings.

HON J L BALDACHINO:

I am referring to the one behind it, next to the scrap yard, where Community Projects are. So I take it that the answer the Minister has given me is for another question I have in the Order Paper.

HON P C MONTEGRIFFO:

The proposals have looked at both sites which are normally looked at jointly by developers and both of the sites we are looking at in terms of possible reprovisioning of different parts of Government activities. As far as I am aware, if there is any use being made by any Government contractor it is not a formal arrangement that is regularised and it would be odd for that to be the case in view of the fact that there is no MOD transfer of the land to the Government at all. So any arrangement must presumably be purely ad hoc.

HON J L BALDACHINO:

Referring to the original answer, if I understood correctly the Minister has said that that has still not been transferred to Government, is that correct?

HON P C MONTEGRIFFO:

Absolutely. The transfers of both Tower Buildings and Cumberland Buildings have not been transferred to the Government which is exactly what my answer, specifically in the context of Tower Buildings, confirmed. The Government are still awaiting the transfer of these sites now from the MOD.

HON J C PEREZ:

Certainly referring to the area of Tower Buildings and the building that was beside it, the arrangements that are there were put in place by us when we were in Government and the assumption then was that the land had been transferred and the arrangements are for the collection of things that people throw away and things the incinerator cannot take. That is exactly opposite the Kvaerner gate and is part of the site being used but the Minister says that the land has not been transferred.

HON P C MONTEGRIFFO:

The land has not been transferred and the issue is one that I think I have eluded to in the House before which is very simply the fact that both Cumberland Buildings and Tower Buildings are areas in respect of which the MOD allege that they have freehold title and one of the matters in contention between the Government of Gibraltar and the MOD historically is the nature of freehold title allegedly held by the MOD. The Gibraltar Government view is that the MOD does not have freehold title because freehold title can only be held by the Crown and therefore the Crown, if it has property, should hold it for the Government of Gibraltar or the MOD but not as MOD itself. It is the Crown

that has freehold. It has been the whole question of freehold title which has given rise to the delay in these premises and elsewhere. The mechanism used to get round this problem, and although hon Members may recall this, I think, was an issue for them during their time to which we have sought to develop, the mechanism used to try to get round this problem is to swap title for title, like for like, in another property the MOD has, perhaps a Crown property, affording to the MOD what they say they have in a Crown property and leaving for determination the status of that. Unfortunately, notwithstanding the sensible and pragmatic way of proceeding that that would suggest, we have not been able to come to an agreement with the MOD to give effect to such a mechanism.

HON J J BOSSANO:

Is it not the case that that mechanism had already been used in respect of the lower part which is either Cumberland Buildings or Tower Buildings, whichever of the two it is? Has the Minister checked that that in fact was not agreed at one stage in respect of that building by the MOD?

HON P C MONTEGRIFFO:

That is not my understanding. My understanding is that on both the plots we have the pending issue and there has been extensive exchanges of late to try and resolve the matter but it remains blocked and it is one of a number of issues arising from the Lands Memoranda with which we are uncomfortable.

HON J L BALDACHINO:

From my understanding when I was in Government that was not the case on Tower Buildings, is he absolutely sure that that applies to both sites?

HON P C MONTEGRIFFO:

I said that I would look at it. All the information I have, on the basis upon which I have been working for the last two years, is that there is no transfer of both those premises but in view of the comments made by Opposition Members I will certainly confirm the position and determine exactly where the situation stands.

NO. 460 OF 1998

THE HON J L BALDACHINO

PRINCE GEORGE'S BLOCK

Can Government state if they have now accepted the transfer of Prince George's Block from the MOD?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The transfer has not been accepted yet. Government are still considering certain aspects of the transfer document.

SUPPLEMENTARY TO QUESTION NO. 460 OF 1998

HON J L BALDACHINO:

Is it still the same position as when the Minister answered the same question last time that one of the considerations is to find somebody who would carry out the demolition of Prince George's Block and the development of the area? Is that what is holding up any agreement with the MOD?

HON P C MONTEGRIFFO:

Not really. The situation here again is one of principle rather than practical impediment. Hon Members may recall that when this question was last asked I did indicate that this was one matter that we had included in a series of issues with the MOD that we would be happy to take a view on, that is, we would accept the transfer of the block notwithstanding the fact that the MOD would not demolish if other matters in discussions with the MOD came right. Those points of which this forms one, still remain outstanding and therefore the Government are not keen to accept a transfer which if we accept it without the MOD having demolished, obviously the developer would have to demolish and if we accept it on the basis that the transfer should be as it is, in other words the building as it is, all sorts of residual value considerations come into play which the Government take a view are not an acceptable consideration when it comes to a transfer of a property of this type. So it is the same point of principle and not a question of identifying a developer who would be happy to demolish and then build something on the site.

NO. 461 OF 1998

THE HON J L BALDACHINO

SALE OF RESIDENTIAL PROPERTIES

Which residential properties have been sold by Government to sitting tenants since 3rd October 1997, and at what price?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The following residential properties have been sold by Government to sitting tenants since 3rd October 1997.

| | | | |
|-----|---------------------------------|-----------------------------------------------|----------|
| 1. | Mr & Mrs D Aguilera | 5 Hargrave's Ramp | £ 22,000 |
| 2. | Mr & Mrs P Morello | 69c/d Prince Edward's Road | £ 26,000 |
| 3. | Dr A and Mrs Soler | 1 & 14 North Pavilion Road | £ 94,000 |
| 4. | Mr & Mrs J L Canepa | 6 Mount Road | £ 85,000 |
| 5. | Mr & Mrs R Mir | 29A/2 Hospital Ramp | £ 23,000 |
| 6. | Mr & Mrs J Mir | 29A/1 Hospital Ramp | £ 33,000 |
| 7. | Mr & Mrs R Chichon | 69B Prince Edward's Road | £ 17,500 |
| 8. | Mr A Freyone | 46 Rosia Dale | £ 15,500 |
| 9. | Europa Views Terrace Management | D Block - Sale of Ten Flats 73 Europa Road | £111,550 |
| 10. | 9B Europa Flats Management Ltd | Sale of Three Flats □ 9B Europa Road | £123,465 |

SUPPLEMENTARY TO QUESTION NO. 461 OF 1998

HON J L BALDACHINO:

The Rosia Dale flat that has been sold, does he have the same provision of restriction as originally when they were sold not by the previous administration but to the administration previous to the previous administration?

HON P C MONTEGRIFFO:

I cannot personally recall that. I can certainly have it looked at. The restrictions, I suppose that the hon Member is referring to resale in terms to somebody on the waiting list, I cannot recall.

HON J L BALDACHINO:

I am asking because in the answer the Minister has given it appears by the sum that it has been sold is very similar to what it was sold in 1986 or 1987, only it appears that there has been an adjustment plus inflation as opposed to the years that have passed since the other people bought. Could the Minister, seeing that he has not got it, pass on the information to see if it has been sold with the same conditions as previously?

HON P C MONTEGRIFFO:

I am happy to do that. I would only say that with regards to the price, which is the matter which our property managers determine and there is a formula, the only point I would make is that, frankly, if I was asked whether the property market today was higher than in 1987 I would suspect that it was higher in 1987 than it is in 1998. It does not mean that property goes up by inflation-linked steps. But in any event, I can certainly procure for the hon Member the information he is asking for specifically.

HON A J ISOLA:

The formula that the Minister has just referred to, does that formula still have, as it used to, the percentage discount – I cannot remember what it was – in respect of sitting tenants? Is that still there?

HON P C MONTEGRIFFO:

Yes.

NO. 462 OF 1998

THE HON J L BALDACHINO

MOD PROPERTIES RELEASED

Can Government state which MOD properties have been released to Government since 3rd October 1997 and of these, how many have been put out to tender for residential purposes?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The following MOD properties have been released to Government since 3rd October 1997:-

1. Block "A" Royal Naval Hospital Including Alexander House and Old Dental Centre
2. Queensway Tennis Courts
3. USOC Hockey Ground, Queensway
4. Old Naval Hospital
5. Nos. 1 & 2 Warrant Officer's Quarter, Europa Road

Of these only the Old Naval Hospital transferred on the 27th August 1998 will be put out to tender for residential purposes. The tender documents are already well advanced.

SUPPLEMENTARY TO QUESTION NO. 462 OF 1998

HON J L BALDACHINO:

On the Old Naval Hospital, is there a requirement before it is put out to tender to make the area safe seeing that there has been a landslide?

HON P C MONTEGRIFFO:

The area that will be tendered out for development will not be affected by that part of the plot that gives on to the area of the landslide.

NO. 463 OF 1998

THE HON A J ISOLA

FSC - BANKING SUPERVISOR

What are the terms of engagement of the new Banking Supervisor?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The new Banking Supervisor's appointment was announced by the former Commissioner on the 22nd July and is for a two-year period. His is an appointment of the Commissioner who, of course, consulted with Members of the Commission. The Banking Supervisor's remuneration and benefits is a private matter.

As in the case of the Commissioner, the Banking Supervisor was recruited only after advertising the post and after a careful selection with interview process. The Gibraltar Government was invited to participate as part of the selection panel.

NO. 464 OF 1998

THE HON A J ISOLA

LOWE BELL/FIRST FINANCIAL CONTRACT

Have Government renewed the contract with Lowe Bell/First Financial and, if so, on what terms?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Anthony Fisher, our Finance Centre Development Director, has been in London from the 7th to the 9th September at which time he met with First Financial to discuss the terms and arrangements for renewing the contract. The contract has not yet been renewed, the matter will be reconsidered by the Government in the light of the information which has been provided following that meeting, not at this stage.

NO. 465 OF 1998

THE HON A J ISOLA

FSC - FINANCIAL SERVICES COMMISSIONER

What are the terms of engagement of the new Financial Services Commissioner?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

In accordance with the terms of the Financial Services Commission Ordinance, the new Commissioner has been appointed by the Governor with the agreement of the Secretary of State for Foreign & Commonwealth Affairs. He has a contract that provides for an initial appointment of three years from the 1st September 1998. His remuneration and benefits is a private matter but I can say they are broadly in line with those of his predecessor as Commissioner. I might add that the Government were invited to participate in the selection panel undertaken at the time of the announcement of the post.

NO. 466 OF 1998

THE HON A J ISOLA

FSC - INSURANCE COMPANIES/MANAGERS

How many insurance companies or insurance company managers have applied to be licensed by the Financial Services Commission since 1st April 1998?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Two formal applications for insurance companies have been received by the Financial Services Commission since 1st April 1998 and are under consideration. A number of other informal applications are under consideration.

In respect of insurance company managers in the same period two licences have been granted and one application is at the formal stage and has been approved in principle. There are no further informal applications.

SUPPLEMENTARY TO QUESTION NO. 466 OF 1998

HON A J ISOLA:

When I asked Question No. 107 of 1998, I was informed in relation to exactly the same question just for the previous period, that there were three draft applications pending. Would the Minister be able to tell me whether the two that have been granted stem from those three that were drafts or are they different applications?

HON P C MONTEGRIFFO:

I really could not confirm one way or the other what the position might be. One would suppose logically that the ones that have been granted might well be those that were in draft form previously but they could be entirely different ones. Details of that degree of regulatory specification are not ones that I would normally seek from the Financial Services Commission unless there were good grounds to do so and there was a specific question. So I could not confirm to the hon Member one way or the other whether they relate to the previous drafts.

HON J J BOSSANO:

What is the normal time it takes between the application and a reply being given, one way or the other, accepting it or rejecting it? Is there an average period?

HON P C MONTEGRIFFO:

I stand to be corrected but I am pretty sure that under the terms of the relevant legislation, in fact, an application made to the Financial Services Commission requires to be determined one way or the other within a period of six months once the application is complete. What does happen is that because the time scale starts to run the moment a formal application is submitted, it is the norm for informal drafts to be submitted and the length of that can vary enormously. In the case of a fairly simple application, namely the pedigree of the applicant is first class, the business is not unorthodox, the products are commonly understood, the management has good expertise, the draft application should be a very quick process and the licensing procedure also very quick. There are cases, of course, where that is not the situation and more work is required on a draft application. I should add, that I make these comments with some trepidation because the Gibraltar Government are not responsible for the processing of these applications, it is a matter entirely for the Commission and I give my reply therefore with that degree of qualification.

NO. 467 OF 1998

THE HON A J ISOLA

FSC - INSURANCE COMPANIES

What was the number of insurance companies with their head office in Gibraltar licensed by the Financial Services Commission as at 31st August 1998?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

A total of 16 insurance companies with head office in Gibraltar are licensed by the Financial Services Commission as at 31st August 1998.

SUPPLEMENTARY TO QUESTION NO. 467 OF 1998

HON A J ISOLA:

When I asked a similar question in 1997, the answer at that stage was 12, obviously we have heard in the two subsequent answers two and two which accounts for the four bringing it up to 16. In respect of the new four, if I can call them that, are they managed by current insurance companies or are they independent and stand alone with their own office accommodation and staffing, would the Minister know that?

HON P C MONTEGRIFFO:

Again I do not have details of the precise nature of the four individually. I am aware that some of the companies that come in are doing so on a managed basis and that is probably consistent with the view that the industry is taking, namely, that there is a very interesting opportunity in Gibraltar but before they commit a greater level of expenditure to the jurisdiction, they initially provide a service through a management operation. But I would not be able to tell him categorically that the four fall into that category or that even one does, I know that that is an option that many people looking in Gibraltar in this area are considering and may well be reflected in these new licences.

ORAL

NO. 468 OF 1998

THE HON A J ISOLA

NUMBER OF COMPANIES REGISTERED IN GIBRALTAR

What was the total number of companies registered in Gibraltar as at 31st August 1998?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The total number of companies registered in Gibraltar as at 31st August 1998 is 66,060.

ORAL

NO. 469 OF 1998

THE HON A J ISOLA

NUMBER OF QUALIFYING COMPANIES REGISTERED

What was the number of qualifying companies registered as at 31st August 1998?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

As at 31st August 1998 there were 124 qualifying companies registered.

NO. 470 OF 1998

THE HON A J ISOLA

NUMBER OF EXEMPT COMPANIES

What was the number of exempt companies as at 31st August 1998 and what was the actual amount received in respect of exempt company tax in the years 1996/97 and 1997/98?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Our records show there were a total of 8,168 exempt companies registered as at 31st August 1998. The actual revenue received in exempt company tax for the year 1996/97 was £2,237,007 and for 1997/98 £2,384,586.

NO. 471 OF 1998

THE HON A J ISOLA

INCOME TAX - REPSS

Can Government state as at 1st July 1998, how many certificates were in issue to companies in respect of Relocated Executive Possessing Specialist Skills, giving a breakdown of the type of company by reference to the provisions of Rule 2(a)(i), 2(a)(ii) and 2(a)(iii) of the Income Tax Rules relating to REPSS?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Rates of Tax (Relocated Executive Possessing Specialist Skills) Rules 1992 were revoked on 30th June 1998. Up until this time 12 certificates have been issued all under the provisions of Rule 2(a)(iii).

SUPPLEMENTARY TO QUESTION NO. 471 OF 1998

HON A J ISOLA:

Are these 12, 12 that were under the previous and are now under the new?

HON P C MONTEGRIFFO:

No, these are under the previous. Under the new there are transitional provisions that apply to people who were under the old Rules. These are the ones granted under the old Rules which is what the question effectively refers to.

HON J J BOSSANO:

Under the transition, if those were still in existence on the 1st July it means automatically they have continued in existence after the 1st July?

HON P C MONTEGRIFFO:

I cannot recall the exact details of the transition arrangements but I believe I am right in saying that an option is given to people who have the previous certificate under the previous rules of either working their term out, so to speak, under the old rules or applying for a certificate under the new rules. So there need be no change to the status of those individuals if they so wish but they are entitled to apply for a new certificate under the new rules if they so wish. I believe that is the case but I am speaking without the regulations in front of me.

ORAL

NO. 472 OF 1998

THE HON A J ISOLA

HEAD 7, SUBHEAD 6 - EXPENDITURE

Can Government state how much of the £45,000 provided in the approved estimates in Head 7, subhead 6, has been expended to 31st August 1998, and in respect of what matters?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Answered together with Question Nos. 473 and 474 of 1998.

ORAL

NO. 473 OF 1998

THE HON A J ISOLA

HEAD 7, SUBHEAD 10 - EXPENDITURE

Can Government state how much of the £40,000 provided in the approved estimates in Head 7, subhead 10, has been expended to 31st August 1998, and in respect of what matters?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Answered together with Question Nos. 472 and 474 of 1998.

NO. 474 OF 1998

THE HON A J ISOLA

HEAD 7, SUBHEAD 14 - EXPENDITURE

Can Government state how much of the £215,000 provided in the approved estimates in Head 7, subhead 14, has been expended to 31st August 1998, and in respect of what matters?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The figures as per departmental records are as follows:-

Head 7 Subhead 6

Provision £45,000. Expenditure to 31st August 1998 - £3,351.96

Head 7 Subhead 10

Provision £40,000. Expenditure to 31st August 1998 - £9,694.54

Head 7 Subhead 14

Provision £215,000. Expenditure to 31st August 1998 - £53,170.61

These three subheads represent the marketing, promotions and conference budgets of the respective DTI divisions. Expenditure has been incurred on matters such as air fares, subsistence, seminars, entertainment, marketing, et cetera.

SUPPLEMENTARY TO QUESTION NOS. 472, 473 AND 474 OF 1998

HON A J ISOLA:

Do Government anticipate spending the entire budget provided particularly in Head 7, subhead 6 bearing in mind the low amount spent so far?

HON P C MONTEGRIFFO:

We certainly made an estimate at the time of the budget of what the expenditure would be and it is true to say that some, in fact substantial initiatives of promotion and marketing are yet to be undertaken in the course of the remaining part of the financial year but I can assure hon Members that I am not hungry to spend money unnecessarily and wherever the private sector, in particular, can be brought in to front and to lead and to promote the marketing of financial services all the better. We certainly envisage the substantial amount of expenditure being made but only if matters develop in a way that requires that and hon Members will know that we are keen to make sure that expenditure is not only kept to a minimum, in other words, within budgetary levels, but even within the budgetary levels if there are savings to be made then those savings will be made.

NO. 475 OF 1998

THE HON A J ISOLA

DEPOSITS - GIBRALTAR BANKS

What was the level of deposits in Gibraltar Banks from – (a) residents and (b) non-residents, as at 31st March 1998?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The total level of deposits in Gibraltar Banks as at 31st March 1998 is £2,957,750,000. The breakdown requested is not currently available.

SUPPLEMENTARY TO QUESTION NO. 475 OF 1998

HON J J BOSSANO:

Is the implication of the answer that it will be available at a later date?

HON P C MONTEGRIFFO:

The reason that the figure is not available is that as from the beginning of this year there has been a change in the form of returns that the banks make in meeting their normal supervisory responsibilities. I have taken the matter up with the Financial Services Commission and we are looking at ways of seeking the information at present although the view taken by the Commission is that in the context of a new directive and in the context of on-going supervisory requirements, the information is not actually of any supervisory relevance. We think that it is important nonetheless for statistical purposes so we are looking towards having the Commission reinstate a provision whereby information of this type is collected.

NO. 476 OF 1998

THE HON A J ISOLA

EU FUNDING - APPLICATIONS

How many applications have been received for EU funding since 1st February 1998 and in respect of what projects and which of these applications have been approved stating the amount of such funds being made available in each case?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

A total of 18 applications have been received for EU funding assistance since 1st February 1998. Thirteen applications have been approved, two have been rejected and three are under consideration.

The amount of EU funds made available in each case is as follows:-

Objective 2 1997-99 Programme

| | | |
|------|---------------------------------------------------------------------|----------|
| 1. | Jalex Angling & Sports Specialist (marketing initiative) | £1,079 |
| 2. | Paul Auto Respray Co Ltd | £13,638 |
| 3. | M H Bland Stevedores Ltd (fitting out of workshop) | £3,861 |
| 4. | Department of Education & Training (Maritime NVQ Level 2 training) | £41,850 |
| *5. | Department of Education & Training (Tourism 2000) | £70,429 |
| *6. | Department of Tourism, Transport & Port (enhancement of Coach Park) | £317,442 |
| *7. | Department of Education & Training (Business Management Programme) | £36,000 |
| 8. | Department of Education & Training (Fabrication and Welding Course) | £149,828 |
| 9. | Light & Industrial Activities Ltd (plant and equipment) | £1,425 |
| *10. | Employment Service "Allied Support 98" (wage subsidy) | £39,780 |

Konver II - 1995-1999 Programme

| | | |
|-----|--------------------------------------------------------------------------------------------------------|------------|
| 11. | Department of Trade & Industry (Casemates re-development) | £1,327,000 |
| 12. | Department of Education & Training/Department of Tourism, Transport & Port (Bleak House refurbishment) | £120,000 |

Interreg Gibraltar/Morocco 1994-99 Programme

| | | |
|-----|---------------------------------|---------|
| 13. | Refurbishment of Ferry Terminal | £81,250 |
|-----|---------------------------------|---------|

Rejected Projects

| | |
|-----|-------------------------------------------|
| 14. | Calypso Tours (purchase of coaches) |
| 15. | Origo Enterprises (purchase of forklifts) |

Projects under consideration or in respect of which further information has been requested

16. Enhancement of Liner Terminal (Phase III)
17. Brewery Project
18. Bournemouth & Poole College UK (Education Project Interreg)

*Projects marked with an asterisk are awaiting endorsement.

SUPPLEMENTARY TO QUESTION NO. 476 OF 1998

HON J J BOSSANO:

The £1,327,000 Casemates project under Konver II, is this part of the £2 million of Konver funds that we asked in a previous question where we said what was the amount which the Minister said could not be put in the public domain because of the commercial implications? Are we talking about the same fund?

HON P C MONTEGRIFFO:

Well, it refers to the same fund but, of course, it does not mean that all the expenditure would be undertaken because the amount of work would be probably in excess of this. This is expenditure for this financial year.

HON J J BOSSANO:

Of the £2 million in this financial year was the original question. Is this the same?

HON P C MONTEGRIFFO:

Yes.

NO. 477 OF 1998

THE HON A J ISOLA

HEAD 106, SUBHEAD 5 - GIBRALTAR ENTERPRISE SCHEME

How many applications have been received and in respect of which projects for assistance under the Gibraltar Enterprise Scheme (Head 106, subhead 5) from 1st April 1998 to 31st August 1998 and how many of these applications have been accepted and how much has been approved to be paid out in respect of each application approved by reference to the amount applied for?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Since 1st April a total of 14 applications have been received for assistance under the Gibraltar Enterprise Scheme. Of these four applications have been approved and two are under consideration.

The approved projects are the following:-

1. Carlton Design - a loan of £3,000 (Cross Stitch Patterns and Knit)
2. Straights Overseas Ltd - a grant of £10,000 (30% of Investment in plant and equipment).
3. Health & Fitness Centre Clinic - a loan of £39,457.
4. Prescott Ltd - a grant of £12,000 for International insurance marketing.

The two projects still under consideration are:

1. Mediterranean Aviation Services Ltd (provision of air taxi service).
2. New Age Electronic Ltd (refinancing of an existing loan).

SUPPLEMENTARY TO QUESTION NO. 477 OF 1998

HON A J ISOLA:

Of the 14 applications that have been received, four have been approved and two are under consideration. Have the remainder been rejected?

HON P C MONTEGRIFFO:

They have either been rejected or more likely than that there has not been actually a great number that have been rejected formally. They simply have not met the very basic eligibility rules and therefore the process of actually working them up towards a formal application has not been completed. It is quite often the case that approaches are made, applications are made, requests are made for assistance that then cannot be translated into a formal application.

NO. 478 OF 1998

THE HON A J ISOLA

FINANCIAL SERVICES - DTI QUESTIONNAIRE

How many responses were received by 31st August 1998 to the DTI questionnaire on Financial Services?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

So far we have had 81 responses.

SUPPLEMENTARY TO QUESTION NO. 478 OF 1998

HON A J ISOLA:

Would the Minister know how many questionnaires were sent out?

HON P C MONTEGRIFFO:

This represents over 50 per cent but there were roughly about 150. We are over half the way there, so to speak, and we are pressing to see whether we can have returned those questionnaires that are still outstanding.

NO. 479 OF 1998

THE HON A J ISOLA

LATHBURY BARRACKS PROPOSED PROJECT

Have Government now reached a decision as to the proposed developer for Lathbury Barracks and in respect of what project?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government have not yet reached a decision as to the proposed developer for Lathbury Barracks.

SUPPLEMENTARY TO QUESTION NO. 479 OF 1998

HON A J ISOLA:

I think the last time the question was asked we were told there was a short list of three projects from different companies, that was a considerable time ago. Do Government know by when they will be in a position to reach a decision on this?

HON P C MONTEGRIFFO:

We would like to reach a decision on it as soon as possible. As I mentioned to the House, a number of bids were received; the one that was most attractive to the Government ended up throwing out a problem which was that the development which involved a touristic/residential type facility would not sit comfortably with a satellite park which would surround it and on looking at the project in greater detail the developer felt that this might be an issue which they would have to think about further. A number of ideas have been discussed with that developer, a number of alternative plots have also been identified. Since then I can inform the House that there has been, after the tender process, another consortium that has approached the Government expressing an interest in this area and we have said, "Although the tender process has finished, bearing in mind the difficulty we have come across with that process, you are certainly free to submit a proposition, but at this stage we are not in a position to take a decision." We are therefore awaiting to see how our discussions with the preferred developer goes. I do not regard Lathbury Barracks for an alternative site and to see whether there is any mileage to be had in the new proposals which a new consortium has promised to deliver to the Government. Obviously the arrangements in respect of three satellite companies are the ones that are firmest, they have had an interest in those areas for the longest and any development of the remaining areas of Lathbury Barracks which was, indeed, the areas that went out to tender, would have to be compatible with that other use.

HON A J ISOLA:

Are the discussions with the preferred developer in any way affected by a waiting time for the other interested parties who will be submitting proposals?

HON P C MONTEGRIFFO:

No, both matters have been progressed on a parallel basis but clearly we are keen to move on the project as soon as practicable. Lathbury Barracks is an area that is very affected by the weather, many elements and obviously we do not want to see further deterioration of the buildings but it is a matter that has to be carefully considered. We have two avenues of approach and we are pursuing those jointly.

HON A J ISOLA:

Have Government actually received the proposal from this third party or the new developer?

HON P C MONTEGRIFFO:

Yes, the Government received a few weeks ago proposals which outline the type of construction, the type of facility that this consortium had in mind. We wanted to be reassured that it was a real corporate, that there was a real funding behind the proposal. We have recently had meetings with this group that involves a large French group and therefore we are satisfied that in terms purely of the financial backing, that the proposal is a real one but that does not mean that it can be accommodated immediately. There are many requirements that the Government may or may not be able to meet and that is the process that we are evaluating.

HON A J ISOLA:

This proposal that they are discussing now, what is the nature of the project, is it residential, commercial?

HON P C MONTEGRIFFO:

I would not want to go into the details of the project because the actual specific proposal is actually now to be the subject of a submission formally to the Government. The tender went out largely for residential/touristic purposes, that is what we were looking for in that area and it will be within those parameters that I think this new proposal is going to be made.

HON A J ISOLA:

The only reason for my asking is that, in fact, in an answer to a previous question we actually had listed all the proposals, the names of the people and in fact the type of project that was envisaged. That is the only reason for asking this question.

NO. 480 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Lewis Stagnetto Ward?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 481 to 501 of 1998.

NO. 481 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at John Ward?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 and 482 to 501 of 1998.

NO. 482 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Victoria Ward?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480, 481 and 483 to 501 of 1998.

NO. 483 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Napier Ward?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 482 and 484 to 501 of 1998.

NO. 484 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Godley Ward?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 483 and 485 to 501 of 1998.

NO. 485 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Children's Ward?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 484 and 486 to 501 of 1998.

NO. 486 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Accident and Emergency?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 485 and 487 to 501 of 1998.

NO. 487 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at ITU?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 486 and 488 to 501 of 1998.

NO. 488 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Maternity?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 487 and 489 to 501 of 1998.

NO. 489 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at KGV?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 488 and 490 to 501 of 1998.

NO. 490 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the Eye Department?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 489 and 491 to 501 of 1998.

NO. 491 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the Blood Department?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 490 and 492 to 501 of 1998.

NO. 492 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Endoscopy?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 491 and 493 to 501 of 1998.

NO. 493 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Outpatient Clinics?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 492 and 494 to 501 of 1998.

NO. 494 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the District Nursing Services?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 493 and 495 to 501 of 1998.

NO. 495 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the Health Centre?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 494 and 496 to 501 of 1998.

ORAL

NO. 496 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the Child Welfare Clinic?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 495 and 497 to 501 of 1998.

NO. 497 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the School Health Service?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 496 and 498 to 501 of 1998.

ORAL

NO. 498 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the Dental Services?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 497 and 499 to 501 of 1998.

NO. 499 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the CSSD?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 498 and 500 and 501 of 1998.

NO. 500 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at the Community Psychiatric Service?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 480 to 499 and 501 of 1998.

NO. 501 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Can Government state what is the proposed new complement for manning levels to provide day and night cover and how this compares with the current complement by grade, at Lady Begg Ward?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Government understand the word complement in the questions to mean whole time equivalent staff members in post.

Government intend to achieve the increase in trained staff in a phased programme leading up to 2002.

The nursing review was published barely a few weeks ago. While nursing management has taken an initial view of the deployment of the future complement to be achieved by the year 2002 (as opposed to the present complement) these matters of detail have as yet to be finalised and discussed with the staff side. It is expected that Government will take a final view by the end of the year.

The figures can be made available to the hon Member if she wishes to put her questions then.

Of course any final figures arrived at must always be subject to some flexibility in order to allow management to fulfil its duties.

SUPPLEMENTARY TO QUESTION NOS. 480 TO 501 OF 1998

HON J J BOSSANO:

Can the Government provide what there is now in each of these areas?

HON K AZOPARDI:

Is the Leader of the Opposition asking if the Government can provide the initial view of management or the actual complement now in each of the areas?

HON J J BOSSANO:

What there is at present in each of the areas. Presumably there is at the moment a difference in the different grades employed as compared to what there was previously then they must be somewhere and what we would like to establish is where the changes are taking place. This is why there is a question about each area in the Hospital, to be able to compare one with the other.

HON K AZOPARDI:

If the Leader of the Opposition wants I can give him an outline of what the current situation is but I cannot give him the proposed so he will not be able to judge until a few months have elapsed. If he wants the figures of the current now, unless he wants to have the current and proposed altogether in a few months time, it is up to him.

HON J J BOSSANO:

I think we would prefer to have the current now and then we can see the changes as they come in.

HON K AZOPARDI:

I will give him the current as submitted to me by Nursing Management. Of course, these are initial notes taken by me so subject to the caveat that I may have mistaken some of my notes. But subject to that, if I go through the wards –

| | | |
|----------------------|-------|----------------------------------------------------------------------------------------------|
| Lewis Stagnetto Ward | Day | 1 Charge Nurse 2.5 Staff Nurses 1 Auxiliary Nurse 9.5 Nursing Assistants |
| | Night | 2 Enrolled Nurses 3 Nursing Assistants |
| John Ward | Day | 2 Charge Nurses 6.5 Staff Nurses 4 Enrolled Nurses 3 Nursing Assistants |
| | Night | 2 Enrolled Nurses 1 Nursing Auxiliary 1 Nursing Assistant |
| Victoria Ward | Day | 2 Charge Nurses 6 Staff Nurses 4 Enrolled Nurses 3.5 Nursing Assistants |
| | Night | 4 Enrolled Nurses 1 Auxiliary Nurse 1 Nursing Assistant |
| Napier Ward | Day | 2 Charge Nurses 8 Staff Nurses 3 Enrolled Nurses 2.5 Nursing Assistants/Auxiliaries |
| | Night | 2 Enrolled Nurses 2 Nursing Assistants/Auxiliaries |

| | | |
|-----------------|-------|--------------------------------------------------------------------------------------------------------------|
| Godley Ward | Day | 1 Charge Nurse 6.5 Staff Nurses 1 Senior Enrolled Nurse 5 Enrolled Nurses 6 Nursing Assistants |
| | Night | Figures not available. |
| Children's Ward | Day | 2 Charge Nurses 5.5 Staff Nurses 1 Senior Enrolled Nurse 2.5 Enrolled Nurses 1 Nursing Assistant |
| | Night | 4.5 Enrolled Nurses (A&E) 2 Charge Nurses 6.5 Staff Nurses 2.5 Enrolled Nurses |
| | Night | 2 Staff Nurses 2 Enrolled Nurses |
| ITU | Day | 1 Charge Nurse 8 Staff Nurses 2 Enrolled Nurses |
| | Night | 2 Staff Nurses 4.5 Enrolled Nurses |
| Maternity Ward | Day | 2 Charge Nurses 6 Staff Nurses 1 Enrolled Nurse 3 Nursing Assistants |
| | Night | 1 Charge Nurse 3.5 Enrolled Nurses 1 Nursing Auxiliary 1 Nursing Assistant |
| KGV | Day | 3 Charge Nurses 6 Staff Nurses 2 Senior Enrolled Nurses 7 Enrolled Nurses 13 Nursing Assistants |
| | Night | 2 Staff Nurses 4 Enrolled Nurses 4 Nursing Auxiliaries 6.5 Nursing Assistants |
| Eye Department | Day | 1 Charge Nurse 2 Staff Nurses |
| | Night | No night duty cover required. |

| | | |
|--------------------------|-------|-------------------------------------------------------------------------------------------------------------------------------------|
| Blood Department | Day | 1.5 Staff Nurses |
| | Night | No night duty cover required. |
| Endoscopy | Day | 1 Senior Enrolled Nurse |
| | Night | No night duty cover required. |
| Outpatients | Day | 1 Charge Nurse 1 Senior Enrolled Nurse 4.5 Enrolled Nurses 1 Nursing Auxiliary |
| | Night | No night duty cover required. |
| District Nursing Service | | 2 Charge Nurses 5.5 Staff Nurses 1 Senior Enrolled Nurse 1 Enrolled Nurse 0.5 Nursing Auxiliary 2 Nursing Assistants |
| Health Centre Clinics | Day | 1 Charge Nurse 3 Staff Nurses 5 Nursing Auxiliaries 4 Nursing Assistants |
| | Night | No night duty cover required. |
| Child Welfare Clinics | Day | 1 Health Visitor 1 Senior Enrolled Nurse 1 Enrolled Nurse |
| | Night | No night duty cover required. |
| School Health Service | Day | 1 Charge Nurse 1 Senior Enrolled Nurse 1 Enrolled Nurse |
| | Night | No night duty cover required. |
| Dental Service | Day | 2 Nursing Auxiliaries (We are getting a third, I should say, for the third dentist shortly) |
| | Night | No night duty cover required. |
| CSSD | Day | 1 Enrolled Nurse 1 Nursing Auxiliary 1.5 Nursing Assistants |
| | Night | No night duty cover required. |

| | | |
|----------------|-------|---------------------------------------------------------------------------------------------------------|
| CPU | Day | 1 Senior Enrolled Nurse 3 Enrolled Nurses |
| | Night | No night duty cover required. |
| Lady Begg Ward | Day | 1 Charge Nurse 2 Staff Nurses 1 Senior Enrolled Nurse 1 Enrolled Nurse 6 Nursing Assistants |
| | Night | 2 Enrolled Nurses 2 Nursing Auxiliaries 2 Nursing Assistants |

As I say, the decision on future complements will be taken shortly in the next few months, by the end of the year. If the hon Member wants to put her questions then, I would be happy to give the future complement.

NO. 502 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SPONSORED PATIENTS

Can Government state how many sponsored patients have been treated in UK in the period 1st April 1996 to the end of September 1996 with the costs being met by the UK Government and what was this cost?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 503 to 509.

NO. 503 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SPONSORED PATIENTS

Can Government state how many sponsored patients have been treated in UK in the period 1st October 1996 to the 31st March 1997 with the costs being met by the UK Government and what was this cost?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 502 and 504 to 509.

NO. 504 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SPONSORED PATIENTS

Can Government state how many sponsored patients have been treated in UK in the financial year 1997/98 with the costs being met by the UK Government and what was this cost?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 502, 503 and 505 to 509.

ORAL

NO. 505 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - PATIENT REFERRALS TO UK

Can Government state for the financial year 1997/98 what was the total number of patient referrals to the UK and the cost of these referrals?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 502 to 504 and 506 to 509.

NO. 506 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SPONSORED PATIENTS

Can Government state how many sponsored patients have been treated in UK in the current financial year with the costs being met by the UK Government?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 502 to 505 and 507 to 509.

NO. 507 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SPONSORED PATIENTS

Can Government state what was the figure of the latest available average cost to the UK of each Gibraltar referral used to calculate the number of sponsored patients treated with the cost being met by the UK in the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 502 to 506 and 508 and 509.

NO. 508 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SPONSORED PATIENTS

Can Government state the number of sponsored patients treated in the UK for the financial year 1996/97 with the fees being met by the Gibraltar Health Authority and the cost of such fees?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 502 to 507 and 509.

NO. 509 OF 1998THE HON MISS M I MONTEGRIFFO**GHA - SPONSORED PATIENTS**

Can Government state the number of sponsored patients treated in the UK for the financial 1997/98 with the fees being met by the Gibraltar Health Authority and the cost of such fees?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The number of sponsored patients treated in the UK at the expense of the UK Government between the periods in question were as follows:

| | |
|---------------------------------------|-----|
| 1st April 1996 to 30th September 1996 | 25 |
| 1st October 1996 to 31 March 1997 | 130 |
| 1st April 1997 to 31st March 1998 | 125 |
| 1st April 1998 to 4th September 1998 | 120 |

Costs met by the UK Government:

| | |
|-----------------------------------|----------|
| 1st April 1996 to 31st March 1997 | £273,635 |
| 1st April 1997 to 31st March 1998 | £550,281 |

The costs show the figures which have been provided to us by the UK Department of Health on 4th September, 1998. This therefore updates the figures which were made available in answer to question No. 11 of 1998. The figures reflect the costs which have been submitted to the department by the hospitals concerned during the year in question and not when the treatment was given.

Similarly, the following were the costs to the GHA which reflect the recorded expenditure in respect of accounts submitted by and paid to UK hospitals to date.

| | |
|-----------------------------------|------------|
| 1st April 1996 to 31st March 1997 | £ 895,724 |
| 1st April 1997 to 31st March 1998 | £1,041,608 |

The number of non-quota patients treated in the UK in the financial year 1996/97 was 177.

The number of non-quota sponsored patients sent to the UK and the number of patient referrals in the financial year 1997/98 were 355 and 763 respectively.

The latest available average cost used to calculate the number of sponsored patients treated with the cost being met by the UK is £4065.95.

NO. 510 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give the number of prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of April this year and last year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 511 to 515 and 517 to 521 of 1998.

NO. 511 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give the number of prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of May this year and last year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 and 512 to 515 and 517 to 521 of 1998.

NO. 512 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give the number of prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of June this year and last year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 and 511, 513 to 515 and 517 to 521 of 1998.

NO. 513 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give the number of prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of July this year and last year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 to 512, 514, 515 and 517 to 521 of 1998.

NO. 514 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give the number of prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of August this year and last year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 to 513, 515 and 517 to 521 of 1998.

NO. 515 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give a breakdown for the financial year 1996/97 of the number of items of medicines dispensed on GPMS prescriptions with a breakdown of the items in respect of which there was:

- (a) no charge
- (b) 20p per item
- (c) £1.20 per item?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 to 514 and 517 to 521 of 1998.

NO. 516 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Of the £400,000 of items of medicines allegedly dispensed as a result of GPMS prescriptions last year, how many do Government estimate were substituted for by other products by the dispensing pharmacy?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

It is a well-known fact that there have been abuses of the GPMS system of many types, some of which are outlined in the report prepared by Price Waterhouse on behalf of the Principal Auditor. The Government condemn these abuses.

The question highlights the problem of fraudulent practices. The Government do not keep statistics on fraud.

The Attorney-General would of course examine any evidence brought to his attention on abuses of this type and act as he thought appropriate.

SUPPLEMENTARY TO QUESTION NO. 516 OF 1998

HON J J BOSSANO:

Has in fact anything been done then about the letters that have appeared in the press alleging some fraud which presumably has come to the notice of the Attorney-General?

HON ATTORNEY-GENERAL:

I think I can say to the Leader of the Opposition that a matter has been brought to my attention, a conference has taken place in Chambers. This is an on-going police matter at the moment. I think it would be totally wrong of me to say anything else.

HON J J BOSSANO:

Since the alleged fraudulent use of prescriptions to obtain other products has been highlighted as one of the things that the new controls are due to eliminate, have the Government got any idea at all of the level which one should be able to monitor as being put right by the new measures? How will they be able to judge how they are being successful if they have not got a clue as to what was happening before?

HON K AZOPARDI:

It is not that we did not have a clue what was going on before. We do have a clue because we have the Price Waterhouse Report. But specifically on the issue of fraud, I think it is difficult to say to what extent that practice was being engaged in. As to the level of savings, yes internally there are guesstimates of what can be kicked up by

these controls but in a variety of fields, things like generic prescribing, proper controls of dispensing and so on, on the net issue of these fraudulent practices it is impossible to say except to say that I think it is common knowledge that the rumours have gone on for some time that these practices have been undertaken and where there is evidence, as the Attorney-General has pointed out, he will investigate.

HON J J BOSSANO:

I accept the explanation that has been given by the Attorney-General and if there is an investigation then that is a matter for the authorities to pursue it and not a matter for us to raise in the House. What I am trying to establish is if the Government expect to save £500,000, is it that their estimated saving is because they think it is £250,000 of generic being substituted for propriety goods and £100,000 because they are stopping the so-called abuse of people obtaining other products or vice versa? Can we have some kind of idea?

HON K AZOPARDI:

The Government's estimates on the savings that will be created are not based on fraudulent practices on the curtailment of them because it is so difficult to take a position on that. We do not know how much there is of that. We know that by having these controls perhaps those practices will be less attractive but we do not base our internal prediction on savings on the curtailment of those matters at all.

HON J J BOSSANO:

So the internal prediction is then based on the substitution by generic medicines for propriety medicines and is there any other element or does that account for the whole of it?

HON K AZOPARDI:

Yes, the internal assessment is based on the issue of generic substances which we think will be a bulk of the matter. Also the introduction of a formulary against which doctors will prescribe. The new prescription forms that I outlined, I may have left out some other control, there were seven listed in the press release we issued some time ago, it is some time since we issued it so I cannot recall exactly but there were a whole range of controls and generic was one, perhaps one of the most important but not the only one.

HON J J BOSSANO:

Is it then that there is an expectation that there will be less prescribing, less medicines will be prescribed because if the same number are prescribed except that they are generic then surely that is the difference? Are the controls designed to discourage the doctors from prescribing?

HON K AZOPARDI:

Doctors will prescribe however much they want based on the assessment of clinical need. If at the end of the day, let us imagine the hon Member is correct and no other control works and the exact same number of items are prescribed then it may be true that the denting effect is the generic issue only but, as I say, there are a package of

other measures and I think it is not realistic to expect that the same number of items will be prescribed, has never been the case. We will have to assess the matter at the end of the financial year. If the hon Member wants to raise the issue after 12 months have elapsed since the introduction of the controls I think we will be able to debate it more fruitfully.

HON J J BOSSANO:

In terms of the increased charge what happens when the value of the medicine is not as much as £2.50, how does that function?

HON K AZOPARDI:

Presumably the same as happens in the United Kingdom when the item price is £5.80, I suppose that someone buying a packet of panadol which may cost less than £2.50 will probably be discouraged and may want to opt to buy it without the prescription if that is what he requires. I think it will be an assessment for that particular person. If the hon Member is asking does the Authority have any role in the level of prescription should the price be lower, we have not addressed our minds to that and certainly there is no provision in the legislation for us to take a view on any specific issue.

HON J J BOSSANO:

What I am trying to establish is, if there is a price for a medicine how can the patient be required to pay more than what the price of the medicine is as a result of the new prescription charges? Presumably if there is a reduction in the number of medicines it would be because people would not be willing to pay £2.50 for something they can get off the shelf for £2. Is there any control on prescriptions being limited to things that require a prescription?

HON K AZOPARDI:

The Authority will, after a Bill is taken in this House, be introducing a formulary and a list of products, a black list of things that cannot be prescribed. There is no stringent control and there may be cases arising as the hon Member indicates, where the price may be less than the prescription. That is the case now and certainly is the case as it does arise in the United Kingdom where the prescription level is far higher than Gibraltar so it must happen far more often. As I say, there is no provision in the legislation for the Authority to take a view on specific instances referring of that type. If they do occur frequently we will review the matter. At the moment yes, they may occur but it is not a matter that we are addressing specifically or in general or at all.

HON J J BOSSANO:

Am I correct in thinking that the nature of the agreement is that the pharmacists charge the Authority for the medicine in addition to the £2.50?

HON K AZOPARDI:

The £2.50 is a prescription charge which is held by the pharmacists for the order and for the benefit of the Authority. What the pharmacists are paid is the value of the medicine plus £1.20 plus 4.75 per cent on each item. That is the current formula. So the answer is yes, they will be paid the price of the prescription plus £1.20 and 4.75 per cent.

HON CHIEF MINISTER:

I think we are at cross purposes. It is true that the present agreement allows the chemist to charge the cost of the medicine and one or two other items which my hon Colleague has just described. But that is not to say that they retain the prescription charge. It may be netted out, I do not know whether as a matter of accountancy the practice is it is netted out but the collection charge belongs to the Authority and has to be paid to the Authority and the rest is the agreement as administered separately. In other words, the agreement is not formulated in terms that they retain the prescription charge. Although it is true, as the hon Member has suggested, that they do get paid more than just the cost of the medicine, they get paid the two extra items which the Minister has just described.

HON J J BOSSANO:

So they do not charge for the medicine in addition to the prescription charge which they retain, that is not the case?

HON K AZOPARDI:

Let us be clear. It is not that they retain the prescription charges, they do not retain it at all, they hold it to the order of the Authority. It is just that the confusion perhaps arises because what the two additional financial payments made by the Authority to the pharmacists, the £1.20 plus the 4.75 per cent of the basic item price, the £1.20 just happens to be the same price as the old prescription charge but I understand from the Authority management that while the prices were the same there should be no confusion in that the £1.20 prescription fee is held to the order of the Authority but coincidentally, of course, the Authority has to pay the pharmacist the £1.20, whether there is a netting I am not aware of that, but let us be clear about that.

HON J J BOSSANO:

Can the Minister confirm that, in fact, what he is saying is that the £1.20 which is provided for as the sum that is paid over the wholesale cost happens to be the same as the £1.20 prescription charge but is not in fact the prescription charge?

HON K AZOPARDI:

Yes, we are talking about the old prescription charge.

HON J J BOSSANO:

Therefore in the context of the new one of £2.50, is it still £1.20 or is it now £2.50?

HON K AZOPARDI:

It is £1.20 but the whole contract is being looked at in line with the introduction of the Bill, the formulary and the regulations which no doubt will come to the House soon.

HON J J BOSSANO:

So at present the formula for paying continues to be the same?

HON K AZOPARDI:

It is the same.

HON J L BALDACHINO:

Maybe the Minister can clarify because I am not too sure. I understand that a medicine that needs a prescription from a doctor, obviously if it is paracetamol or panadol the person can opt to buy that off the shelf because it is cheaper than £2.50. But what happens in medicine where he has to give a prescription of the doctor and the medicine is less than £2.50, is he still forced to pay the £2.50?

HON K AZOPARDI:

Yes but I think it would be rare to find many medicines which are prescription only medicines which are less than £2.50. I cannot think of any but I think it would be rare to find any.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether the Health Authority is continuing to engage in services of the UK Pricing Authority?

HON K AZOPARDI:

I think the longstanding discussions with the PPA were not brought to an end but have been put in abeyance given the contractual arrangement entered into with Mr William Guillem which I think was made public. So that matter has been kept in abeyance on the assumption that this contractual arrangement will work satisfactorily to the Government's advantage.

NO. 517 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of April this year in respect of which £1.20 was paid by patients to dispensing pharmacists and the total value of the medicines so dispensed and the comparable figures for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 to 515 and 518 to 521 of 1998.

NO. 518 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of May this year in respect of which £1.20 was paid by patients to dispensing pharmacists and the total value of the medicines so dispensed and the comparable figures for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 to 515, 517 and 519 to 521 of 1998.

NO. 519 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of June this year in respect of which £1.20 was paid by patients to dispensing pharmacists and the total value of the medicines so dispensed and the comparable figures for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 to 515, 517, 518, 520 and 521 of 1998.

NO. 520 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of July this year in respect of which £1.20 was paid by patients to dispensing pharmacists and the total value of the medicines so dispensed and the comparable figures for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 510 to 515, 517 to 519 and 521 of 1998.

NO. 521 OF 1998

THE HON MISS M I MONTEGRIFFO**GHA - GPMS PRESCRIPTIONS**

Can Government state the number of items covered by GPMS prescriptions in the month of August this year in respect of which £2.50 was paid by patients to dispensing pharmacists and the total value of the medicines so dispensed and the comparable figures for 1997?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The number of prescriptions issued and the number of items covered by such prescriptions under the GPMS in the months of April, May and June this year and last year were as follows:

| <u>Month</u> | | <u>1997</u> | <u>1998</u> |
|--------------|---------------------|-------------|-------------|
| April | N° of prescriptions | 11,003 | 11,087 |
| | N° of items | 32,327 | 32,353 |
| May | N° of prescriptions | 11,642 | 14,229 |
| | N° of items | 33,480 | 40,998 |
| June | N° of prescriptions | 13,617 | 11,554 |
| | N° of items | 38,785 | 32,390 |

A number of pharmacies have not submitted their accounts for the months of July and August this year. Consequently, we are as yet unable to provide the House with these figures. I shall make the details available to the hon Member as soon as they are available. The equivalent figures for last year are:-

| | | |
|--------|---------------------|--------|
| July | N° of prescriptions | 11,118 |
| | N° of items | 31,782 |
| August | N° of prescriptions | 12,842 |
| | N° of items | 36,882 |

Statistics in respect of cost of medicines by charge group are being compiled with effect from June 1998.

The number of items in respect of which £1.20 was paid in June 1998 was 12,258. The value of medicines dispensed in this charge group was £135,545.60. As stated above the submissions by pharmacies for the July and August prescriptions are incomplete.

The breakdown of the number of items dispensed for the financial year 1996/97 is as follows:

| | |
|---------------------|---------|
| (a) No charge | 74,811 |
| (b) £0.20p per item | 165,988 |
| (c) £1.20 per item | 160,630 |

NO. 522 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GENERAL PRACTITIONERS

Can Government state how many applications were received by the closing date of 5th June 1998, in response to the advert dated 26th May 1998, inviting applications for General Practitioners for the Gibraltar Health Authority?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question No. 523 of 1998.

NO. 523 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - GENERAL PRACTITIONERS

Can Government state how many doctors have been employed by the Gibraltar Health Authority since 1st April 1998, giving the name of the Doctor and the date of engagement?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Twenty-four applications were received in response to the advert inviting applications for General practitioners.

Offers of appointment have been made to four applicants and replies are awaited.

The Gibraltar Health Authority has recruited one consultant, three SHOs and one other non-medical doctor since 1st April 1998. The Consultant is Dr Thomas Moeser, Consultant Anaesthetist who commenced on 1st June 1998.

The SHOs are Marie Chen Scholtz (who commenced on 1st April 1998), Asit Khan and Shakeel Abbassi, who both commenced on 5th August 1998. Dr Graham McColl, Clinical Psychologist commenced on 6th July 1998.

SUPPLEMENTARY TO QUESTION NOS. 522 AND 523 OF 1998

HON MISS M I MONTEGRIFFO:

Am I right in assuming then from the answer that I have had from the Minister from the first question, No. 522, that no one who has applied has been offered the job of general practitioner at the Gibraltar Health Authority arising out of the advert?

HON K AZOPARDI:

No, I have said that offers of appointment have been made to four applicants.

ORAL

NO. 524 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NUMBER OF OUT PATIENT ATTENDANCES

Can Government state what was the number of out patient attendances due to accident and emergency cases at St Bernard's Hospital in 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question No. 525 of 1998

NO. 525 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NUMBER OF OUT PATIENT ATTENDANCES

Can Government explain what was the nature of the over 39,000 outpatient attendances, other than accident and emergency, at St Bernard's Hospital in 1996?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Accident and Emergency attendances in 1996 totalled 16,436. The remainder was made up by attendances for injections, dressings and at the Trauma Clinic.

There were 18,181 outpatient A & E attendances in 1997.

SUPPLEMENTARY TO QUESTION NOS. 524 AND 525 OF 1998

HON MISS M I MONTEGRIFFO:

Can the Minister explain the difference in the figure taken out of the Abstract of Statistics where it is actually stated that in 1996 there were 30,298 outpatient attendances?

HON K AZOPARDI:

No, I cannot explain that difference but I will certainly endeavour to assess why that is so.

NO. 526 OF 1998THE HON MISS M I MONTEGRIFFO**GHA - MINOR WORKS**

Can Government state how much money has been spent out of the £360,000 estimated for minor works, by the 31st August 1998, in the Gibraltar Health Authority?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The amount of money spent by the 31st August 1998 out of the £360,000 estimated for minor works was £195,781.45.

SUPPLEMENTARY TO QUESTION NO. 526 OF 1998

HON MISS M I MONTEGRIFFO:

Does the Minister have available the actual works that have been carried out which make up the £195,000?

HON K AZOPARDI:

Because we are in the middle of the financial year I can supply the hon Member with the figure of money spent from that Head but I cannot give her the figure as it corresponds to specific works because in many cases the works are on-going. At this stage it is not possible for me to give the hon Member a breakdown specifically of the £195,000. I have a list of payments but the list of payments only corresponds to the person who has received the payments and they are not subdivided into specific works and will not be subdivided until the end of the financial year. That is my understanding of the matter.

HON MISS M I MONTEGRIFFO:

For example, does the Minister not have a works programme for this current financial year whereby he can inform the House exactly what the works are which are going to be carried out?

HON K AZOPARDI:

I can give the hon Member an idea of the works programme that has been approved but I cannot tell her how much money has gone to each work at the moment. I will give her an idea generally because my note does not reflect, even though this reflects the approved programme it does not reflect when they have started, if they have started now or if they have been completed. For example, there is an issue of repair of fire escape near the kitchen at St Bernard's; the patients' dining room at KGV Hospital needs urgent repair; the top floor above children's Ward is being refurbished for future use; there is internal painting at the KGV Hospital; there are substantial renovation works that need to be done to the Records and Physiotherapy departments; those are

the main works that are being conducted, I understand that have been approved and which may make the bulk of that £195,000, there may be a string of minor issues as well that has been tackled, but perhaps later on along this year when I have the specific indication from management the hon Member can put the question and I will be happy to give her a breakdown but at the moment I cannot give her a specific one.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether the kitchen will be remaining in what used to be the old Lewis Stagnetto Ward?

HON K AZOPARDI:

Yes, for the moment yes.

HON MISS M I MONTEGRIFFO:

For the moment, that does not mean that it will be reallocated somewhere else?

HON K AZOPARDI:

It means for the moment. It means that no decision has been taken but for the moment yes.

HON MISS M I MONTEGRIFFO:

Has any decision been taken as to the future of what used to be the old kitchen?

HON K AZOPARDI:

None beyond the indication I gave to the House last time the hon Member put a specific question on this, that management were thinking about rehabilitation space, nothing beyond that.

NO. 527 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - ENROLLED NURSE STUDENTS

Can Government state how many Enrolled Nurse Students completed their two-year training course in the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Ten pupil nurses completed their training.

NO. 528 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - RECRUITMENT/CONTRACTUAL EXPENSES

Can Government state how much money has been spent of the £325,000 estimated expenditure for the current financial year on recruitment/contractual expenses?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

A total of £243,257.64.

SUPPLEMENTARY TO QUESTION NO. 528 OF 1998

HON MISS M I MONTEGRIFFO:

Can the Minister explain why there is a difference of £100,000 forecast outturn 1998 on recruitment/contractual expenses to the estimate of 1998/99 of £325,000? There is a substantial difference in that. Can he explain why it is that they are estimating much more money for this current financial year?

HON K AZOPARDI:

It is a completely different question to the one that has been asked. I will certainly endeavour to examine what the hon Member has said. I suspect it is because funds have been reallocated to different Heads. I have a breakdown in front of me and it does not suggest that anything new has come in or come out of this Head so I cannot imagine it is anything other than rejigging of other funds.

NO. 529 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - ELDERLY PATIENTS

Can Government state how many long stay elderly care patients there were at St Bernard's Hospital at the end of August this year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

There were a total of 40 elderly long stay patients at St Bernard's at the end of August.

ORAL

NO. 530 OF 1998

THE HON MISS M I MONTEGRIFFO

Question withdrawn.

ORAL

NO. 531 OF 1998

THE HON J C PEREZ

AMBULANCE SERVICE

Can Government state what is the proposed manning level for the ambulance service, giving a breakdown of the posts involved by grade and salary?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 532 and 533 of 1998.

ORAL

NO. 532 OF 1998

THE HON J C PEREZ

AMBULANCE SERVICE

Can Government state what is the UK analogue for the post of Senior Ambulance Officer?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 531 and 533 of 1998.

NO. 533 OF 1998

THE HON J C PEREZ

AMBULANCE SERVICE

Can Government state whether the post of Senior Ambulance Officer is a vacancy within the established complement of the Gibraltar Health Authority?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The answer to Question No. 531 is that the manning level of the emergency ambulance service to be provided by St John Ambulance to the Government when fully established will be as follows:

- (i) Senior Ambulance Officer - 1 post £18,338 - £21,946
- (ii) Ambulance Attendants - 15 posts £13,075

Question No. 531 is a carbon copy of Question No. 530 – the one withdrawn - and has therefore been answered. No doubt the Opposition's great question-making machine which has seen such high output in recent weeks has allotted the same questions to different Opposition Members as it perilously came close to overloading.

Question Nos. 532 and 533 consider the position of Senior Ambulance Officer. That person will be employed by and be on the establishment of St John Ambulance. It is up to that organisation to determine terms and conditions of its employees. The Government understand that St John have wanted to provide a package which will reflect the managerial, financial and organisational responsibilities of the post.

SUPPLEMENTARY TO QUESTION NOS. 531, 532 AND 533 OF 1998

HON J C PEREZ:

Can the Minister perhaps explain whether any assistance is being given in the recruiting process given that the advert that came out for the post called for applicants to contact the Health Authority and not St John Ambulance?

HON K AZOPARDI:

It was agreed with St John that it would be easier if the Personnel Department of the Government, through the Health Authority or vice versa, handled the formalities of recruitment. The selection board itself will be the new Ambulance Service Board which has been set up which involves a number of St John representatives but the actual formalities it was thought to be easier if the bureaucratic procedures were followed like that.

NO. 534 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

Can Government state what policy decision they have taken on the recommendation in the Nursing Review Report that a full-time labourer should be attached to the CSSD?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 535, 536, 537, 540 and 541 of 1998.

ORAL

NO. 535 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

Have Government accepted the recommendation of the Nursing Review Team to provide the Outpatients Department with alternative facilities?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 534, 536, 537, 540 and 541 of 1998.

NO. 536 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

Have Government accepted the recommendation of the Nursing Review Team that a Senior House Officer should be based at the Accident and Emergency Department from 5pm to 9am the following day?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 534, 535, 537, 540 and 541 of 1998.

NO. 537 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

Have Government accepted the recommendation of the Nursing Review Team that there should be 24-hour cover by the administration clerks based in the Accident and Emergency Department?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 534, 535, 536, 540 and 541 of 1998.

NO. 538 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

Have Government accepted the recommendation of the Nursing Review Team that a second Staff Nurse be internally rotated onto night duty?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

As locally trained students come on line a second Staff Nurse will be internally rotated onto night duty in the Accident and Emergency Department.

SUPPLEMENTARY TO QUESTION NO. 538 OF 1998

HON MISS M I MONTEGRIFFO:

How long will that take?

HON K AZOPARDI:

It will take as long as the students take to pass their exams.

HON MISS M I MONTEGRIFFO:

How many are due to finish this year?

HON K AZOPARDI:

The hon Member knows that no RGNs will finish their training this year. I think the course commenced earlier this year or late last year, I cannot remember exactly, so it will take three years from the time that they started. Unless management take the view that it should be done on the basis of recruiting a contract nurse, which is not the advice I am receiving at the moment, then it will take as long as that. That is why I say, when I presented the Review Report, that a lot of the matters will be phased in at different stages, from now to the year 2002.

ORAL

NO. 539 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

Have Government accepted the recommendation of the Nursing Review Team that there should be four night Charge Nurses?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question No. 542 of 1998.

NO. 540 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

Can Government state what decision they have taken on the Nursing Review Team recommendation that an appropriate number of Ward Clerks be allocated to the different specialities?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 534, 535, 536, 537 and 541 of 1998.

NO. 541 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - NURSING REVIEW REPORT

What policy decision have Government taken on the recommendation in the Nursing Review Report that the system of summer hours be urgently reviewed with a view of providing more adequate cover?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Nursing Review is a wide-ranging document which touches upon very many issues.

Government have, through the Chief Executive of the GHA, appointed a working group of professionals to examine ways of implementing the different aspects of the Nursing Review.

The recommendations which are the subject of these questions are under consideration by Government.

SUPPLEMENTARY TO QUESTION NOS. 534, 535, 536, 537, 540 AND 541 OF 1998

HON J J BOSSANO:

Can Government say when they first received these recommendations? How long have they had them before they have been able to make their minds, which they still have not made up, whether they are going to be accepted or not?

HON K AZOPARDI:

As was made plain in this House, we received the Nursing Review Report in early October last year. The Nursing Review Report is, as I say, a wide-ranging document, it has been made public and I think the Opposition have a copy. We wanted to take a view on the fundamental issues which we see come through the recommendations, issues such as training, education, manning levels and recruitment and selection boards. We have done that and then what we have left are the issues of detail which have to be considered with the professionals in the field. But we have formed a broad view on the important issues, that is why we published the Report recently and that is why we said, at the time of publication, what we would do in these broad fields of training, education, manning levels and so on. Matters of detail remain to be discussed.

HON J J BOSSANO:

Surely if there is a recommendation that there should be four night Charge Nurses, for example, it is not a question of whether there are going to be four or there are not going to be four. The Government gave the impression, when they announced and they made public the Report, not all but that most of the recommendations were going to be accepted and what we have done is list them all to find out which are the ones that are going to be accepted. Is it that it is still not clear which ones are being accepted?

HON CHIEF MINISTER:

The point is that some of the recommendations prior to knowing whether they can be accepted simply require political judgement. Others require input from the management to see whether they are viable and what the consequences would be. That is the exercise that is still going on as the Minister has explained. The Government have taken a political view on whether the recommendations are acceptable to the Government politically and have now delegated down to hospital management and the Gibraltar Health Authority the assessment from the management point of view of some of the detail of the recommendations. The hon Member is seeking a definitive catalogue of answers as to which of the recommendations are definitely going to be implemented and when and the answer is that that is not yet available.

HON J J BOSSANO:

Is it not the case that the senior management who are now going to decide whether it is viable are the people who signed the report making the recommendation?

HON CHIEF MINISTER:

No.

HON J J BOSSANO:

So then who is the senior management if it is not the Director of Nursing Services and his deputy?

HON CHIEF MINISTER:

They are members of the senior management who are there in a representative capacity. They do not necessarily bind the Government. If the hon Member thinks that the fact that two members of management signed the report, if he believes that that commits the Government to accepting every recommendation that it makes then his question is unnecessary. He should not be asking me which of the recommendations Government accept, what he should be doing is telling me that given that two members of management have signed it presumably the Government are going to accept them all.

HON J J BOSSANO:

No, I am not telling him anything. I am asking, in reply to the supplementary, if the information the House has been provided with is that a decision has not been taken because the senior management is going to be asked whether it is viable, then I am perplexed as to why they made the recommendation before they knew it was viable. If it is not viable it is not viable but if it is not viable why did they not say it was not viable in the two years they have already spent on this? I am not for one moment suggesting that the political Government are in any way bound to accept any or all of these recommendations otherwise they would not be recommendations.

HON CHIEF MINISTER:

I repeat that the recommendations are made by a group of people, two or three individuals, that happen to be management. That does not mean that before they signed up to that report every section of management in the Health Authority was given the opportunity to consider and approve those recommendations. The fact is that he knows that they are detailed recommendations and a proposal has got to be put up to Government as to how they might be implemented for Government to say, "Yes, that can be implemented at that time scale with those cost implications". That is the exercise that is presently being done and therefore we are not in a position to tell Opposition Members at this moment in time whether the green light is going to be given to what implementation programme.

HON J J BOSSANO:

So, in fact, there is no decision on any of the recommendations so far then, on any of the ones that we have listed? He cannot tell us, "On this one we have now taken a decision but there are so many still pending"? Not one single one then?

HON K AZOPARDI:

There is no decision on the specific recommendations which are the subject of the questions but as I have indicated to the hon Member, what we have tried to do as the first phase is to concentrate on the large issues and take a view on those. So we have taken a view on the training recommendations; we have taken a view on entry requirements which are in the Review Report; we have taken a view on higher training standards which is in the Report; we have taken a view on higher manning levels of trained staff which is in the Report; and we have taken a view on the method of recruitment and selection boards which is in the Report. Those were the large issues that we wanted to first concentrate on and the remainder of the recommendations which are perhaps issues of a smaller nature of more detail, those need to be discussed further. So it is not true to say that we have not considered the report or acted on it at all.

HON J J BOSSANO:

I think the Minister will find when he reads Hansard that I have not said he has not considered the report. In fact, as far as I can tell he has been considering it for the best part of a year and a half. The reason for the question is to try to establish on which of these areas a decision has been taken. Of course the Minister knows full well, virtually every question is a verbatim repetition of the recommendation which he has and we are trying to establish whether on any of this a final decision has now been taken. So the answer is that on none of the things which are the subject of the questions has a final decision been taken whether it will be proceeded with or not, is that the correct position?

HON K AZOPARDI:

I have answered that question before, yes.

HON CHIEF MINISTER:

The answer is yes.

HON J J BOSSANO:

Can the Minister explain, given that he says that the broad issue is training, is not the training the result of the decision taken on the manning level? Is the training not derived from a decision taken on the manning level and not the other way round? If the Minister has decided that there are going to be more Charge Nurses then presumably the training requirement is determined by that so how can the decision on the training be taken until he has made a final decision on what the requirement is going to be?

HON K AZOPARDI:

We have taken a view on total numbers on the manning level, we have taken a view on that and we have said what it is. While we have done so as an internal process, what I cannot give the hon Member is publication of the specific deployment of that agreed manning level. We have taken a view on manning levels, we have said so and we have also taken a view on training and the restoration of the Nursing School, that is why there is now a new programme of training of RGNs. The basis of the hon Member's question I think is misconceived.

HON J J BOSSANO:

So in fact the decision that has been taken on the number of RGNs that are going to be eventually in post is, as far as the Government are concerned, already in substitution of other posts and that exercise is the one that needs now to be implemented, is that correct?

HON K AZOPARDI:

The exercise that has to be done, I have answered in reply to a previous question, is to agree a deployment, that needs to be discussed with the Staff Side and has not yet been done. The manning level as such has been stated.

HON J J BOSSANO:

But what I am saying is, that exercise in that deployment which needs to be gone through on which we would be expecting to be able to get the information in a few months time we were told earlier, would mean that if an RGN was being placed in the complement of a particular ward or, for example, if there was a decision taken that there would be four night Charge Nurses who would be RGNs, there would have to be a compensating diminution somewhere else so that the total will still come to 330, am I correct?

HON K AZOPARDI:

At the moment the basis of the hon Member's question is very hypothetical.

HON J J BOSSANO:

Well, the hypothetical nature of the question is given by the hypothetical nature of the answers we are getting. Am I correct that.....

MR SPEAKER:

Not on the original answer. There is nothing hypothetical about the original answer.

HON K AZOPARDI:

If we both agree they are hypothetical, I would rather leave the debate until a decision is taken in three months time.

HON J J BOSSANO:

We are trying to establish in anticipation of what is going to happen in three months time.

MR SPEAKER:

No, you are not trying to establish anything. You are trying to clarify the answer, that is all.

HON J J BOSSANO:

Given that the Government have answered a lot of questions together all of which contain specific recommendations in the Report, for example, it is normal practice when a lot of questions are taken together that one can ask supplementaries about each and every one of them.

MR SPEAKER:

Yes, you can.

HON J J BOSSANO:

Since there is one that says, "Have the Government accepted the recommendation of the Nursing Review Team that there should be four night Charge Nurses?", in the light of the answer that has been given, is it correct that in order to have four night Charge Nurses the Government have first to reach an agreement as to where there is going to be one body less to compensate for the ones extra that are going to be in that area. Is that what needs to be done?

HON K AZOPARDI:

I have not answered that question yet.

HON J J BOSSANO:

Then in the case of the Staff Nurse rotated internally, has he answered that question because he has answered so many together I am not very sure which one he has left out?

HON K AZOPARDI:

No, I have not answered that one yet, I think the hon Member should perhaps follow the numbers.

HON J J BOSSANO:

In the case of the Ward Clerks, can the Minister say whether the additional work that now needs to be done involves the management determining where the Ward Clerks should be or in fact a compensating change in manning levels somewhere in the structure to offset the additional manpower related to the Ward Clerks?

HON K AZOPARDI:

I cannot engage in that sort of debate at the moment because, as I say, discussions and examination of that is being undertaken at the moment by management. So no, the answer is I cannot say at the moment.

HON J J BOSSANO:

Can I ask, the management that is considering that, other than the management that made the recommendation, who else in the structure is involved in those discussions?

HON K AZOPARDI:

Such part of management that was not involved in the recommendations.

HON J J BOSSANO:

Can the Minister give us some indication, are we talking about people outside the nursing structure?

HON K AZOPARDI:

Yes.

NO. 542 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - MANNING LEVELS

Given that the Nursing Review Report links the recommendation on manning levels to making provision for the introduction of internal rotation in all wards by all grades from Staff Nurse down, what policy decision have Government adopted on this issue?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Government policy is to support the issue of internal rotation whilst protecting those who have been on long term night duty. However as officers retire it is the policy of Nurse management to have a full internal rotation system implemented throughout all wards and departments in the GHA. This would make the need for the Charge Nurse supervisory grades external to the wards unnecessary, such posts would be incorporated into the wards internal rotation system.

NO. 543 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - CONDITIONED HOURS

Can Government state how they calculate the whole time equivalent complement in respect of nurses whose conditioned hours are in excess of 37.5 per week?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question No. 549 of 1998.

NO. 544 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SOCIAL SECURITY PENSIONERS

Can Government state how many Gibraltar social security pensioners, who were not also in receipt of a UK social security pension, were resident in UK as at 31st December 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question No. 545 of 1998.

NO. 545 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - SOCIAL SECURITY PENSIONERS

Can Government state how many UK social security pensioners, who were not also in receipt of a Gibraltar social security pension, were resident at 31st December 1997 and registered with the Group Practice Medical Scheme?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The details are not as yet available. We expect to have the details available in the near future and will be pleased to let the hon Member have them as soon as I have received them.

NO. 546 OF 1998

THE HON J J GABAY

GHA - NAVAL HOSPITAL

Will Government state whether the old Naval Hospital has been handed over to them and whether there are any plans for its future use?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The property has been transferred to Government. Arrangements are in hand to put out to tender the refurbishment of the building for residential use.

SUPPLEMENTARY TO QUESTION NO. 546 OF 1998

HON J J GABAY:

Given the fact that the building is of great historic and heritage interest, in fact the old Naval Hospital figures in literature of naval architecture and in other books on the heritage history of Gibraltar, will these plans take this fact into consideration and has the Gibraltar Heritage Trust been consulted in the plans for refurbishing the building?

HON P C MONTEGRIFFO:

This is, in fact, an identical question asked by the Hon Mr Baldachino.

HON J L BALDACHINO:

This is not an identical question because what I asked was about MOD properties being released. This one is specifically asking for old Naval Hospital.

HON P C MONTEGRIFFO:

No, there was a specific question this morning asking about the old Naval Hospital.

HON J L BALDACHINO:

No, with all due respect, my question was on MOD properties generally. I did not know that the old Naval Hospital had been handed over to the Government.

HON K AZOPARDI:

The Government are keen to be sensitive about the historical nature and the background to the building and so, of course, we will consider that in any plans to use the site for residential purposes and will consult the Heritage Trust. Indeed, I toured the area with a couple of heritage consultants and members of the Trust so there is no difficulty in keeping the Trust fully informed of the process.

HON J J GABAY:

May I ask whether the Minister is aware that there is an element of vandalism since the departure of the former residents and, if so, might it not be a good idea to protect the place until such moment when the workforce arrives?

HON K AZOPARDI:

I am grateful to the hon Member for alerting me. I was not aware that there was vandalism, I will certainly have it investigated.

HON J J GABAY:

Some of the former residents seem to have been concerned with the possibility of vandalism and had suggested that some of them stay there on temporary leases, almost as caretakers, but the feeling is that this was rejected and I ask the question, as I say because certain representations were made to me on an individual level?

HON K AZOPARDI:

I have no direct knowledge of those matters.

NO. 547 OF 1998

THE HON J J GABAY

HERITAGE - GIBRALTAR SKULLS

Do Government agree that serious representations should be made to keep the Gibraltar skulls permanently in Gibraltar?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Not at this stage. The Government believe it would be in Gibraltar's best interests to maintain the good working relationship between the Gibraltar Museum and the Natural History Museum in London who are the current permanent custodians of the Gibraltar skulls.

As everyone is aware when the skulls were recovered they were taken to London in keeping with tradition at the time.

There is, as has been mentioned, excellent collaboration between the Gibraltar Museum and the Natural History Museum and Gibraltar stands to gain from this in many ways. That collaboration has led to the skulls returning to Gibraltar for a period of four months for the benefit of the Community. The skulls have never before left London and are not publicly exhibited. As a whole there is no reason why the skulls should not be exhibited in Gibraltar again in the future.

It must also be accepted that there are very real benefits to Gibraltar in the skulls being in London. They are part of a large series of Neanderthal specimens from all over Europe and Asia which are still being studied by students and scientists in the subject and the Gibraltar skulls and Gibraltar therefore are receiving much exposure as part of a larger collection.

Again as a result of the good working relationship world experts on Neanderthals were able to convene in Gibraltar last month. This and the forthcoming conference publication have given Gibraltar much welcomed international media exposure.

SUPPLEMENTARY TO QUESTION NO. 547 OF 1998

HON J J GABAY:

As Chairman of the Heritage Trust some years ago, we did make representations and I do not accept the premise that it would affect our collaboration with archaeologists in the British Museum. The objection seemed to be on grounds of security and conditioning and accessibility for research and so on. I think the fact that the skulls have been exhibited here on a temporary basis a fairly long period and no problems seemed to have arisen, I cannot see why they should not be returned to their original source.

MR SPEAKER:

That is not a question really.

HON J J GABAY:

Would the Minister agree?

HON K AZOPARDI:

The present Trust are not making those representations, it is a matter of judgement as to whether that is the case or not and I have stated what the position of the Government is at length so therefore no, I would not agree.

HON J C PEREZ:

Has the Minister actually been told by the British Museum that were we to ask for the skulls that that collaboration will not be there because that is what he is insinuating? That the mere representations to return the skulls to Gibraltar would result in the breakdown of collaboration between the British Museum and the Gibraltar Museum. Has he had this indication from the people in the British Museum that that is the case or is it just that that is the opinion here and that is why they do not want to make the representations in the first place?

HON K AZOPARDI:

The skulls had never left England and it was agreed to have them on loan in Gibraltar for a period of four months on public exhibition which, again, is never the case in the United Kingdom. I think it would be somewhat incongruous and reminiscent of the Elgin marbles incident to now ask for them back now that they are here and to say that we will not return them. No, I have not broached the subject with the Natural History Museum directly if that is what the hon Member is asking. I have taken advice from those professionals who have negotiated that loan and I accept that judgement.

NO. 548 OF 1998

THE HON J J GABAY

ENVIRONMENT - MONITORING OF RADIATION LEVELS

In view of the nuclear submarine base and the recent Acerinox radiation leaks, will Government explain what equipment is required to monitor radiation levels within Gibraltar and its immediate vicinity?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Ministry of Defence holds the necessary equipment for the monitoring of radiation levels from nuclear submarines and the Gibraltar Local Liaison Committee which is composed of representatives of Government Departments and the MOD is established for the discussion and review of these matters.

The Acerinox incident is not typical in this type of industry. Government are therefore looking into what measures, if any, need to be put in place to safeguard the public in this type of situation.

SUPPLEMENTARY TO QUESTION NO. 548 OF 1998

HON J J GABAY:

We are pleased to hear that they are looking into it. Would the Minister not admit that there was a long gap in terms of information coming our way in respect of the Acerinox leak which we found out belatedly from the Spanish side even though people further afield seemed to be equipped to detect this? Would he not agree that therefore it is up to the Government really to reassure the public that the necessary steps are being taken independent of course of MOD exhibitions on the subject and, of course, the controversy that has arisen with local groups?

HON K AZOPARDI:

I should say, of course, that we have never had radiation monitoring capability. The local Government have never had that, the MOD has always had responsibility for that because they are the only ones who run that sort of undertaking in Gibraltar with that sort of environmental risk and they are the ones in possession of the equipment. The hon Member may recall in respect of Acerinox in particular, that we did say in our press release back in June that there is a general duty to communicate matters which can pose a potential environmental risk and we were not informed by the Spanish local authority or the Spanish Government or any other Spanish institution of that matter until after it had been detected internationally. Yes, I do agree that certainly there was a failing in communication of risk from those on the other side of the border. Having said that, there is legislation by which the Government have a duty, specifically the Ionising Radiation Regulations under which there is a duty to inform the public in relation to certain risks and that is why Government officials are meeting to consider that matter and to take it further.

HON J J GABAY:

Would the Minister not agree that the situation is unsatisfactory and that there is a controversy going on over this subject? There are citizens organisations that feel concerned even though their views are being cast aside or dismissed abruptly as alarmist and so on and so forth, quoting the fact that the chances of an accident are minuscule. Well, they may be minuscule but at the same time we have to be aware that an accident would not be minuscule and that I think the people of Gibraltar can only rely on the informed advice given by the Government. Would he not agree that this is a reasonable approach to the problem?

HON K AZOPARDI:

My information is that the first nuclear submarine berthed here round about 1962 and so the situation today is as it has always been, whether it has always been unsatisfactory, I suppose is a matter of judgement. All I can tell the hon Member is that pursuant to the obligations put on the Government by recent legislation, meetings are being held to take the matter further. I cannot give the hon Member more detail than that.

HON J J GABAY:

Bearing on the question of responsibility, I think we all appreciate the expertise in this subject of Mr Bishop, with a fine reputation abroad in these matters and I would like to add this because it sheds light on the suggestions that I have been making to the Minister and it is this.....

MR SPEAKER:

Is this a question? A question on the answer, we do not want to hear what Mr Bishop has to say.

HON J J GABAY:

Well, I think the Government should.....

MR SPEAKER:

Not in questions and answers.

HON J J GABAY:

Let me put it this way, I am not entirely satisfied with the answer that I have got in terms of the safety of people and so on and therefore I think it is legitimate to get the opinion of an expert.

MR SPEAKER:

No, it is not in questions and answers. You can only ask a question to clear up the answer of the original question.

HON J J GABAY:

Is the Minister aware of what has been said by Mr Bishop in respect of the responsibility to safeguard the people against radiation?

HON CHIEF MINISTER:

The Government are aware that Mr Bishop has written an article in a newspaper and I do not think it is appropriate to invite the Government to comment on newspaper reports.

HON J J GABAY:

May we then invite the Government to take expert advice which is objective on this matter?

HON CHIEF MINISTER:

I realise that the hon Member's position in the party where he now sits is relatively recent but he appears to conduct himself as if the party of which he is now a member has no recent past. Surely it did not take his hon Colleague sitting alongside him to experience a radiation leak at Acerinox to appreciate that there is the possibility of radiation contamination and that in the eight years that they were in office no one saw fit to cause public opinion in Gibraltar to develop an anxiety about the risk which, if it exists at all, has always existed and certainly they, as a responsible Government which I suppose is what they regarded themselves to be, did not consider it appropriate either and I therefore think it is excessive for the hon Member now to ask a series of questions calculated to give the impression which, let me tell the House, the Government do not accept that there is a particular or serious risk of nuclear accident in Gibraltar and, frankly, that if there was a nuclear accident in Gibraltar, having a bit of equipment to tell one that there was nuclear contamination in the air is not going to prevent the accident. Which is not to say that the Government are not concerned about the possibility of nuclear contamination as we are about the possibility of Gibraltar being infected with contagious diseases of all sorts and about Gibraltar being ravaged by fire and about all the possible natural and man-made calamities that could befall this community. Of course the Government are concerned but we do not do everything that is possible in the case of every possible eventuality that might occur because that is not the way that reasonable Governments behave anywhere. Having said all that, the Government are entirely satisfied, specifically in the case of potential radiation contamination in Gibraltar, that the Ministry of Defence has both the responsibility of attitude and the equipment available to detect radiation contamination in the air in Gibraltar and that the Government duplicating not only the equipment but the expertise to use it, would simply be an unnecessary expense to the taxpayer which would provide it with no additional service to that which it is already benefiting from here. If what the hon Member believes is that the Government of Gibraltar should maintain monitoring equipment for every possible contamination that there might be, then he should say so and then we can just agree to disagree.

MR SPEAKER:

That is more of a speech than an answer.

HON J J GABAY:

We are talking about a specific danger that has actually concerned the people of Gibraltar, therefore I come back to the point that I was saying and certainly unrelated to whether I know the history of my party or not. Fortunately in Gibraltar we know everybody's history so we need not enter into the personal biographies of every individual Member. In any case, if nothing was done then it does not mean to say that

it cannot be done now by a progressive Government such as we have at the moment. This is one point. But I come back to the point that it was said and this has, I think, alarmed a number of people, that at this moment in time, given the concern and the awareness, it is felt that the local authorities should be better briefed in their own right and give the feeling of security that the people of Gibraltar need and not simply to repeat what is being said by the MOD or even by pressure groups but to really alert the people and if the chances, as I said, are minuscule, there is the possibility if not a probability of an accident and therefore the people of Gibraltar should be well alerted, informed of a plan of action should unfortunately such an occurrence take place. I think it is very reasonable, it is not for fun that so many other countries do not want nuclear submarines. I am not commenting on that but there is an obvious risk and we should not dismiss it as just one more risk.

HON CHIEF MINISTER:

I beg your pardon, I had understood that we were discussing Acerinox. The only person who has relied on the public statements of pressure groups is the hon Member, the Government do not rely on public statements by pressure groups that have not demonstrated any expertise on the matter in which they make public statements about. But I do not see why the hon Member should be free to rely on public pressure group statements and the Government should not be free to rely on the Ministry of Defence. There is an Environmental Agency in Gibraltar which has statutory responsibility for public health in all its various ramifications, pursuant to their statutory responsibilities in relation to environmental health, the Environmental Health Agency has publicly stated that it has meetings with the Ministry of Defence, that they have the necessary and prudent iodine tablets and that there is in existence a civilian plan which is the subject matter of discussion and liaison between the appropriate MOD and Gibraltar Government officers. I do not know what the hon Member wants. Is he suggesting that we should carry out a drill or something?

HON J J GABAY:

Let me correct the impression that the Chief Minister is giving that I am here defending pressure groups but we must listen also to what the public feel and there is a concern. All I am suggesting is that the Government take a greater initiative in informing the public and making it aware, he mentioned these pills and so on which are an antidote, well nobody knew before this went out into the street to ask people, nobody knew what it was all about. There is nothing wrong in asking the Government to take an initiative on an important subject which is worrying an element of the community, that is all I am saying which I think is a very reasonable statement.

HON CHIEF MINISTER:

And the Environmental Health agency has made a public statement on the matter precisely for that reason and the arrangements that exist have been explained. But, of course, if one asks an ordinary citizen, indeed if any of us are asked, I suppose we are all ordinary citizens as well, "Would you be concerned about a nuclear accident?", one has to be terribly laid back in life to say, "No, I am not worried", but all these risks and the way that Government should react to these risks and to these concerns have got to be measured against the real incidence. There are risks of all sorts of tragedies befalling Gibraltar of any number of situations. Gibraltar, for example, is in the earthquake belt, admittedly at one extreme of it, but it is in, and if one went out into the street and asked people, "Would you be concerned if there was an earthquake in Gibraltar?" people would say, "Yes" which is what they have said about the nuclear radiation. Frankly, if the hon Member asks me whether Gibraltar has a plan to deal

with the aftermath of an earthquake I would have to admit that I do not know. So I suppose we could go through one possible calamity that could befall Gibraltar after another and we could debate it as if it was imminent or we can debate it on the basis that there should be sensible plans commensurate with the risk of the thing happening. And I am telling the hon Member that the advice that the Government have from the Environmental Agency is that that is the case. There are plans in existence, there is medication available, liaison between the MOD and the Gibraltar Government takes place in a manner and to an extent commensurate with the perceived risk of this happening which, of course, is not to say that we might not all be terribly unlucky and it might happen tomorrow but this is a question of risk management. If what the hon Member is really getting at – I suppose this might be what he was saying in his last point – is that however minimal the risk might in fact be there ought to be a higher degree of public awareness of what we should all be doing if the alarm suddenly rings, well I agree. I agree but that has always been true, that has been true of many other things and I suppose that if anybody believes that more is necessary than the Environmental Health Agency has already done, they have a statutory duty to do it and I will certainly pass on to them the hon Member's view that more than has already been done should be done to bring to public attention what people should be doing in the event of this happening.

HON J J GABAY:

I agree entirely that is the main thrust of my question, the rest was irrelevant on both sides.

HON J L BALDACHINO:

Can the Government state if they have the equipment to detect radiation leaks or is it that the monitoring and the equipment is held by the MOD which then liaise with the local authority?

HON CHIEF MINISTER:

He can ask the question again but the Minister for the Environment has already answered that question. I admit that it was so long ago and we have debated the matter for so long that the hon Member may have forgotten but the Minister said that the Government of Gibraltar do not have this equipment and that we rely on the Ministry of Defence who do and what is more, have the operators qualified in handling it and reading it. I hear what the hon Member has inferred and that is that he thinks that we should have it as well, that is a matter of judgement, I suppose it depends on the extent to which one trusts the Ministry of Defence. But in any case I think we are agreed that perhaps more attention should be given to the public awareness of what is expected of them by way of reaction in the, hopefully, unlikely event of Gibraltar being afflicted with a nuclear accident.

HON J J BOSSANO:

Can the Minister say whether in fact the MOD, that is apparently the only one that does the monitoring, does any monitoring outside MOD property?

HON K AZOPARDI:

I cannot say for certain. My understanding is that they monitor their area of risk, that is why they did not pick up the Acerinox issue.

HON J J BOSSANO:

So in fact, it is no good saying we are relying then on the MOD to alert us if there is a radiation leak other than from their own equipment because they would not know anymore than we do? There is no monitoring outside military establishments?

HON CHIEF MINISTER:

I think that is somewhat unfair. I do not think radiation knows strict property boundaries, the suggestion that simply because the actual equipment is held up on an MOD property as opposed on the adjoining public highway that it is not going to pick it up. In England and in Spain they do not monitor for radiation every 100 yards of highway. Radiation monitoring is something which is done in respect of a large area at a time, once radiation is in the air it spreads out and the idea that because they actually hold out the instrument to measure radiation leaks on MOD land that therefore the area outside MOD land may be rife with radiation and they are all right Jacks so they do not tell us, I think is somewhat of a simplification of what this sort of monitoring involves. My information about why they did not pick up the radiation on Acerinox in fact is that the cloud never came over Gibraltar, fortunately the prevailing weather conditions took it directly in another direction.

MR SPEAKER:

It was a healthy levanter.

HON J J BOSSANO:

Well, I have not made any of the simplifications that are in the answer so I do not accept that any of them can be attributed to me. My question is, is it not in fact the case that what the MOD monitor is the possible leak from their own radiation sources and not that they go to the top of the Rock and hold up the instrument in the air to see if there is any leak coming from anywhere else whether it is into MOD land or into non-MOD land? Is it not the possibility of a leak from an MOD source that is monitored and nothing else?

HON CHIEF MINISTER:

That is not my understanding. I cannot say exactly on what programme basis the MOD measure or whether it is done randomly or routinely, whether it extends the whole territory of Gibraltar or indeed whether, as the hon Member is insinuating in his question, that it might be a monitoring function limited to making sure that they themselves are not the source of a radiation leak. If the hon Member wants the answer to that question he is as free to write to the MOD as I am and ask them but certainly I have got no information that will enable me to answer that question with certainty.

HON J J BOSSANO:

I know that I am free to ask the MOD. I suppose then I can put notice of this question because it does arise from the original reply to the original question which was that the MOD was doing the monitoring and I am trying therefore to establish whether in fact as I understand it the monitoring that they are doing is monitoring their own potential radiation sources to make sure that they are not responsible for producing an uncontrolled radiation leak. If that is not the case then we will give notice now that we will be putting that question down for the next time.

NO. 549 OF 1998THE HON MISS M I MONTEGRIFFO**GHA - CONDITIONED HOURS**

Can Government give a breakdown by grade of the nurses currently employed on conditioned hours in excess of 37.5 per week?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Full-time nurses work 40 hours a week. Calculations concerning these are carried out on a one to one basis.

The information requested in Question No. 549 is as follows:

| | |
|-------------------------------------|------|
| Director of Nursing Services | x 1 |
| Deputy Director of Nursing Services | x 1 |
| Clinical Nurse Manager SN6 | x 1 |
| Clinical Nurse Manager SN7 | x 4 |
| Tutors | x 2 |
| Clinical Teacher | x 1 |
| Charge Nurse | x 32 |
| Staff Nurse | x 81 |
| Senior Enrolled Nurse | x 10 |
| Enrolled Nurse | x 61 |
| Auxiliary Nurse | x 16 |
| Assistant Nurse | x 43 |
| Pupil Nurse | x 17 |
| Student Nurse | x 12 |

SUPPLEMENTARY TO QUESTION NOS. 543 AND 549 OF 1998

HON MISS M I MONTEGRIFFO:

The Minister is replying to so many questions at the same time I am not quite sure whether he has actually answered how it is that they calculate the whole time equivalent complement?

HON K AZOPARDI:

The question asked how the Health Authority calculates whole time equivalents in respect of nurses who work in excess of 37.5 hours a week. Full timers are calculated on a one to one basis. In other words, whoever works in excess of 37.5 hours, they work 40 hours, are calculated on a one to one basis. If there are 20 people working more than 37 hours we count them as 20.

HON J J BOSSANO:

What we can say is the person whose conditioned hours are more than 37.5 count as one body on the complement, is that correct?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

Can the Minister say, in the complement that has been announced as a result of the changes, are the full-time equivalents which he has quoted publicly in the new structure, are they based on 37.5 or on a higher number of hours?

HON K AZOPARDI:

The subsequent question asks me to list how many members of staff in the nursing staff work more than 37.5 hours. That is what I have done, I have given the House those figures. The number of nursing officers that today work more than 37.5 hours, that is what I have done. It does not ask about future complements, it talks about now.

HON J J BOSSANO:

Yes, I know. I know that that is what the question says. In the light of the answer that we have been given, we have been given that the answer is that it is not done on a pro rata basis and that therefore it is not a question of a full-time equivalent. If somebody works, for example, on 48 hours because they do four nights of 12 hours, they count as one body of 37.5, is that correct?

HON K AZOPARDI:

No, they count as one body working 40 hours because all nurses work 40 hours instead of 37.5 hours. I think the hon Member will recall that.

HON J J BOSSANO:

So in fact the complement is based then on a 40 hour week?

HON K AZOPARDI:

Yes. All full-time nurses work 40 hours; they work for 37.5 and then 2.5 are added on to their shifts as a historic thing.

HON J J BOSSANO:

When the Minister has given in answers to questions here and publicly a figure which he says is the full-time equivalent, is the manpower in terms of the man hours available, that number multiplied by 37.5 or that number multiplied by 40?

HON K AZOPARDI:

In respect of nurses that work more than 37.5 hours, in other words, working 40 hours, we count them as one. Then there are two different types of nurses, apart from full-timers, ones who work 20 hours are counted as half, mostly Nursing Assistants and Nursing Auxiliaries and then the Nursing Assistants/Auxiliaries who do 28 hours, the mathematical equation that management work are that they take the number of nurses and divide it by 37.5. So in respect of full-timers and part-timers who work 20 hours, it is basically on a one to one basis or on a half to one, it is a strict ratio. In respect of Nursing Assistants/Auxiliaries who do 28 hours, because it is a funny figure, it is a somewhat more complicated issue but it is as I have indicated just now.

MR SPEAKER:

I am glad you have understood it. Next question.

ORAL

NO. 550 OF 1998

THE HON J J GABAY

MOD - UNDERWATER EXPLOSIONS

Will Government state whether they have taken an initiative to assess the damage to coastal marine life resulting from MOD underwater explosions?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 558 of 1998.

NO. 551 OF 1998THE HON J J GABAY**ROSIA ROAD - PROPOSED BUILDING**

Will Government state whether they are having second thoughts about building on the open space beside the Piccadilly Bar in Rosia Road?

ANSWERTHE HON THE CHIEF MINISTER

The Government are not having second thoughts on this issue. Government have received representations which have been considered and Government intend to proceed with this project.

SUPPLEMENTARY TO QUESTION NO. 551 OF 1998

HON J J GABAY:

What encouraged me to believe that perhaps there might have been second thoughts is the fact that not all that long ago the Minister for Education waxed lyrical about the millennium and having more green spaces and so on and since these cannot be fabricated at the last moment, I thought that perhaps this might be a good indication particularly when one views this area from above it is a wonderful opportunity, in fact, to have a green space there and have a bit of a garden but I appreciate the Government's decision on this.

HON CHIEF MINISTER:

The Government are self-evidently committed to the creation of green and greenery and green spaces as must be obvious to the hon Member from the great amount of planted areas in which the Government are indulging and indeed the creation of such things as the promenade down at the reclamation. The question of Government's commitment to open spaces and greenery, which we like to think is more demonstrable than it has been in the past by other Governments in Gibraltar, cannot be measured against the criteria of whether we apply every site to open space. Indeed one of the points that the Heritage Trust made to us, when asking us whether we considered this decision, was the amenities for the residents of that area. The Government considered this and came to the conclusion that the residents of that area were mainly the residents of Alameda Estate and areas to the south of it and that they were very fortunately endowed in terms of green and open spaces by the fact that they are neighbours of the Alameda Gardens themselves and that there was therefore no localised need there for the creation of additional open and green spaces. I think the hon Member whilst he may not be entirely or at all happy with the Government's decision to proceed with this project, should have regard to two things: first of all, the fact that the Government have with the result of higher expenditure on the project, amended the project to create a promenade between the structure and the Ragged Staff so that the site is as far as possible brought in from the wall rather than up against the wall and that is an improvement and it makes it a site near the wall rather than a site on the wall. I know that the hon Member does not like me to remind him of his party's responsibilities for things in the past which will no doubt provoke him to get up to remind me of what he regards as my insalutary and unhealthy political past but

still, he ought not to lose sight of the fact that this is one of the projects that we inherited from the Opposition Members and that it was the Opposition Members who identified this site as the relocation for the Orange Bastion Depot and it was a commitment between his party, when in Government, with the workforce of the Electricity Department at Orange Bastion to have that site there and that we actually inherited the proposal, we inherited the project, we inherited the plans and what we have done, given our well documented and increased and superior commitment to heritage sensitivity than was evident when they were in Government, we have actually amended their plans to make it as heritage sensitive as possible by bringing it in from the wall. Although I am quite happy to take responsibility for continuing with the project, in formulating his criticisms he ought not to lose sight completely of the fact that it was actually they when they were in Government who made the decision to proceed with this and who entered into the commitment to reprovide the Orange Bastion Depot on that site and that indeed the Opposition Spokesman for Government Services, the Hon Mr Perez, will no doubt remember, that in the first Question Time after the election, he continually would ask me, "Are the Government proceeding with the relocation?" or "When are they proceeding and how are plans going?" of course, trying to cause us to proceed with it because he knew that this was a commitment that the workforce there were expecting from the days when he was the Minister with responsibility.

HON J C PEREZ:

The memory of the Chief Minister fails him very conveniently, he recalls only part of the story but not all of it. Is he not aware that it took the Government over a year to take on the recommendation that I was making of fulfilling the commitment of putting the people there and is he not aware that there was no plans, that there was only a verbal commitment at the level of the Personnel Manager with the workforce and that every plan that has been done for any buildings that are going to be built is something that has been done by his administration and that the site was located but any buildings that were going to go or any contracting that was going to take place on that site is only the responsibility of his Government and his planners because there were no plans at all ready? The site was identified, the commitment was there but I believe that the objection that the Heritage Trust has has to do with the erection of some buildings that are taking place there. I believe that that is the case. Just to clarify and to put straight the position of the Chief Minister since he has brought me into the argument which I was not involved in.

HON CHIEF MINISTER:

I regret to say that the hon Member's recollection is not correct and that indeed nothing that he has said is inconsistent with what we are saying. The hon Member should be aware that what we are doing here is not contrasting the Heritage Trust's opinion with the Government's, what we are doing is contrasting his own Heritage spokesman's view with ours. His view is not that the buildings should be put here or there or this way or against the wall or away from the wall, the view that he is recommending is that the depot should not go there at all and that such structures as exist there, except for the historical ones, should be demolished and that the area should be an open park space and that is completely incompatible with what the hon Member has just admitted which is that his own administration was committed with the workforce to relocate the depot there and the issue under discussion here does not turn on who drew the first plans. He concedes that he had a commitment to reprovide the Orange Bastion Depot there and that the hon Gentleman sitting at the other end of his bench in the House is urging the Government not to have the depot there at all and to demolish everything in sight and put up park benches. What the Hon Mr Gabay is now recommending is completely

incompatible with the fact that he, the Hon Mr Perez, when he was in Government entered into a commitment which we inherited to relocate the depot there. To the extent that what the hon Member has said is that there were actually no plans drawn out when he left office on 16th May 1996, I would not feel any great need to quarrel with him on that but it is hardly central to the point that we are making which is that the Opposition Members devised this project, made the decision to relocate the depot there, entered into a commitment with the workforce to relocate the depot there and that therefore when we now honour that commitment it is really not open to them to criticise it on heritage grounds and that is all that I am saying.

HON J J GABAY:

Given the implications of what has been said, perhaps we are not infallible in the Opposition as they are in the Government and if there is an element of incompatibility at times in certain projects the only way I can interpret that is that there is still some hope for a healthy political life in Gibraltar when this can happen.

HON J L BALDACHINO:

Surely what the Chief Minister said prior to that does not come into the equation where the people from the Alameda Estate have the Alameda Gardens or not. What comes into the equation is that there is a commitment to move the workforce there immaterial of whether there is an open space or not.

HON CHIEF MINISTER:

No, it is not just a commitment. There is also a commitment, which is what I think disqualifies the hon Members from pressing the criticism too far and I think that the Hon Mr Gabay's last intervention is really unfairly ungenerous towards me. I have debated the matter with him and the only use that I have sought to make of the fact that it was their project in the first place was just to urge him not to press the point too much and at least to have regard to the fact that this was their decision and not ours. We are not proceeding with this project only because the Opposition Members had entered into a commitment. We also recognise the fact which is sometimes something that those that pursue only the heritage lobby exclusively and narrowly pursue, everybody assumes when they think that something should not happen on a particular site that there are plenty of other sites on which it could happen. So of course the Government have been written to on this issue and been asked, "Why put the depot there when there are plenty of other places in which you could put it?" The reality of the matter is that there are not plenty of other sites on which Government can put depots such as this. The Government, for example, want to relocate the north depot of the Buildings and Works Department out of the Landport Ditch, we want to relocate the roads and sewers depot away from British Lines Road and we have not been able to do it yet because we just cannot identify another site. One of the reasons why we are doing it is not just the commitment point, it is the fact that in Gibraltar heritage has got to be placed in the balance with other things that need to be done and it is a matter of balance and judgement whether one gets the balance right in any particular situation. In this case the Government have judged that an open space of that nature which is a space near a wall, given that we have brought the buildings in from the wall and created a promenade, but we recognise that there will be others who would make judgement differently and who would therefore disagree with the decision, we believe that on balance and given the conflicting interests that there are for development, for public services, for commercial development and for heritage preservation, but on balance it is correct to proceed with the decision made by the Opposition members. So it is both a question of commitment and the fact that even if there was no commitment

by the Opposition Members, I believe that the Government would have still made the decision to build a depot there because we just have not got enough sites to attend to pure heritage considerations in manner which in an ideal world they would deserve to be attended to.

HON J L BALDACHINO:

I am glad that that is the Government's position now which it was not when they were in Opposition especially by the hon Member who is now the Minister for the Environment, he had a different view to the one that the Chief Minister has just said.

HON CHIEF MINISTER:

On what issue?

HON J L BALDACHINO:

In issues like that consideration – I agree with the Chief Minister that sometimes one has to balance between the environment and obviously necessities that the Government have. That was not the view previously especially by the Government.

HON CHIEF MINISTER:

I do not know to what extent the hon Member had private conversations with the Minister for the Environment who is Mr Azopardi but it is certainly nothing that he said in the House because he was not in the House before the last election.

HON J L BALDACHINO:

He used to make public statements.

NO. 552 OF 1998

THE HON J J GABAY

KING'S BASTION - PROPOSED BUILDING

Will Government state whether they are having second thoughts about transforming the old Generating Station at King's Bastion into a leisure centre?

ANSWER

THE HON THE CHIEF MINISTER

I have to say that one could become schizophrenic if one took the advice of the hon Member. This morning he was accusing us of sitting on the fence and dithering and falling accidentally on one side through lack of leadership and inactivity and this afternoon he keeps on asking me whether I am having second thoughts about everything.

Fortunately, we suffer none of those character deficiencies and I can tell the hon Member that the Government are proceeding to convert the non-historical part of old King's Bastion Generating Station on Queensway into a multi-purpose sports hall. That is the ugly modern part that is seen from Queensway.

Government have also been considering, or rather more accurately, Government had also been considering the possibility of creating a leisure centre in the historical parts of King's Bastion. Whilst that idea has not been entirely rejected, it is not currently being actively pursued.

SUPPLEMENTARY TO QUESTION NO. 552 OF 1998

HON J J GABAY:

In respect of that remark about schizophrenia, that is only one of the many human ailments. Human beings are very complex but I shall not go now to distribute particular ailments in one direction and another. Let me say that my arguments would be virtually the same as in the previous case and it is not a question of sitting on the fence, it is a question at times of correcting one's approach to a particular problem and not considering oneself infallible.

MR SPEAKER:

Next question.

NO. 553 OF 1998

THE HON J J GABAY

MOD - AMERICAN NUCLEAR SUBMARINES

Have Government made any enquiries vis-à-vis the MOD as to whether it has plans to establish in Gibraltar a permanent base for American nuclear submarines?

ANSWER

THE HON THE CHIEF MINISTER

The MOD, so they inform me, have no plans to establish in Gibraltar a permanent base for American nuclear submarines. American submarines have been welcome visitors to Gibraltar for many years.

NO. 554 OF 1998THE HON J J GABAY**TERRITORIAL WATERS - INCURSIONS**

Can Government list the number of occasions, giving dates and number of vessels, on which Spanish fishing boats have illegally operated in Gibraltar waters as from 14th April 1998 to the present?

ANSWERTHE HON THE CHIEF MINISTER

Between the 14th April 1998 to the 1st September 1998 there have been a total of 43 instances involving 89 vessels. I will pass the list to the hon Member. The details are as follows:

| <u>DATE</u> | <u>NO. OF VESSELS</u> | <u>DATE</u> | <u>NO. OF VESSELS</u> |
|-------------|-----------------------|-------------|-----------------------|
| 14.04.98 | 2 | 26.07.98 | 3 |
| 20.04.98 | 1 | 27.07.98 | 1 |
| 22.04.98 | 1 | 29.07.98 | 3 |
| 23.04.98 | 1 | 04.08.98 | 1 |
| 24.04.98 | 4 | 08.08.98 | 1 |
| 25.04.98 | 6 | 10.08.98 | 4 |
| 29.04.98 | 1 | 12.08.98 | 1 |
| 02.05.98 | 2 | 13.08.98 | 1 |
| 05.05.98 | 6 | 17.08.98 | 1 |
| 06.05.98 | 1 | 20.08.98 | 9 |
| 07.05.98 | 1 | 21.08.98 | 1 |
| 11.05.98 | 1 | 22.08.98 | 2 |
| 14.05.98 | 1 | 23.08.98 | 3 |
| 19.05.98 | 1 | 24.08.98 | 1 |
| 21.05.98 | 2 | 25.08.98 | 3 |
| 22.05.98 | 1 | 26.08.98 | 2 |
| 28.05.98 | 1 | 27.08.98 | 3 |
| 17.06.98 | 2 | 28.08.98 | 1 |
| 20.06.98 | 1 | 30.08.98 | 4 |
| 14.07.98 | 1 | 31.08.98 | 1 |
| 15.07.98 | 2 | 01.09.98 | <u>1</u> |
| 24.07.98 | 3 | TOTAL | <u>89</u> |

SUPPLEMENTARY TO QUESTION NO. 554 OF 1998

HON J J GABAY:

The main point I wanted to stress was that there has been a continuation of these breaches of our territorial waters and I would recall in the initial stages the Chief Minister's noble words, "I will not tolerate it" and it seems, from what we know, that it is being tolerated all round other than for verbal protests. Until when will the situation carry on as it is?

HON CHIEF MINISTER:

What the Government said was that the Government would not accept, in other words, that the Government would not agree to the continuation of these incursions. The hon Member must know and I am sure that he attributes to me also the knowledge of the fact that the Government of Gibraltar controls neither the Royal Gibraltar Police nor the Ministry of Defence and that I do not have the physical wherewithal to protect either the territorial waters of Gibraltar or indeed to enforce the laws in it. But certainly I can agree that the list of dates that I will give to the hon Member confirms that there has been a continuation. A continuation of what he calls breaches of sovereignty of the waters which have always occurred and have occurred for the last 20 or 30 years and certainly during the last 10 years although I would acknowledge with a degree of frequency, regularity and defiance which is much greater now than has been the case certainly in recent years, I cannot speak from memory from what may have happened 20 years ago.

HON J J GABAY:

Could the Chief Minister tell us whether he is happy with the response of the Foreign Office or His Excellency the Governor when he puts pressure on them for correcting what is a serious contravention with very serious consequences for our jurisdiction and indeed for our sovereignty?

HON CHIEF MINISTER:

I do believe that the hon Member pre-empts a question that he has got on the Order Paper. We can debate them all now together or take them in turn but I think that really is the natural supplementary to two questions on.

HON J L BALDACHINO:

The figures that the Chief Minister has given, are they the times that the Royal Gibraltar Police have gone out to the boats to ask them to leave? Incursion does not mean that they are just passing through is it, those figures are actually that the Police have gone and asked the fishermen to leave?

HON CHIEF MINISTER:

I cannot say that. The question asks, "Can the Government list the number of occasions on which Spanish fishing boats have illegally operated?" Illegal operation, I think, does not raise questions of sovereignty incursion but rather fishing in breach of the terms of the Nature Protection Ordinance, in other words, using illegal nets. For example, I would very much doubt if these statistics include the instances in which Spanish fishermen have incurred into the waters and fished using legal fishing methods, the ones that are permitted. So this list is of recorded instances and that might not be all of them that have occurred, these are those instances which the RGP has recorded of instances of Spanish fishing boats fishing in Gibraltar waters illegally.

HON R MOR:

The Chief Minister has mentioned 43 instances which involved 89 vessels, is that correct?

HON CHIEF MINISTER:

Yes.

HON R MOR:

May I ask whether the 89 vessels are different vessels or are they the same? Is the RGP recording the names, et cetera?

HON CHIEF MINISTER:

Well, I do not think there are 89 fishing boats in La Linea and Algeciras of the sort that fish here. In most days there are one or two incursions and from reports that I sometimes see of Police monitoring it is almost always the same seven or eight recognisable names or 10 or 12, it is not 89 different boats, it is the same boats however many number they are frequently and regularly offending.

HON J J BOSSANO:

Can Government say whether there is any truth in the reports that the British Ambassador in Madrid offered a solution on the basis of a limited number of vessels being allowed to fish on certain occasions? If he has got knowledge of that, is that something that has been proposed with the support of the Government of Gibraltar?

HON CHIEF MINISTER:

I have seen the reports in Saturday's Area and Europa Sur. The Government of Gibraltar have absolutely no knowledge of any approach by the British Government through the Madrid Embassy or any other organ of the British Government proposing terms upon which fishing by illegal means could be tolerated. Indeed the position that I have repeatedly put to His Excellency the Governor and which he has always in conversation with me accepted as being the correct view, is that it is not possible for the British Government or anybody else to purport to sanction by agreement any number of instances by any permutation of numbers or locations of an activity which is a breach of the criminal law of Gibraltar because neither the British Government nor the British Embassy in Madrid have the power to repeal or amend an Ordinance which has been approved in advance, as the records appear to show, by the British Government which has been lawfully enacted by this legislature, which has received the assent of the Governor of the day and which the Secretary of State at the time did not exercise his powers of disallowance in respect of and therefore this is a valid law and the British Government simply lacks the constitutional and legal wherewithal to purport to enter into agreements which would place the other contracting party in breach of the criminal law of Gibraltar and therefore on that basis I have always said to His Excellency the Governor that the position of the Government of Gibraltar is that no such agreement can be entered into and His Excellency the Governor has always replied that he is not seeking to enter into such an agreement and that he agrees that such an agreement would not be possible whilst the law remains what it is. Therefore if the reports in the Spanish press, which is an "if", are accurate to the extent that they attribute to the British Ambassador a formal proposal to arrive at what in effect would be a fisheries agreement, but a fisheries agreement that would place the fishermen in breach of the criminal law of Gibraltar, then I think that that would be improper and it

would be unenforceable and it would be contrary to what I have expressed to His Excellency the Governor to be the position of the Government of Gibraltar and what he has expressed to me is the position of the British Government. So one can only suppose, and of course I have been in the House all day and therefore I have not been able to pursue the matter, but one can only suppose that or that the reports in the Spanish press are indeed not accurate.

HON J J BOSSANO:

Will the Government note that that also happens to be the view of the Opposition and that therefore we would want that to continue to be the position and that there should be no change in that position without us having an opportunity to discuss the reasons for considering any change in the House to the extent that the Chief Minister makes the representation which I myself have made from the Opposition to the Governor, will he note what I am saying so that he can take on board that the position is shared?

HON CHIEF MINISTER:

Indeed I do and I think I should just add that in a sense this is not a question of political policy. It is just not possible for anybody who asserts the rule of law in Gibraltar and that has a responsibility for upholding the rule of law in Gibraltar as in a sense we all do, how anybody in such a position could possibly believe that it is possible to enter into an agreement to give permission to any number of individuals, let alone by what criteria one selects them, to breach the criminal law of Gibraltar. I think that it is just not legally possible, regardless of what one's view is about the politics of the situation and therefore for that reason I assume and I am in no sense prejudging the position of the British Government. I therefore assume because they must know this as well as anybody else, I therefore presume that whatever might be the degree of accuracy of those Spanish press reports, it cannot be the position that the British Ambassador has sought to make agreements with the Spanish fishermen to do things which are illegal under the laws of Gibraltar. I think that we owe it to the British Ambassador to give him the benefit of that doubt until such time as the doubt is clarified, one way or the other, which I will seek to do with His Excellency the Governor tomorrow when I am free from this House.

NO. 555 OF 1998

THE HON J J GABAY

TERRITORIAL WATERS - INCURSIONS

Will Government state whether "monitoring" the illegal activities of Spanish trawlers in our territorial waters by the pertinent authorities simply amounts to keeping the trawlers company until they choose to leave?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 556 and 557 of 1998.

ORAL

NO. 556 OF 1998

THE HON J J GABAY

TERRITORIAL WATERS - INCURSIONS

Will Government state how effective the interventions of the Royal Gibraltar Police and Trumpeter have been in deterring illegal incursions into our territorial waters?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 555 and 557 of 1998.

NO. 557 OF 1998

THE HON J J GABAY

TERRITORIAL WATERS - INCURSIONS

Will Government state what representations have been made by the Gibraltar Government to Her Majesty's Government in respect of the protection of our territorial waters and what assurances have been received?

ANSWER

THE HON THE CHIEF MINISTER

The meaning of the word "monitoring" is available to the hon Member in the Oxford or any other dictionary. However, the meaning that he offers in his question would be entirely consistent with the proper definition of that word, as I understand it.

The Government cannot state how effective the interventions of the RGP and HMS Trumpeter have been in deterring illegal incursions into our territorial waters since the Government have no way of assessing whether the level of incursions would have been higher but for their intervention. However, it is self-evident that those interventions have been far from totally effective.

The Government have, on several occasions, made representations to Her Majesty's Government to the effect that British sovereignty jurisdiction and control of the waters have to be asserted and upheld as well as respect for our law enforcement agencies as they go about the execution of their duties in the enforcement, as they see fit, of our laws. The British Government have assured the Government that they share this view.

SUPPLEMENTARY TO QUESTION NOS. 555, 556 AND 557 OF 1998

HON J J GABAY:

I do not feel that I have to consult the dictionary as often as the Chief Minister does but looking at the word "monitoring" I presume that it comes from moneo monere to warn, that is probably the Latin etymon for it, from monere and if it so, one can see the significance in which it is used of warning people not to carry on doing what they should not be doing.

HON CHIEF MINISTER:

Well, tempting as it is to engage the hon Member in a semantic debate, I believe that the word "monitor" involves passive observation, keeping a situation under observation and review and implicitly means not doing anything about it which is why I said that the meaning of the word "monitor" contained in the hon Member's question by reference to waiting until they have finished and then choosing to leave is perfectly consistent with the meaning of the word "monitor" as I understand it.

HON J J GABAY:

Is it the feeling of the Chief Minister that we are reaching a point where something really positive should occur in order to see that the flouting of our laws does not continue indefinitely? Does he feel that the necessary help and willingness on the part of the British Government is there?

HON CHIEF MINISTER:

His Excellency the Governor has told me and the whole of Gibraltar that he has obtained assurances from Her Majesty's Government to that effect and, of course, I take His Excellency entirely at his word. If the British Government fail to deliver on such assurances as they may have given His Excellency then that is a different matter for which we cannot hold him personally responsible. But I have no reason to believe that we are in that scenario. The Government in no way relishes the prospect of an escalation in this situation, we would much rather we were not in this situation of tension which can have incalculable consequences to many things that are of importance to Gibraltar. Let me say to the Opposition Member that whilst I believe that those incalculable consequences have to be faced when what we are protecting is something fundamental such as sovereignty as jurisdiction and control and the upholding of our laws, and whilst I think that Gibraltar must and, as far as the Government are concerned, will maintain a firm line on those issues, certainly I would not wish to suffer all those consequences simply because of fish and environmental arguments. In other words, let us not lose sight of the fact that we are justified in taking a strong line in this matter because what is at stake ultimately is the sovereignty and jurisdiction and control of our waters and if those important fundamental things were not at stake, it would be most unwise for Gibraltar to enter the uncertain era that we may enter simply to protect fish stocks underneath our waters which nobody in Gibraltar depends upon economically and about which I think few people must lie awake at night worrying here in Gibraltar. Therefore we must not lose sight of the fact that this is not about fishing and I regret when people in Gibraltar, especially in the press, refer to this issue as the fishing dispute. This is not a dispute about fishing, this is a dispute about the authority of the RGP in those waters, it is about the validity in those waters of laws passed in this House and it is about the sovereignty of those waters, as to whether they are British, whether they are Spanish or whether peculiarly there would be no sovereignty at all and frankly, to describe the waters as disputed is unhelpful because it suggests that that somehow neutralises the question of sovereignty. Therefore I would urge Members in this House and indeed public opinion in Gibraltar at large to keep in mind that distinction and that if at any stage in the future a solution can be found which may prejudice the fish but which does not prejudice our sovereignty and our jurisdiction and our control and the validity of our laws in those waters and the authority of the RGP, then that the public interest of Gibraltar requires to pursue those avenues rather than take some masochistic relish in watching the situation escalate with the incalculable consequences that that could bring.

NO. 558 OF 1998

THE HON J J GABAY

MOD - UNDERWATER EXPLOSIONS

Will Government state what steps they have taken to keep track of the nature and location of underwater explosions by the MOD?

ANSWER

THE HON THE CHIEF MINISTER

I am informed that the Ministry of Defence has been using Governor's Beach as a military range during the past 10 years and that for the last three years it has been used for detonating explosives on the shore and below the surface. All underwater explosions take place at Governor's Beach range.

I understand that the MOD liaises with the GONHS regarding the type and timing of explosives to minimise the damages caused to marine life and the area in general. No debris is left on the water or on the beach and all explosives are strictly accounted for. Other steps are taken to help minimise the impact of explosives, including the reduction in underwater training during the spawning season.

In the circumstances, given that the Ministry of Defence requires to have this type of training facility, the Government are satisfied that reasonable steps are taken and that there is reasonable consultation with the GONHS to address environmental concerns.

SUPPLEMENTARY TO QUESTION NOS. 550 AND 558 OF 1998

HON J J GABAY:

I am not aware actually of the line taken on this by the GONHS but I am sure that the Chief Minister has also been reading the correspondence in respect of others who are quite knowledgeable on marine life and have been in their own right documenting the harm done. There has been an exchange, in fact, of letters between Mr Bonfiglio and His Excellency the Governor, of course we have assurances from His Excellency the Governor as indeed we have already mentioned in the case of radiation leaks and so on. Apparently a letter was sent to the Minister for the Environment seeking his opinion as to a possible alternative site which would not do as much damage and I wonder whether he might respond to this?

HON CHIEF MINISTER:

I am not privy to any correspondence involving Mr Bonfiglio. I can only suppose that the hon Member is referring to that font of question material for him which appears to be letters to the editors page of the Gibraltar Chronicle which I have to admit I do not read with the frequency and the regularity and the intensity which obviously the hon Member would recommend to me. I can tell him, however, that I know that pursuant to

the regular consultation that takes place between GONHS and the Ministry of Defence, they are indeed seeking to identify an alternative site. I do not know whether it responds to the matters that the hon Member alludes to in his last supplementary but I am told that this very month HQBF Gibraltar is to survey alternative sites for underwater explosions with the assistance of GONHS and what my briefing notes euphemistically call local fishermen. Whether that is for the reasons that the hon Member has said or not I cannot confirm to him. I can also say to him, however, that I do not know what difference of view there is, if any, between GONHS and these other fishermen including the gentleman, Mr Bonfiglio, that he refers to. What I am aware of is the extent to which over the last two or three years the Ministry of Defence have modified the way they carry out this and the amounts of the size of the explosions in response to concerns expressed to them by GONHS and recommendations made to them by GONHS to minimise the damage to sea life. I am informed that the measurable damage to sea life in the form of fish seen floating around dead after these explosions is monitored and is not great. I think the record so far is 20 fish seen dead following one of these explosions and that the matter is constantly under review and that the MOD tell me that they have a close working relationship of liaison with GONHS and it remains to be seen whether an alternative site can be found and indeed that that alternative site is not inappropriate given the plans the Government may have in relation to the areas around that site but the Government will keep our mind open until those alternative sites, if any, are identified.

HON J J GABAY:

I am quite satisfied with the answer in the sense that the Chief Minister is suggesting to a certain extent that GONHS are in fact quite happy with the situation, that very little damage is being done but then he follows on to say that he will look into the question of alternative sites. It seems to me a contradiction.

HON CHIEF MINISTER:

No. I am informed that following discussions between the MOD and GONHS, MOD is looking into alternative sites. The Government are not looking for alternative sites nor are the Government saying that GONHS is quite happy with everything that is going on. I think that GONHS as a responsible environmental organisation pockets what progress it can achieve and that because it understands that it is not going to succeed in eliminating this practice altogether, I suppose prefers to maintain good relations with the MOD which have enabled it, I have here a catalogue of the behaviour modification that they had been able to extract from the MOD over the last two years and it is significant and I suppose they take the view that they would rather use their influence to minimise the environmental damage rather than concentrate on trying to eliminate the practice altogether which I suppose they see as a less attainable objective and indeed it is the MOD that have informed me that they are following consultation with and indeed with the assistance of GONHS looking for this alternative site.

HON J J GABAY:

I sincerely hope that in the near future we shall hear of an alternative site. But to round off the reference about my being an assiduous reader of the Gibraltar Chronicle and implying that he does not read it, I suggest that he reads it more often because it dearly loves him.

HON CHIEF MINISTER:

The reason why I have given up reading it is that I do not have the ability that others claim to have to distinguish the letters which are written by genuine correspondents and those that are provided to signatories by political parties and their professional letter writers and because I am not willing to waste time trying to work out which comes from which, I think the safest thing is not to do it and in any case the hon Member should know that neither he nor I should be having exchanges across the floor of the House on the basis of things that are reported in the newspapers, that is in Standing Orders of course but the hon Member says things and I take them at face value and I hear them from him. That is what I am reacting to and not what it says in the letter to the editor.

NO. 559 OF 1998

THE HON A J ISOLA

RATES - COMMERCIAL PREMISES

Can Government state what was the total amount of rates paid in the quarter ending 31st December 1997 in respect of commercial premises where the 20 per cent rebate was charged by those paying the rates demanded within three months of the due date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 560 and 561 of 1998.

ORAL

NO. 560 OF 1998

THE HON A J ISOLA

RATES - COMMERCIAL PREMISES

Can Government state what was the total amount of rates paid in the quarter ending 31st March 1998 in respect of commercial premises where the 20 per cent rebate was charged by those paying the rates demanded within three months of the due date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 559 and 561 of 1998.

NO. 561 OF 1998

THE HON A J ISOLA

RATES - COMMERCIAL PREMISES

Can Government state what was the total amount of rates paid in the quarter ending 30th June 1998 in respect of commercial premises where the 20 per cent rebate was charged by those paying the rates demanded within three months of the due date?

ANSWER

THE HON THE CHIEF MINISTER

The total amount of rates paid in respect of commercial premises in respect of which the 20 per cent discount has been claimed is as follows:

| | |
|----------------------------------------------|------------|
| Quarter ended 31 st December 1997 | £1,110,428 |
| Quarter ended 31 st March 1998 | £1,101,301 |
| Quarter ended 30 th June 1998 | £1,081,324 |

SUPPLEMENTARY TO QUESTION NOS. 559, 560 AND 561 OF 1998

HON A J ISOLA:

The figure that has been quoted, that is the gross figure from which the 20 per cent has been deducted or is this the net figure?

HON CHIEF MINISTER:

I would hate to say so but if the question has been accurately answered, the question did ask what was the total amount of rates paid so I suppose that it is the net amount, in other words, the amount paid so that the gross amount would have been higher.

HON J J BOSSANO:

Is it not the case that there is, as I recall when the system was introduced, the rebate ending one quarter was credited to the following quarter, is that how it was done?

HON CHIEF MINISTER:

Yes, so that in respect of any quarter 75 per cent is paid and not the 100 per cent, so the amount paid in respect of a quarter is the net amount. This must have an obvious answer which I can find out. One must bear in mind that this amounts to a net reduction of 20 per cent so however the system is started it must result in people actually paying 20 per cent less, whether it is by way of credit against the next quarter or not is just the mechanics of payment in respect of the quarter to which it relates, 20 per cent less is actually paid.

NO. 562 OF 1998THE HON A J ISOLA**COMPANIES - WINDING-UP PROCEEDINGS**

Can Government state in respect of how many companies winding up proceedings have been initiated on account of non-payment of debts to Government in each month since 1st January 1998?

ANSWERTHE HON THE CHIEF MINISTER

Since 1st January 1998 winding-up proceedings, that is petitions for winding up filed in the Supreme Court on account of non-payment of debts to Government totalled 43. Of these, companies actually wound up so far totalled 20. The breakdown by month is as follows:

| | <u>Filed</u> | <u>Liquidated</u> |
|-----------|--------------|-------------------|
| January | 5 | 4 |
| February | 2 | 3 |
| March | 13 | 4 |
| April | 2 | 0 |
| May | 12 | 8 |
| June | 9 | 1 |
| July | 0 | 0 |
| August | 0 | 0 |
| September | 0 | 0 |

Obviously there is noticeable inactivity during the summer months.

NO. 563 OF 1998

THE HON A J ISOLA

GOVERNMENT REPORTS/STUDIES ETC COMMISSIONED

What reports/studies, reviews/surveys/consultancies have Government directly or indirectly commissioned since May 1996 and in respect of which matter and at what cost has each such report been commissioned?

ANSWER

THE HON THE CHIEF MINISTER

I hope the hon Member will accept that the answer is put together and given in good faith. An attempt has been made to recall all such instances and if there are any omissions it is explained only by reference to the fact that there is not a central register of these things and at the end of the day what we can do is a departmental trawl to identify them.

The following have been commissioned since May 1996:

1. King's Bastion Feasibility Study:

To conduct a preliminary feasibility study into the potential Sports and Leisure future of the King's Bastion and the Generating Station. That was commissioned from the firm that have done the same in Jersey.

£11,309.48 - Roger Quinton Associates Ltd

2. Urban Renewal Study:

The revision of laws governing private rents in the Town area with the aim of revitalising and enhancing said areas.

£8,375.00 - Mr S Prescott

3. Eco-motion Survey:

To assess the potential benefits and cost of introducing electronic transport in Gibraltar.

£7,652.35 - Sydkraft Konsult

4. Gibraltar Port Strategic Study:

£20,393.28 - Commissioned to MDS Transmodal

5. Import Duty Report:

£30,509 - Commissioned to KPMG

6. Project Runway:

Process of commercial valuation of the shares in both Gibtel and Nynex for use in any possible merger discussions involving those two companies.

£24,873 - Commissioned to KPMG in the United Kingdom

7. Study on Higher and Further Education in Gibraltar:

£3,515 - Commissioned to DTZ Piedad Consulting

8. Environment Pollution Study:

To monitor Air Quality Control. Hon Members may recall that we exchanged questions and answers about this recently and that is the creation of a study to try and avail ourselves of exemptions in Air Quality Control Directives which would substantially reduce the amount of capital investment that would be required to comply with directives if we can persuade the Commission that our air is not polluted by certain things and to establish that we had to do this survey.

£22,600 - Commissioned to the Environment Agency

9. Building Survey Report on the Theatre Royal:

£15,000 - Commissioned to Mr D Mosquera

10. Report commissioned by the Gibraltar Health Authority to review the Health Service in Gibraltar and to inform the development of a long term Health Service strategy including the state and future of the Estate, in other words, of the real estate use for the delivery of the Health Service in Gibraltar.

£68,931.91 - N.H.S. Estate

11. A review of the public bus service commissioned at no cost from Messrs B Clark, E Pinna and R Garcia to whom we should be grateful for the work that they have done at no cost to the taxpayer.

I suppose, although I am not sure that it is a report as such, the Government did commission a report initially from Milbury on disability care, child care and elderly care which we debated, hon Members will recall, at budget time. There was a one off payment for the initial consideration payable to Milbury which is to provide detailed assessments and report on various aspects of our social services, indeed I can tell hon Members that the Government have now received reports on a number of issues, foster service, care of children, care for the elderly, disabled people with challenging behaviour, of all the reports they had to do they have now given them all in to the Government and the Government are considering them. That is not included in my original answer. I cannot remember what the cost of that was. There was a sum provided in the contract for which, amongst other things, they had to do these reports. I have just been informed my hon Colleague, the Minister for the Environment and Health, that the MOD is paying one-third of the cost of the Health Authority Report to which I referred a moment ago.

NO. 564 OF 1998

THE HON A J ISOLA

COMMITTEES/BOARDS/REVIEW TEAMS

What committees/boards/review teams have Government directly or indirectly set up since May 1996, for what purposes and who has been appointed to serve on such boards/committees?

ANSWER

THE HON THE CHIEF MINISTER

If the hon Member agrees what I will give him is a list of the committees/boards et cetera and the purpose and separately give him a list of the members of each board otherwise I will have to read a very long list of names which he will not be able to keep up with anyway, which I will hand to him now.

The following Committees/Boards/Review teams have been set up since May 1996:-

1. The Tax Reform Working Group

Working Group set up to look into tax reform in Gibraltar.

2. Enterprise Initiative Board

A recommending body which considers applications under the Gibraltar Enterprise Scheme and the Gibraltar in Europe Business Development Scheme. It basically evaluates applications for Government and EU funding.

3. Gibraltar National Week Organising Committee

A committee about which much has been heard recently and who have done sterling work during the last few months.

4. The Millennium Committee

The aim of this Committee is to plan ways in which Gibraltar may suitably and meaningfully mark the close of the second Millennium and to celebrate the start of the Third in the year 2000.

5. The Gibraltar Health Authority Review Board

A review team set up to review the structure and operation of the Gibraltar Health Authority and to closely examine specific medical issues.

6. The Nursing Review Board

A body set up to review issues of nursing manning levels, training and selection procedures.

7. School Hours Working Group

Working Group set up to look into the question of school hours.

8. Tourism Advisory Council

A non-executive Council created to assist the Minister in the development of the tourism industry in Gibraltar.

9. Labour Advisory Board

To provide a standing forum for consultation and to seek consensus on matters relating specifically to labour, training and working conditions issues.

10. Economic Advisory Council

A regular forum of consultation between the Government, the Trade Unions and business representatives in matters relating to the economy and economic policy, in a process aimed at achieving broad consensus where possible.

11. Gibraltar Sports Advisory Council

To advise Government on all matters relating to sport.

12. Health and Safety Council

To advise Government on all aspects of health and safety issues.

13. Cemetery Board

Board which Government have resuscitated after five years of being dormant prior to 1996 in order to do its statutory job of advising the Government in relation to matters appertaining to the cemetery.

NO. 565 OF 1998

THE HON A J ISOLA

QUALIFYING (CATEGORY 3) INDIVIDUALS RULES 1998

Can Government state how many applications have been received by the Financial and Development Secretary from statutory bodies requesting a certificate designating an individual occupying a post within such entity, as a category 3 individual paying £10,000 income tax and not subject to normal PAYE income tax rates?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Since the Qualifying (Category 3) Individuals Rules 1998 were brought into operation on 30th June 1998, we have received five applications from statutory bodies in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 565 OF 1998

HON A J ISOLA:

Are these five different statutory bodies or five applications from one statutory body?

HON P C MONTEGRIFFO:

There are only two statutory bodies to which the rules apply, they are in respect of the Gibraltar Development Corporation and the Financial Services Commission and the applications refer to applications from each; in fact one from the Development Corporation and four from the Financial Services Commission.

HON J J BOSSANO:

In the case of the Financial Services Commission, is it that they are recruiting somebody who has been told that there is available this special tax rate which was not the case before?

HON P C MONTEGRIFFO:

No, there is no formal commitment and there have been no applications on the basis that the status will be extended but it is a matter that has been raised between the Commission and the Government and it is a matter which the Government, in the exercise of the discretions that are vested in these rules will look at sympathetically. Essentially since the Government subsidise the Financial Services Commission significantly we are talking really about an accounting issue rather than a cost issue in net terms. So it is applications that are made by a number of the regulators, they have put them in on the basis that it would seem to make sense as a way of reducing the Government subvention and it is in that context that the applications have been submitted and will be considered.

HON J J BOSSANO:

Although it raises separate issues, I will not go into that, but is it not the case that the salaries that are paid in the Commission are on the basis that people are taxed on those salaries the same as everybody else? Is it that the salaries would be reduced if they were granted?

HON P C MONTEGRIFFO:

Yes, they should be. Certain officers have been recruited on the basis that they would be expecting to receive a certain salary and if normal Gibraltar tax were to apply then the salary would be grossed up and, of course, this would be a matter which will give rise to a higher level of subvention.

HON J J BOSSANO:

Is the commitment then on the part of the Government that they will provide a subvention to meet whatever salaries are negotiated with people that the Commission recruits?

HON P C MONTEGRIFFO:

Let us get this straight. There is a commitment from the Government that we will properly add resources to ensure the proper function of the Financial Services Commission but the amount that is to be allocated from time to time is the matter of detailed scrutiny that involves the Financial and Development Secretary looking in a detailed fashion at the budget submitted by the Commission and making sure that any contribution made by the Government is entirely required. What has happened is that in recruiting new supervisors to the Commission; the Commission has offered to the supervisors the potential of a salary at a service level depending on whether the application for rep status is successful or not. The net figure that these supervisors have been contracted to receive will be the same, the only thing that would change will be the amount of gross contribution that the Commission would have to pay to the supervisors and that will have an impact, obviously on the overall cost to the Commission and probably directly on the level of subvention. There is no direct link between the salary paid to these supervisors and the subvention but clearly if the costs that the Commission incurs are higher then it is likely that that will reflect itself in a higher level of subvention, much will depend of course on the type of fees that are collated by the Commission which will depend on how well the industry is doing and how many licensees contribute in any given year.

HON J J BOSSANO:

Is not the rationale of that argument applicable virtually to everybody who gets paid out of public funds? That is to say, if none of us paid tax then presumably we would all get a lower allowance in this House?

HON P C MONTEGRIFFO:

I am not prepared to debate with the hon Member the rationale or otherwise of the rules. If he wants to discuss the matter I am quite happy to do so in a debate on that issue and I am quite happy to defend the Government's position and this is a question simply on how many people have applied within those rules. But in the case of the Financial Services Commission we are talking about, like in the case of a private sector company that might wish to apply and this now applies to qualifying and exempt

companies. We are talking about individuals who have very specific skills not available in Gibraltar and who are therefore forward in the general areas which these rules were originally designed and that is the basis upon which it was felt reasonable to extend these two statutory bodies to which I have referred. They do not extend to any other. The merits or otherwise of having a scheme of this type is no doubt a question that the hon Member himself must have debated in his own mind when these rules were introduced, rules that are not a great deal different from the ones that they had substituted.

HON J J BOSSANO:

Can I just take the Minister up on two things that he has said. First of all, he says they are limited to these two statutory bodies. There is nothing in the rules that limits it to any one or two or any, does it?

HON P C MONTEGRIFFO:

Yes, it is described as such. They are described as "the statutory body" means the Gibraltar Development Corporation and the Financial Services Commission.

HON J J BOSSANO:

So, for example, the Health Authority would not be able to make use of such rules?
[HON CHIEF MINISTER: No.]

HON A J ISOLA:

Of these five applications have any of them been approved already or are they pending?

HON P C MONTEGRIFFO:

They are still pending.

NO. 566 OF 1998THE HON A J ISOLA**QUALIFYING (CATEGORY 3) INDIVIDUALS RULES 1998**

Can Government state how many applications have been received by the Financial and Development Secretary from companies requesting a certificate designating an individual occupying a post within such entity, as a category 3 individual paying £10,000 income tax and not subject to normal PAYE income tax rates?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

A total of six applications have been received from either qualifying or exempt Gibraltar companies since the Qualifying (Category 3) Individuals Rules 1998 were brought into operation on the 30th June 1998.

SUPPLEMENTARY TO QUESTION NO. 566 OF 1998

HON J J BOSSANO:

In answer to the previous question the Minister said the rules are virtually the same as the ones that they replaced. Is it the case that the applications that have been received from qualifying or exempt companies in respect of the six are applications that would have met the criteria as they stood before that date?

HON P C MONTEGRIFFO:

I speak from memory, but they would not in terms of exempt companies. If I remember the change correctly, the previous rules were limited to qualifying companies and the so-called 1992 holding companies of which not a single one was ever incorporated and were in fact limited to companies that I think were incorporated after 1992. There was a time scale, in other words, it was for new companies coming in but if one was a qualifying company or an exempt company that had been in Gibraltar 15 years but one happened to want to have a member of staff that fell otherwise within the criteria of the rules one could not do so and we took the view that that was an indefensible prohibition. If a company really has a case to be made for the application of the rules it is sensible that it should apply whether or not the company has been incorporated before 1992 or not. One of the things that the new rules does and there are other matters that are different with the previous rules, one of the things that the new rules do do is that it basically extends these rules to all qualifying and exempt companies, of course the other criteria has to be met but in principle any qualifying or exempt company can now make an application under these rules for the status in question.

HON A J ISOLA:

Am I right in saying that the new rules, as in the last ones, have a requirement that the applicant cannot have been working in Gibraltar any time within the previous 12 months? In respect of these six applications received, is that the case with these? Are they all new entrants or have some of them been waiting for some time for these regulations to come into place?

HON P C MONTEGRIFFO:

I cannot confirm that to the hon Member but the criterion in respect of residence has not changed, I am 99 per cent sure of that. In other words, there is a criterion which is replicated from the previous rules, namely, that such a person should not have been residents of Gibraltar for the previous five years before the application is made. Whilst there is a discretion vested in the Financial and Development Secretary as existed in the previous rules to waive that requirement in circumstances that might be seen appropriate. There has been no change in the regulations regarding to that and I cannot tell the hon Member whether these applications are in respect of people that are here and are asking for that discretion to be waived, I would very much doubt it frankly, there is no reason to suppose that these applications are not applications as have been received in the context of the previous rules, namely, by new people seeking to access the labour market albeit on this preferential basis. But I am quite happy to confirm that position to the hon Member if he so wishes.

NO. 567 OF 1998

THE HON A J ISOLA

TOBACCO WHOLESALE LICENSES - APPLICATIONS

How many applications were received for tobacco wholesalers licences and of these how many were refused or rejected by virtue of the unsuitability of the applicants?

ANSWER

THE HON THE CHIEF MINISTER

Twenty applications for a tobacco wholesale licence were received and one of them was rejected.

SUPPLEMENTARY TO QUESTION NO. 567 OF 1998

HON A J ISOLA:

Was that rejected by virtue of the unsuitability or was it some other reason?

HON CHIEF MINISTER:

I am not willing to identify by name the applicant in question but I can say that the premises from which the particular applicant wanted to carry on the wholesale business was incompatible with other licences that he had for trading on those premises. In other words, it was really a reference to the unsuitability of the premises rather than to the unsuitability of the applicant.

NO. 568 OF 1998

THE HON A J ISOLA

TOBACCO RETAIL LICENSES - APPLICATIONS

How many applications were received for tobacco retail licences and of these how many were refused or rejected by virtue of the unsuitability of the applicants?

ANSWER

THE HON THE CHIEF MINISTER

Two hundred and thirty-five applications for a tobacco retail licence were received and three of them were rejected. They were all rejected on the grounds of unsuitability of premises from which the retailer intended to trade.

ORAL

NO. 569 OF 1998

THE HON A J ISOLA

GOVERNMENT REVENUE - TOURIST INDUSTRY

Can Government state what they estimate the contribution to Government revenues derived directly from the tourism industry in the year 1997/98 as compared to 1996/97?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 570 of 1998.

NO. 570 OF 1998

THE HON A J ISOLA

GOVERNMENT REVENUE - FINANCIAL SERVICES SECTOR

Can Government state what they estimate the contribution to Government revenues derived directly from the Financial Services Sector in the year 1997/98 as compared to 1996/97?

ANSWER

THE HON THE CHIEF MINISTER

The Government cannot with any reliable degree of accuracy estimate what are the direct contributions by these sectors to Government revenues either for 1996/97 or for 1997/98 nor indeed for any year after 1987. As I am sure the Opposition Members are only too well aware, in order for the Government to be able to provide such estimates there would need to be an up-to-date Input/Output model of the economy. Such a model would allow reasonably accurate estimates to be made of the relative contributions of each sector of the economy in terms of national income, employment, Government revenue et cetera.

As the hon Member I am sure is aware, Associated Research Consultants carried out two separate surveys in 1980 and in 1987 as a result of which Input/Output models were derived. Unfortunately, the results of both these surveys were rendered highly suspect as forecasting tools as the structure of the Gibraltar economy underwent fundamental change during that decade.

The Government are, therefore, as unable to provide the estimates for the years in question, as Opposition Members were, during the years 1988 to 1996.

SUPPLEMENTARY TO QUESTION NOS. 569 AND 570 OF 1998

HON J J BOSSANO:

Did the Government not answer a similar question previously without that problem, what has changed since then?

HON CHIEF MINISTER:

I do not believe that the Government have answered a similar question. What I believe happened is that in some speech outside of Gibraltar or in some marketing material the Government asserted that tourism or perhaps it was the Finance Centre, was contributing 20 per cent of GDP and the Opposition Members pressed us on that and asked us how we knew. That is the exchange that I recall but I do not think we have had this particular question before. It may be that the hon Member's recollection is better than mine. Certainly I do not recall giving, if it has been asked before, such answer.

NO. 571 OF 1998THE HON R MOR**SOCIAL SECURITY - CLOSED/OPEN LONG-TERM BENEFITS SCHEMES**

Can Government identify the provisions in the Ordinances setting up the Open and Closed Benefits Funds which cover the transfer of monies from one fund to the other on an “as an when needs basis”?

ANSWERTHE HON THE CHIEF MINISTER

The provisions which allow the transfer of monies from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund are found in section 3(2)(d) together with section 3(6) of the Social Security (Closed Long-Term Benefits and Scheme) Ordinance and section 10(3)(c) together with section 10(6) of the Social Security (Open Long-Term Benefits Scheme) Ordinance.

SUPPLEMENTARY TO QUESTION NO. 571 OF 1998

HON J J BOSSANO:

Is it not the case that on several occasions in the past when we had asked whether it was the powers of the Financial and Development Secretary that were being used similar to those in the Public Finance Ordinance that we have been told that that is not the case and that there was a specific provision?

HON CHIEF MINISTER:

Yes, and the answer is that there is a specific provision but one provision depends on the other. In other words, if we take as an example, the Closed Long-Term Benefits Fund, section 3(2) says, “there shall be credited to the Fund (a), (b), (c), (d) the monies for which provision is made in section 20 of the Public Finance (Control and Audit) Ordinance”. Then when we read section 20 of the Public Finance (Control and Audit) Ordinance which the hon Member is more than familiar with given that he used it extensively for inter-special fund transfers, he will recall that that gives power – I am not sure who has the power technically, I suspect it is the Financial and Development Secretary – to transfer monies from one special fund to another. Therefore the answer is both, there is a particular provision in each of the pension ordinances but both are by reference back to section 20 of the Public Finance (Control and Audit) Ordinance.

HON J J BOSSANO:

Is it not the case that the Chief Minister has been insisting on a number of occasions that they were not relying on section 20 of the Public Finance (Control and Audit) Ordinance or on a similar provision and at one stage he suggested that it could be found in regulations and when I asked in a supplementary to Question No. 198 whether it was in the regulation which he said to me, “He should have read the principal Ordinance and of course the regulation made thereunder”, and then I said, “It is not in the principal Ordinance, is it in the regulations?” The response of the Chief Minister was, “I am not indicating anything to the hon Member. As the hon Member has stated that what I indicated to him is not enough, my position is I am not indicating

anything to him at all". So, in fact, it is the case then that the answer we have been given before was not accurate, that it is the same provision that we could find in the Ordinance which is the one that says that the Financial and Development Secretary may transfer money which is surplus to the requirements of the fund.

HON CHIEF MINISTER:

No, there is a specific provision and certainly if I told him some time ago that he should look to the principal Ordinance that was very good advise because the provisions.....*[HON J J BOSSANO: I have already looked at it.]*that I am reading from are in the principal ordinance. The principal Ordinance contains a provision which authorises the crediting for the special fund to each of the two pension funds of the monies for which provision is made in section 20 of the Public Finance (Control and Audit) Ordinance, that is a specific provision of each of the two pensions ordinances. I suppose we could also rely on subsection 3(c) relating to surplus requirements of the Open Fund but they are specific provisions contained in the principal Ordinance. I do not recall saying anything to the contrary before and certainly what he has read out does not seem to me that contradicts what I am now saying.

HON J J BOSSANO:

I suggest the Chief Minister reads all the supplementaries to Question No. 198 in which he will find that when I kept on drawing his attention to this clause he kept on telling me that this was not the case, that there was a specific provision allowing the money to be transferred from one fund to the other as and when needed. Is it not the case that what this says is that if there is a surplus in this special fund as indeed in any other special fund, the Financial and Development Secretary has got the discretion to determine where that surplus should be transferred to, whether it be the Consolidated Fund or any other special fund? The reply that we have been given of £800,000 being transferred every month since December is what, the judgement of the Financial and Development Secretary since last December that these were £800,000 surplus?

HON CHIEF MINISTER:

No, because the hon Member is looking only at one of the two provisions that I have pointed out to him, the one dealing with the transfer of surplus funds. In other words, in the case of the Closed Long-Term Benefits Fund he is looking at section 3, subsection (3)(c) and I would urge him to look also at section 3, subsection (2)(d) which makes, in addition to the surplus at each point allows for the transfer to the Pension Fund of the monies for which provision is made in section 20 of the Public Finance (Control and Audit) Ordinance. Section 20..... *[HON J J BOSSANO: Says the same.]* No, section 20(e) has at some stage, my copy does not have the date, been amended to read, "Any monies transferred to the fund from any other special fund", without references to surplus. The reference in the Pension Fund Ordinances, both of them, to the monies for which provision is made in the Public Finance (Control and Audit) Ordinance brings in section 20(e) of that Ordinance which simply says, "Any monies transferred to the fund from any other special fund" which I had assumed was the provision on which the hon Member had always relied for transferring monies from one special fund to the other historically.

HON J J BOSSANO:

And which is, in fact, the question that I put to the Chief Minister previously to which he said no. When I asked him, "Is he relying?" the answer was, "No, we are not relying on section 20 of the Public Finance (Control and Audit) Ordinance. I think that is a section

to which the hon Member is referring, there is a specific provision in the Open Long-Term Fund and in the Closed Long-Term Fund for this to occur otherwise it would not have been possible to create different funds because one fund is receiving the contribution and the other is receiving none of the contributions". Now what he tells us is that the answer should not have been no, it should have been, "Yes, we are relying on the provisions of section 20 of the Public Finance (Control and Audit) Ordinance because the law says that we can do what the section 20 permits" which, of course, if section 20 permits it even without a provision that here it says that one can do it, in the absence of a positive prohibition he would have been able to do anyway. The only reason why we put this question down on the Order Paper was because we could not find anything other than section 20 of the Public Finance (Control and Audit) Ordinance and we had already been told that this was not the case.

HON CHIEF MINISTER:

I have to say to the hon Member that I think that he is mistaken, he is not giving due significance to the fact that the provisions of one Ordinance are specifically imported into another by a specific provision of that second Ordinance. We are not relying on section 20 directly. In other words, we would be relying on section 20 directly if the Pension Scheme Ordinances were silent and if the Pension Scheme Ordinances were silent on the issue then we would be relying on the overall application of section 20 of the Public Finance (Control and Audit) Ordinance. What I said to the hon Member, which is entirely accurate, is that there is a specific..... *[Interruption]* Well, the hon Member either just wants to hear his own allegations or he wants to hear the answers as well. What I said to him was that there was specific provision in the Pensions Ordinances and there is specific provision in the Pensions Ordinances which in the section that I have quoted in my first answer, on the face of the Pensions Ordinance make specific provision for relying on that section and therefore the reliance on that section is not direct, the Pensions Ordinances, both of them, make specific provisions for the transfer of funds from one special fund to the other. It is true that that specific provision does not explain verbatim the regime and that it imports the regime by reference to a provision in the Public Finance (Control and Audit) Ordinance but it is still entirely correct that each of the two Pensions Ordinances make specific provision for the fund transfers.

HON J J BOSSANO:

Can I ask the Chief Minister two questions? First, am I correct in saying that without the specific provision to which he is drawing attention, which I pointed out to him in supplementaries to Question No. 198 and he told me it was something else, I pointed to this specific provision, I said, "There is a provision here which is the same as the one in section 20" and he said I should read the Ordinance again, that is what he told me the last time. Will he accept that, in fact, the absence of that provision would not alter at all what is being done? That is to say, without that specific provision exactly the same thing could have been done under section 20 of the Public Finance (Control and Audit) Ordinance?

HON CHIEF MINISTER:

Absolutely and that does not detract from the fact that also there is specific provision to do that in the Pension Scheme Ordinances, both propositions are correct. We could have done it without the specific provision in the Ordinance and there is also a specific provision in the Ordinance, both propositions are correct.

HON J J BOSSANO:

So, in fact, the answer is that when I asked him to confirm that it was the provision in the Ordinance which was the same as section 20 that was being used and I was told that I should take another look at the Ordinance, the reply should have been to confirm that it was the same provision that was being used?

HON CHIEF MINISTER:

If that is the effect of the question in supplementaries that he has in front of him then the answer is yes, that in effect the Ordinances import by reference the same regime as is otherwise provided for by section 20 and I suppose that that is the reason why Standing Orders do not allow hon Members to ask opinions from others.

HON J J BOSSANO:

It is not a question of opinion, I was seeking information because the impression was being given to the House that there was some other route being used.

HON CHIEF MINISTER:

Not now, originally.

ORAL

NO. 572 OF 1998

THE HON R MOR

MOROCCAN WORKFORCE - REPATRIATION OFFER

Can Government state how many Moroccan unemployed workers took up the Government's repatriation offer?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 573 of 1998.

NO. 573 OF 1998

THE HON R MOR

MOROCCAN WORKFORCE - REPATRIATION OFFER

Can Government state how many Moroccan unemployed workers did not take up the Government's repatriation offer?

ANSWER

THE HON THE CHIEF MINISTER

A total of 173 unemployed Moroccan workers have to date taken up the Assisted Resettlement Scheme.

A total of 193 unemployed Moroccan workers have not done so.

SUPPLEMENTARY TO QUESTION NOS. 572 AND 573 OF 1998

HON R MOR:

Do the Government accept that the total of these two figures are way out with the 700 estimated at the time?

HON CHIEF MINISTER:

The Government, as I have said in the House before, have had in the order of 400 Moroccans registering under the scheme but, of course, registration did not require them to actually do it and of the 417 who originally registered for the scheme, 48 registered subsequently but of the 417 who originally registered for the scheme, 173 have taken it up. That is not a measure of anything, that is not a measure of the number of unemployed Moroccans, there may be unemployed Moroccans out there who never registered for the scheme. If the hon Member is trying to suggest that numbers do not tally with the alleged number of unemployed Moroccans I do not think they are supposed to.

HON J J BOSSANO:

In the amount that was put in the Estimates, what was the assumed take up?

HON CHIEF MINISTER:

There is an answer to that question, I do not recall it. I think it was just under the £1.5 million that the Government said that we would provide. The hon Members are trying to get to the point of enquiring what might be my view on whether it has been a success or not, I think it has been a partial success. I think it would have been better if more people had taken it but 173 people have taken it and gone and that is better than none. I would have been much happier if as many as possible of the structural long-term unemployed Moroccans had taken it.

HON J J BOSSANO:

Is the position then that it is no longer on offer, there was a time limit?

HON CHIEF MINISTER:

I do not recall that. I do not think so. I think it would still be available to anybody who applied and took it now. I cannot remember the rules of it but whatever was originally said the Government will, in principle, be willing to extend it up to the maximum amount that we were willing to spend on this if anybody else now wants to take it.

HON J J BOSSANO:

Was there a condition on how long people had to be out of work before they became eligible?

HON CHIEF MINISTER:

Yes, there was, but I cannot remember what it was. I think it was three years or five years, there was a requirement. Although it has to be said that in the end the rules about who could take it and who could not became quite elastic and, frankly, so long as numbers were being reduced I think people have been allowed to take it who would not have complied with the original rules as drafted. There were rules to the scheme but I do not think those rules have been strictly adhered to.

HON J J BOSSANO:

So it would not be the case, for example, that some people might not have been eligible because they had not been unemployed long enough but would become eligible in the future? Anybody who had not met the time requirement would still have been allowed to go, is that it?

HON CHIEF MINISTER:

I think the rule that has not been strictly applied is the one about the period of time during which they had to have been unemployed. I do not think anyone has been allowed, in fact I can tell him from my notes here for supplementaries, that 46 people applied and were not accepted because they were still employed. So the rule that they had to be unemployed was not being relaxed. They had to be resident in Gibraltar for a certain period of time and therefore those that have applied, Moroccans who had left Gibraltar over the years and gone back to Morocco, they were not allowed obviously to benefit either. The idea of this was to get people away and not to pay people that had already gone. Five persons have not so far been allowed to participate because they became unemployed after the scheme was implemented so they are five people in whose case the scheme might be relaxed and extended so that they might feel to take it up, and two who have been in Gibraltar for less than five years. So the rule that they had to be unemployed for a certain amount of time has been relaxed but not that they had to be unemployed having been in Gibraltar for a minimum period of time.

NO. 574 OF 1998THE HON J C PEREZ**APPROVED CONTRACTORS COMMITTEE**

What is the criteria used by Government in selecting companies to form part of the approved list of contractors?

ANSWERTHE HON THE CHIEF MINISTER

Applications for inclusion in the Government's list of approved contractors are considered by the Approved Contractors Committee which investigates the firm's financial status, its managerial and technical expertise, its past performance on other projects and the number of workmen it employs on a permanent basis.

SUPPLEMENTARY TO QUESTION NO. 574 OF 1998

HON J C PEREZ:

Does the Chief Minister know whether local companies have recently been discarded in favour of companies from outside Gibraltar in the criteria used?

HON CHIEF MINISTER:

I have no knowledge of that. In any case, it would not be a question of discarding. It is not as if there is a maximum number of companies that are allowed on the list. If the committee wanted to put Spanish companies on the list it would not have to be at the expense of kicking out a local company. I am not quite sure how the discarding comes in, it may well be although I have no knowledge whatsoever about it, that some companies may have been disqualified or deregistered having failed to keep up to the criteria upon which they originally earned accession to the list. But certainly I have no knowledge of it. If the hon Member is interested I will find out and inform him. I have just been reminded that, in any case, I know the hon Member knows that he knows that there are certain categories.

HON J J BOSSANO:

In the original reply a list of criteria was given but is it that they have to have a certain number of employees to be able to be on the list?

HON CHIEF MINISTER:

No, it is an issue that we are considering as a means of achieving this and other things but at the moment it is just a question of the committee assessing the capacity of the company to do work, it is not that there is a minimum that has to be met statutorily although I suppose that if the committee is consistent in its application of these criteria it must have a view of what is the minimum personnel that a company should have in order to qualify for one of the various categories.

HON J J BOSSANO:

Is there a requirement as to the length that the company has had to be trading, that is the previous track record of the company?

HON CHIEF MINISTER:

I do not believe that there is. I think in a sense the criteria about past performance would operate negatively against them, they are better off with no track record at all than with a bad one. There is no minimum length of time otherwise one could never get on the list in the first place.

HON J J BOSSANO:

That is not quite true. One could get on the list after one has been operating without necessarily being on the list. Is it in the case, in fact, that the UK departments in their own short listing of tenderers put in a requirement that they have had to be undertaking work for a certain period of time before they can get on?

HON CHIEF MINISTER:

I am not aware of what UK departments may be doing. Certainly we have not got such a policy that I am aware of.

ORAL

NO. 575 OF 1998

THE HON J C PEREZ

CIVIL SERVICE - AA VACANCIES

How many of the applicants for the Administrative Assistant vacancies advertised for the Civil Service in August were shortlisted for interview and what criteria was used?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 579 of 1998.

NO. 576 OF 1998

THE HON J C PEREZ

CIVIL SERVICE - AA VACANCIES

Can Government state how many of those recruited before August as Administrative Assistants into the Civil Service held the following qualifications:

- (a) Degrees
- (b) 'A' levels
- (c) 5 'O' levels or more?

ANSWER

THE HON THE CHIEF MINISTER

Of those applicants recruited as Administrative Assistants before August into the Civil Service; three held Degrees, five held 'A' levels and three held 5 'O' levels or more.

SUPPLEMENTARY TO QUESTION NO. 576 OF 1998

HON J C PEREZ:

Were there any persons shortlisted over the 11 people employed and, if so, what were the qualifications of those?

HON CHIEF MINISTER:

Three other applicants recruited held Higher National Diplomas. I believe that there was a shortlist and I believe, although I would not like the hon Member to hold me to this particular part of the answer, that that shortlist has been drawn on but that is as much information as I have available to me right now.

ORAL

NO. 577 OF 1998

THE HON J C PEREZ

CIVIL SERVICE - AA VACANCIES

Can Government now state how many of the 128 applicants shortlisted for interview for Administrative Assistant posts advertised in the Civil Service before August, were persons registered as unemployed?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 578 of 1998.

NO. 578 OF 1998THE HON J C PEREZ**CIVIL SERVICE - AA VACANCIES**

Can Government state how many of those recruited before August as Administrative Assistants into the Civil Service were unemployed?

ANSWERTHE HON THE CHIEF MINISTER

I regret that in answer to Question No. 267 of 1998, I unwittingly gave the hon Member incorrect information. I said that there were 128 applicants, which is why he uses that number in the last question, shortlisted for interview when in fact there were 110. I apologise to the hon Member for this error which stems from erroneous information to my office from the Personnel Department.

Of the applicants shortlisted for interview for the post of Administrative Assistant in the Civil Service before August, 11 were registered as unemployed. Eleven applicants recruited before August were unemployed.

SUPPLEMENTARY TO QUESTION NOS. 577 AND 578 OF 1998

HON J C PEREZ:

So I take it that all the 11 mentioned in answer to Question No. 576 were the 11 unemployed in the shortlist for interview and the 11 selected?

HON CHIEF MINISTER:

It follows from the answer. I think I have said before that it is the Government's policy, without sacrificing standards, but if we have a group of people with much the same qualifications and some of them have got stable jobs in the private sector and others are unemployed, it is the Government's policy that preference be given to the unemployed persons because otherwise we may be destroying jobs in the private sector because the vacancies may not be filled.

HON J C PEREZ:

So that we have a much clearer picture, can the Chief Minister when he can, supply us with the number of people who were shortlisted after the interview for those recruited before August and of those shortlisted how many have now become employed?

HON CHIEF MINISTER:

I do not follow the hon Member's last part of the question. How many were shortlisted; yes, that is the information I have not given him.

HON J C PEREZ:

And the Chief Minister said that some of those might have been drawn from already. What we want to know is the total number that have been employed of the shortlist, 11 plus whatever and what qualifications they hold?

HON CHIEF MINISTER:

He means wait listed then?

HON J C PEREZ:

That is right.

NO. 579 OF 1998THE HON J C PEREZ**CIVIL SERVICE - AA VACANCIES**

Can Government state how many applicants there have been for the Administrative Assistant vacancies advertised for the Civil Service in August, and of these, how many were from persons registered as unemployed?

ANSWERTHE HON THE CHIEF MINISTER

Two hundred and three applications have been received for the Administrative Assistant vacancies advertised in August for employment within the Civil Service. Applications are currently being processed.

The criteria will, once again, be the qualifications of the applicant whilst giving preference to applicants who are without employment.

SUPPLEMENTARY TO QUESTION NOS. 575 AND 579 OF 1998

HON J C PEREZ:

When the Chief Minister says qualifications, has the minimum standard of five 'O' levels for interview been used again on this occasion?

HON CHIEF MINISTER:

I cannot tell the hon Member with certainty whether that is the case. I believe that it is not the case. In other words, I do not think that that is the criteria by which applicants will be called in for interview. It is not an issue that has been put to the Government, it has not been put to me, it may be that the decision has not yet been made. I do not think that people have been asked to come in for interviews yet.

HON J C PEREZ:

It was the criteria used the last time, that is what I am trying to get at, whether it is going to be the same one or that has changed. Could the Chief Minister perhaps give me of the 203 applicants, how many of those are unemployed, which is Question No. 579?

HON CHIEF MINISTER:

I have not been given that information. For some reason that I cannot now explain to him, I have not been given the information of the August applicants how many were unemployed. I will have to give that information to him tomorrow.

NO. 580 OF 1998

THE HON J C PEREZ

GHA - DIRECT RECRUITMENT

Can Government state whether any direct recruitment has been undertaken by the Gibraltar Health Authority and, if so, whether such recruits form part of the Civil Service?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Direct recruitment has been undertaken by the Gibraltar Health Authority on behalf of the Government. All officers appointed have initially been on contract terms and are employees of the Government and subject to General Orders.

SUPPLEMENTARY TO QUESTION NO. 580 OF 1998

HON J C PEREZ:

Can the Minister state, over and above those which would normally have been engaged on a contract basis by the Government themselves, posts that would normally become permanent and pensionable within the Civil Service have been taken on by the Health Authority and they are civil servants?

HON K AZOPARDI:

Any recruitment done by the Health Authority has only been done on behalf of the Government and when people have received a subsequent letter of appointment on the letterhead of the Health Authority it has summarised the employment terms and referred to an agreement signed by the employee that that agreement is between the Government of Gibraltar and the employee.

HON J J BOSSANO:

Is this a new procedure that is being used for recruitment into the Civil Service other than in the Health Authority or only in the Health Authority?

HON K AZOPARDI:

I do not understand that to be a new procedure. I was replying to the hon Member trying to give him a reassurance that all recruitment done by the Health Authority on behalf of the Government, recruits are subject to Civil Service General Orders and so on and are employees of the Government.

HON J J BOSSANO:

But the Minister referred in that answer to the agreement entered into. I cannot recall employees entering into an agreement with the Government other than they accept the job, is that what he means?

HON K AZOPARDI:

Yes, contract officers generally sign an agreement, that is my understanding of it and then if I take my mind back to a specific appointment, for example, a Dietician that we did on contract for a year on probation and then reviewed and made permanent and pensionable. That person passed from being a contract employee of the Government to being permanent and pensionable with the Government even though he had received the letter of appointment from the Health Authority. The reason was that there was a reference in that letter of appointment to an agreement in respect of which the Government were a party.

HON J C PEREZ:

The Minister can then confirm that although the Health Authority is employing people there are no actual people employed by the Health Authority, they are all employed by the Government of Gibraltar in the public service?

HON K AZOPARDI:

Yes.

NO. 581 OF 1998

THE HON J C PEREZ

NUMBER OF 50CC MOTORCYCLES REPORTED STOLEN

Can the Government give a quarterly breakdown, since May 1996, of the number of 50cc motorcycles reported stolen to the Royal Gibraltar Police and of those subsequently recovered?

ANSWER

THE HON THE CHIEF MINISTER

The number of 50cc motorcycles reported stolen to the Royal Gibraltar Police and of those subsequently recovered giving a quarterly breakdown are as follows:

| <u>1996</u> | <u>Unrecovered</u> | <u>Recovered</u> | <u>Other</u> |
|-------------------------|--------------------|------------------|--------------------------|
| 2 nd quarter | 2 | 4 | 1 Gazetted and destroyed |
| 3 rd quarter | 10 | 6 | |
| 4 th quarter | 8 | 4 | |
| <u>1997</u> | <u>Unrecovered</u> | <u>Recovered</u> | <u>Other</u> |
| 1 st quarter | 16 | 4 | |
| 2 nd quarter | 5 | 3 | |
| 3 rd quarter | 7 | 16 | |
| 4 th quarter | 8 | 8 | 1 found totally burnt |
| <u>1998</u> | <u>Unrecovered</u> | <u>Recovered</u> | <u>Other</u> |
| 1 st quarter | 13 | 5 | |
| 2 nd quarter | 5 | | |
| 3 rd quarter | 1 | | |

SUPPLEMENTARY TO QUESTION NO. 581 OF 1998

HON J C PEREZ:

Although one can see an improvement in the recovery rate since 50cc motorcycles became registered in 1992, despite that there seems to be a high level still of unrecovered vehicles. Notwithstanding the fact that they are now registered, is it that they finish up in Spain, is that what is happening?

HON CHIEF MINISTER:

Well, I presume so because Gibraltar is a small enough place in which to find motorcycles. The only other explanation that I can think of is that false plates are put on them in Gibraltar and they do not get found out. I suspect that most of them get into Spain. I recall that when I had a motorcycle stolen it was eventually found in Spain.

NO. 582 OF 1998THE HON J J BOSSANO**DEPARTURE TAX**

Are Government in a position to explain how the figure of £584,000 was arrived at as a forecast outturn for the financial year 1997/98 in respect of departure tax?

ANSWERTHE HON THE CHIEF MINISTER

The £584,000 was arrived at based on collections reflected in the Treasury books at the time the forecast estimates were prepared.

This figure erroneously excluded collections by Terminal Management Ltd in respect of the period January to March 1998 as well as some adjustments in respect of collections during the year.

SUPPLEMENTARY TO QUESTION NO. 582 OF 1998

HON J J BOSSANO:

So in fact the estimate for this year suffers from the same defects because it seems to be a repetition of the forecast outturn?

HON CHIEF MINISTER:

Yes, one of the problems is that at both ends of the year there are monies which are collected in the different financial year in respect of a particular financial year and last year was the first year in which these statistics were shown as part of the estimates, previously these had been collected by I think it was Gibraltar Information Bureau and there was some difficulty in getting to the bottom of exactly what was collected and when and I think the first estimate suffered a bit from that. Yes, I had not noticed that the estimate was a repetition of the forecast outturn but it would seem to suffer from the same defect as an estimate.

HON J J BOSSANO:

The original figure was £650,000 so we questioned, as I recall in the estimates, given the fact that there is not supposed to be a drop in numbers, is it then that in fact the original estimate of 1997/98 of £650,000 is a more accurate reflection of what is happening?

HON CHIEF MINISTER:

I know that the hon Member has received a letter from my hon Colleague, the Minister for Tourism and Transport, explaining to him how the actual figure for the year of £630,558 is arrived at. I think he has had such a letter.

HON J J BOSSANO:

I have had a letter except that the letter explains the breakdown of the £584,000 and then he attaches a breakdown of the £632,000 to which the Chief Minister refers and that was in June and I wrote back pointing out that he was not giving a breakdown of the £584,000 and I have not heard anything since. He is right that I have had a letter except that the letter tells me that the explanation refers to the £584,000 which it does not.

HON CHIEF MINISTER:

The figure is arrived at as follows: There is an element of departure tax for the period December 1996 to March 1997, in other words, in respect of the year before of £2,393; then there is a departure tax for the period May 1997 – I cannot imagine why that does not read April 1997 but still – to November 1997 of £334,737 and that adds up to £337,131. But at that time amounts were retained by Terminal Management and therefore credited although cash was never actually received and then debited to the appropriate revenue and expenditure account in Treasury and the following amounts fall under that category that I have just described: departure tax for January 1997 of £13,200; departure tax for February 1997 to March 1997 of £29,914; departure tax for April 1997 to December 1997 of £200,606; totalling £243,721. Departure tax for January to February 1998 of £49,703, making a subtotal of £293,425 which when added to the first subtotal that I gave of £337,131 is the figure of £630,558 which is the actual amount credited to Head 6(43) in respect of 1997/98. A breakdown of £630,558, £45,508 related to 1996/97 and £585,047 related to 1997 and 1998.

HON J J BOSSANO:

Yes, but surely the Chief Minister having read all those figures will agree with me that the £584,000 do not appear anywhere? So the question that I asked at budget and then the letter that I got on the 8th June which said, "The figure of £584,000 was arrived at as follows", it does not follow because if in fact the amount of Terminal Management was left out one would have expected the £370,000 would have been shown and if it was included one would have expected that the £632,000 would have been shown. The £584,000 seems to bear no relation to either the inclusive or the exclusive figure.

HON CHIEF MINISTER:

I agree, Mr Speaker. The figure of £584,000 as the original answer suggests is erroneous.

HON J J BOSSANO:

Can the Chief Minister confirm whether in fact the performance of this year suggests that we are going to finish up with the figure of the order of £630,000 which is in line with what was originally estimated for the 1997 Budget?

HON CHIEF MINISTER:

I cannot say what the incidence of the fluctuation in passenger volume coupled with the rebates that have been given to the extent that they have been given by rebates of passenger tax. I would not dare make that prognostication.

NO. 583 OF 1998THE HON J J BOSSANO**I&D FUND - EXPENDITURE**

What is the estimated expenditure of the Improvement and Development Fund by Head of Expenditure up to the 31st August this year?

ANSWERTHE HON THE CHIEF MINISTER

The estimated expenditure of the Improvement and Development Fund by Head of Expenditure up to 31st August of this year is as follows:

| <u>HEAD</u> | <u>AUGUST 1998</u> |
|----------------------------------------------|--------------------|
| 101 – Housing | £1,089,575 |
| 102 – Schools, Youth & Cultural Facilities | £192,040 |
| 103 – Tourism & Transport | £1,447,227 |
| 104 – Infrastructure & General Capital Works | £1,003,269 |
| 105 – Electricity | £72,539 |
| 106 – Industry & Development | <u>£971,292</u> |
| | <u>£4,775,941</u> |

SUPPLEMENTARY TO QUESTION NO. 583 OF 1998

HON J J BOSSANO:

Mr Speaker, given that the pro rata expenditure for five months would have been £7 million higher, does this indicate that the estimate is unlikely to be met?

HON CHIEF MINISTER:

I think the estimate is unlikely to be met but not by as much as that “back of the envelope” projection extrapolation would suggest. The fact of the matter is that although there has been delay in entering some of the commitments for this expenditure in terms of contracts, there are now a number of large contracts about to be awarded or have already been awarded and entering the heavy expenditure phase. The question asked for money spent, not money committed, and I think the hon Member can expect an acceleration of expenditure under these Heads, but I agree, it is unlikely again to reach the amount estimated over a 12 month period.

NO. 584 OF 1998THE HON J J BOSSANO**GIBRALTAR ECONOMY**

Can Government now say what has been the estimated loss of the direct, indirect and induced income to the Gibraltar economy from the reduction that has taken place in service and civilian personnel in MOD in the financial year 1997/98?

ANSWERTHE HON THE CHIEF MINISTER

The answer to this question is that the Government cannot provide such estimates for the same reasons as explained in my answer to Question Nos. 569 and 570. In other words, the Government do not have at their disposal a model of the economy that would permit such estimates to be calculated. Moreover, the levels of employment and earnings in respect of civilians within the MOD as at April 1998 will only be available once the Employment Survey for that date is completed from the information provided to the Income Tax Office. As I am sure the Leader of the Opposition knows only too well, this is not possible so early into the 1998/99 tax year as records for the previous year are still being received and processed by the Income Tax Office.

SUPPLEMENTARY TO QUESTION NO. 584 OF 1998

HON J J BOSSANO:

Can Government say in relation to the previous estimates that have been provided which were based on the Touche Ross calculations, whether in fact there is any relationship between those estimates and any other indicator of the effect in 1997/98?

HON CHIEF MINISTER:

No, we cannot say it at this stage. One possibility that the Government are aware will be available to it once the information becomes available on employment and things like that is to invite Deloitte Touche to round the new statistics past the models such as it was that they created for the benefit of their Report and that would give an indication of sorts. It would at least give an indication as reliable as they could use for their original report. They are not scientific but it is some sort of economic model to which one could round the figures.

ORAL

NO. 585 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE DECLARATIONS AND CERTIFICATES

How many employers have not yet returned the 1995/96 Employees Declaration and PAYE certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

One hundred and twenty-nine employers under which approximately 400 employees are registered had at the 4th September 1998 not returned the 1995/96 Employer's PAYE Declaration and Certificate.

NO. 586 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE DECLARATIONS AND CERTIFICATES

How many employers have not yet returned the 1996/97 Employees Declaration and PAYE certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

Two hundred and forty-one employers under which approximately 300 employees are registered had at the 4th September 1998 not returned the 1996/97 Employer's PAYE Declaration and Certificate.

SUPPLEMENTARY TO QUESTION NO.586 OF 1998

HON J J BOSSANO:

Can Government say whether the 1995/96 ones, the 129 are part of the 241, that is, whether they have not returned for the two years consecutively or are they different groups of people, or is there no idea of the connection between the two figures.

HON CHIEF MINISTER:

The 129 would have to be compared against the list for the 241. That exercise has not been done. I would, however, suggest that there must be a substantial degree of overlap if the idea that somebody, having not returned the 1995/96 Declaration should return the 1996/97 would, I have thought, been odd and certainly if they had made a payment with the 1996/97 return, I would have expected the Commissioner to apply it to the 1995/96 liability thereby eliminating that wholly or partly. I have not got the information but I would guess that the answer to this question must be yes, or yes to a very large extent.

NO. 587 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE DECLARATIONS AND CERTIFICATES

How many employers have not yet returned the 1997/98 Employees Declaration and PAYE certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

Four hundred and seventy-eight employers under which approximately 4800 taxpayers are registered, had as at the close of business on the 4th September 1998 not returned the 1997/98 Employer's Declaration and Certificate.

SUPPLEMENTARY TO QUESTION NO. 587 OF 1998

HON J J BOSSANO:

Can Government say whether in fact this figure is significantly different from the level of non returns at around the same time last year, a figure was provided last year, I think, I am not sure whether it was at the end of September or August.

HON CHIEF MINISTER:

In respect of 1996/97, when he asked that question in September 1997, the answer was 360 employers and 2,200 employees. On the basis of the answer I have just given to Question 586 that has now fallen to 240 employers, from 360, and to 300 employees as opposed to 2,200. In September last year there was still 2,200 employees covered by 360 employers. It is now more or less the same time of the next year and we are talking about 478 employers and 4,800 taxpayers so there is some evidence there that the figure this year is a bit higher than it was at more or less the same time last year in respect of last year's figures. Has the hon Member taken a note or would he like me to repeat that?

HON J J BOSSANO:

I have made a note.

ORAL

NO. 588 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE DECLARATIONS AND CERTIFICATES

How many employers have not yet returned the 1997/98 Employees Declaration and PAYE certificates to date, and what is the number of employees affected and the total amount of tax deducted?

ANSWER

THE HON THE CHIEF MINISTER

One thousand four hundred and forty-one employers, reporting on approximately a total of 17,400 taxpayers, had at the close of business on the 4th September 1998, lodged their 1997/98 Employer's declaration and PAYE certificate. The amount of PAYE tax deducted is approximately £33.1 million.

NO. 589 OF 1998THE HON J J BOSSANO**INCOME TAX - PAYE DECLARATIONS AND CERTIFICATES**

How many of the employers who have returned the 1997/98 Employees Declaration and PAYE certificates have not yet paid over to Government the tax deduction from their employees up to 1st July 1998, and what is the number of employees affected and the total amount of tax due?

ANSWERTHE HON THE CHIEF MINISTER

I can inform the House that, as at the 4th September 1998, the position regarding 1997/98 Employers Declaration and PAYE certificate is that of the 1441 declarations received there is PAYE tax outstanding on 347 returns totalling £1.8 million.

It is not possible to answer that part of the question that refers to number of employees, as there is no way that it can be established to which specific employee an amount of PAYE outstanding refers. The Income Tax Office does not assume that the tax paid is in respect of particular employees and that that which is not paid is in respect of other particular employees. It cannot be attributed to particular employees.

ORAL

NO. 590 OF 1998

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state what is the total now collected in respect of Corporation Tax for the tax year 1994/95 and the number of companies involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 591 and 592 of 1998.

ORAL

NO. 591 OF 1998

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government confirm whether there are still assessments to Corporation Tax for the tax year 1994/95 due to be made, and if so how many companies have still not been assessed for that year?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 590 and 592 of 1998.

NO. 592 OF 1998

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state which is the sum now outstanding in respect of 1994/95 Corporation Tax Assessments and the number of companies involved?

ANSWER

THE HON THE CHIEF MINISTER

I am informed by the Commissioner of Income Tax that all companies which have declared a tax liability or who in his opinion may be chargeable with tax for the year of assessment 1994/95 have had an assessment raised for that year.

The total outstanding in respect of 1994/95 Corporation tax Assessments is currently £2.1 million in respect of 354 companies. The total amount collected, as at 4th September 1998, was £10.4 million in respect of 440 companies.

In the preparation of this reply it has come to light that the figures provided in reply to Question Nos. 245 and 246 of 1998 were incorrect. The position as at April 1998 when these two questions were tabled was that £10.3 million had been collected in respect of 428 companies and not in respect of 1,401 companies. £2.5 million were outstanding in respect of 391 companies and not £1.3 million in respect of 383 companies. I apologise to the hon Member for this error.

NO. 593 OF 1998THE HON J J BOSSANO**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now had assessments for the tax year 1996/97, the total amount of Corporation Tax assessed and the amount received up to 31st August?

ANSWERTHE HON THE CHIEF MINISTER

The Corporation Tax payable as at 18th September 1998 on 1,072 companies assessed for the year of assessment 1996/97 totalled £11.9 million as follows:

| | |
|-----------------|-------------------|
| Assessed | £15,301,216 |
| Less discharged | <u>3,362,826</u> |
| | 11,938,390 |
| Less paid | <u>7,283,841</u> |
| Outstanding | <u>£4,654,549</u> |

SUPPLEMENTARY TO QUESTION NO.593 OF 1998

HON J J BOSSANO:

The figure of the total number of companies assessed at 1,072 seems odd compared to the one for 1994/95 where the figure that had previously been given was corrected at over 1,000 bringing the total down to 428. Are we talking about an extra 200 companies now becoming assessable?

HON CHIEF MINISTER:

I think becoming assessable is probably the right emphasis. Whether any of these will turn out to be actual taxpayers remains to be seen and I think that picture only becomes clearer as this tax year progresses and the Commissioner starts sending out assessments on companies that he has become aware of from the Company Register.

HON J J BOSSANO:

Is he in fact saying that of the £4.6 million there could be some companies in there which turn out not to have the liability? The figure of the £3.3 million discharged, could that increase at the expense of the £4.6 million?

HON CHIEF MINISTER:

Yes, it could given that £7.283 million have already been collected. I would expect this figure to come in somewhere above £10 million for a year which is the target figure really for Corporation Tax, I would not expect too much more to be shaved off from the outstanding figure.

NO. 594 OF 1998

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state how much of the company tax collected in the financial year 1997/98 was in respect of amounts due in the current year and how much in respect of amounts relating to preceding years?

ANSWER

THE HON THE CHIEF MINISTER

In the financial year 1997/98 the revenue from corporation tax in respect of assessments for the year of assessment 1997/98 was £2.7 million and in respect of assessments for previous years of assessment was £8.4 million.

SUPPLEMENTARY TO QUESTION NO.594 OF 1998

HON J J BOSSANO:

Can the Government provide the breakdown of the £8.4 million which they have done in answer to similar questions previously?

HON CHIEF MINISTER:

I am sure it is possible. However, the people who think up the hon Member's possible supplementaries have not come up with that. I do not have the information here. As between years?

HON J J BOSSANO:

As between years, yes which is what has been provided in answer to the same question in previous Houses.

NO. 595 OF 1998

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state how much has been collected from 31st March to the 31st August in respect of corporation tax on assessments for the tax year 1997/98 and the number of assessments?

ANSWER

THE HON THE CHIEF MINISTER

In the period 1st April 1998 to the 31st August 1998 the sum of £3.81 million was collected in respect of corporation tax on assessments for the year of assessment 1997/98.

The number of assessments was 291.

NO. 596 OF 1998

THE HON J J BOSSANO

INCOME TAX - WITHHOLDING TAX

Can Government state how many construction subcontractors were involved in the withholding tax totals of £670,000 in 1997/98 and £630,000 in 1996/97?

ANSWER

THE HON THE CHIEF MINISTER

The sum of £630,000 collected in the financial year 1996/97 was in respect of 63 subcontractors.

The sum of £670,000 collected in the financial year 1997/98 was in respect of 76 subcontractors.

NO. 597 OF 1998THE HON J J BOSSANO**INCOME TAX - DIRECT ASSESSMENTS**

Can Government state how much of the tax due by direct assessments on individuals amounting to £13,491,754 as at 31st December 1996 was by 31st March 1998: (a) paid; (b) still outstanding; (c) otherwise discharged, and the number of assessments in each category?

ANSWERTHE HON THE CHIEF MINISTER

When the Leader of the Opposition sought exactly the same information by Question No. 243 of 1998, I informed him that the Information Technology Unit of the Government would need time to look into the possibility of producing the information sought and that the information would be made available as soon as produced.

I have since been informed that the sophistication of the computerised system does not extend to being able to produce the information required. Regrettably it will not be possible to satisfy the hon Member's apparently insatiable appetite until such time as a more sophisticated system is in place.

SUPPLEMENTARY TO QUESTION NO.597 OF 1998

HON J J BOSSANO:

Mr Speaker, quite apart from whether my appetite is insatiable or not and it will only be proved by the degree to which it is fed by the answers it is quite obvious that it cannot be satisfied by not getting an answer. Is it that they are not able to give a reply to any of the elements, or is there one element that they are unable to produce from the system?

HON CHIEF MINISTER:

Mr Speaker, obviously they must be able to say how many have been paid but they just cannot produce it without laboriously checking manually. The information technology system available in the Income Tax Office is one of the areas which the Government wish to concentrate because I am sure there must be programmes in existence which will enable information to be obtained on almost any reporting factors, but this is the information that I am given so I regret that I cannot help. If the hon Member wants me to run it past the department again to see if any of the categorisations can be satisfied, I am quite happy to do that for him.

HON J J BOSSANO:

I would have thought they ought to know, if they were owed in December 1996 £13.5 million whether they have collected it or it is still outstanding. I would have thought that amount of knowledge ought to be available to the department.

HON CHIEF MINISTER:

Yes, I would have thought so too, Mr Speaker, I will try and get it for him.

NO. 598 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government give a breakdown of PAYE collected in 1996/97 showing the amounts collected in respect of employees in:

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

ANSWER

THE HON THE CHIEF MINISTER

The total amount of PAYE collected in 1996/97 was £43.4 million analysed as follows:

| | | |
|-----|-----------------------------------------------|----------------------|
| (a) | MOD | £5.0 million |
| (b) | Gibraltar Government | £13.8 million |
| (c) | Government owned companies and joint ventures | £2.5 million |
| (d) | Private sector employment | <u>£22.1 million</u> |
| | | <u>£43.4 million</u> |

NO. 599 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government give a breakdown of PAYE collected in 1997/98 showing the amounts in respect of current PAYE and the amount in respect of arrears of previous financial years?

ANSWER

THE HON THE CHIEF MINISTER

£41.9 million is the total PAYE revenue collected in the financial year 1997/98 of which the sum of £28 million is in respect of the tax year 1997/98 and £13.9 million is in respect of previous tax years.

ORAL

NO. 600 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE ARREARS

Can Government state what was the amount of arrears of PAYE for the tax year 1996/97 and the amount in respect of the previous years as at 31st March 1998?

ANSWER

THE HON THE CHIEF MINISTER

The PAYE tax outstanding as at 31st March 1998 was £2.36 million of which £1.08 million was in respect of the tax year 1996/97 and the balance of £1.28 million was in respect of previous tax years.

ORAL

NO. 601 OF 1998

THE HON J J BOSSANO

INCOME TAX - REVENUE COLLECTED

Can Government state which is the latest estimate in respect of income tax collected in the financial year 1997/98 and of this the total from PAYE?

ANSWER

THE HON THE CHIEF MINISTER

The total revenue collected in respect of income tax in the financial year 1997/98 was £46.45 million of which £41.94 million is in respect of PAYE.

NO. 602 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state how much was collected in PAYE in each month since February 1998?

ANSWER

THE HON THE CHIEF MINISTER

The PAYE tax collected in each of the months February 1998 to August 1998 was:

| | | |
|---------------|---|------------|
| February 1998 | - | £3,287,905 |
| March 1998 | - | £3,473,331 |
| April 1998 | - | £3,343,812 |
| May 1998 | - | £3,479,653 |
| June 1998 | - | £3,938,987 |
| July 1998 | - | £5,656,736 |
| August 1998 | - | £2,999,886 |

These figures are based on the Tax Office records and are subject to change when reconciled with the Treasury books.

NO. 603 OF 1998

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state which is the total amount collected in corporation tax in each month since February 1998?

ANSWER

THE HON THE CHIEF MINISTER

The corporation tax collected in each of the months February 1998 to August 1998 was:

| | | |
|---------------|---|------------|
| February 1998 | - | £457,121 |
| March 1998 | - | £2,223,619 |
| April 1998 | - | £1,737,907 |
| May 1998 | - | £465,831 |
| June 1998 | - | £2,227,031 |
| July 1998 | - | £862,168 |
| August 1998 | - | £637,443 |

ORAL

NO. 604 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the total number of all employees in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of October 1996?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 605 to 611 of 1998.

NO. 605 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the number of all employees in the banking, finance and insurance industry in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of October 1996?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604, and 606 to 611 of 1998.

ORAL

NO. 606 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the number of all employees in the construction industry in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of October 1996?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604, 605 and 607 to 611 of 1998.

NO. 607 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the number of all employees in the hotel trade in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of October 1996?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604 to 606 and 608 to 611 of 1998.

ORAL

NO. 608 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the number of all employees in the hotel trade in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of April 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604 to 607 and 609 to 611 of 1998.

NO. 609 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the number of all employees in the construction industry in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of April 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604 to 608, 610 and 611 of 1998.

ORAL

NO. 610 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the number of all employees in the banking, finance and insurance industry in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of April 1997?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604 to 609 and 611 of 1998.

NO. 611 OF 1998

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state what was the number of all employees in the private sector, based on PAYE returns, giving a breakdown by sex and nationality for the month of April 1997?

ANSWER

THE HON THE CHIEF MINISTER

Since these questions were tabled the information that they seek is now available in the Employment Surveys as at October 1996 and April 1997 which the hon Members now have.

ORAL

NO. 612 OF 1998

THE HON J J BOSSANO

GOLD BULLION - IMPORTS

What was the value and number of legal tender gold coins of weight exceeding 1oz imported between the 25th March and the 31st August 1998?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 613 of 1998.

NO. 613 OF 1998THE HON J J BOSSANO**GOLD BULLION - IMPORTS**

What was the value and number of legal tender gold coins of weight exceeding 1oz or less imported between the 25th March and the 31st August 1998?

ANSWERTHE HON THE CHIEF MINISTER

Ninety legal tender gold coins of weight exceeding 1oz were imported between 25th March and 31st March 1998 valued at £521,918 and 32,842 legal tender gold coins of weight 1oz or less were imported between 25th March and 31st August 1998 valued at £6,013,565.

SUPPLEMENTARY TO QUESTIONS NOS.612 AND 613 OF 1998

HON J J BOSSANO:

The first figure for the exceeding 1oz was up to the 31st March, is this in fact a consignment that came in and was then made subject to the duty?

HON CHIEF MINISTER:

I should have mentioned the dates 31st March and 31st August twice. Does the question arise from the fact that I misread this?

HON J J BOSSANO:

Yes.

HON CHIEF MINISTER:

No, both sets of information relate to the period 25th March to 31st August.

HON J J BOSSANO:

So then my supplementary is a different one. Did the 90 coins exceeding 1oz, were they subject to the new level of import duty that was introduced by the Government on the 25th March?

HON CHIEF MINISTER:

Yes, Mr Speaker. They must have been. I know that there was one consignment but I do not know whether it accounts for all of this. There was one consignment that was caught in transit, the bulk of it would appear to be accommodated by this one which was in transit and which the Government were asked to look at and asked whether they would make an exception of it but obviously it has not been dealt with here favourably to the taxpayer.

HON J J BOSSANO:

And the £32,000 unfavourably to the taxpayer of the under 1oz? Because presumably what has happened then, Mr Speaker, is that the switch to less than 1oz means, that on that note, duty has always been paid?

HON CHIEF MINISTER:

Yes, in effect what has happened is that the demand that was previously being satisfied with coins in excess of 1oz has partially but not entirely but very substantially transferred to coins less than 1oz. This was never intended as an import duty raising measure.

HON J J BOSSANO:

So the remark about the benefits to the taxpayer is incidental because that was not the intention, Mr Speaker, am I right? Therefore, do the Government envisage that the fact that the gold is now entering the market with smaller sized coins that they are satisfied with that situation and therefore they see no need to try and tax those coins, am I right?

HON CHIEF MINISTER:

Mr Speaker, the situation is kept under review. There were several objectives. The natural consequence of imposing duty is to raise money for the taxpayer which is in its interest and that I think was the strict answer to the question that he put to me and to which he is sarcastically alluding in his supplementary. But I think I also indicated as much as I could that it was not the only reason for doing this. I explained to him that Government took the view that the demand for coins of 1oz or less was more consistent with the sort of conventional demand that would not be open to criticism and the Government will keep it under review. The Government presently have no intention of taxing coins of 1oz or less and I do not envisage that that situation would change. But, of course that is not an open ended commitment. The matter is not in our line of sight, it is not in our range at the moment at all, it is not under consideration.

HON J J BOSSANO:

Would the Government agree that in the light of that which is in fact a reaffirmation of what was said previously, people entering into commitments for delivery of these coins would have a legitimate expectation that they would not find themselves with an unexpected cost once the coins arrive and that should there be a change of view that that would be communicated to those who are in the trade so that they would not be caught unawares?

HON CHIEF MINISTER:

The Government do not try to penalise people by catching them unawares. On the other hand I do not think that the premise of this question is correct either. I think whenever governments tamper with duty rates, almost in every country, people fall on one side or other of the line. It very often happens that there are "victims" of the sort that the hon Member is referring to. It happens in every commodity in every country when there is a change of rate of duty, for the benefit or to the prejudice of the taxpayer until such time as the duty is paid on any particular consignment. The

Government do not seek to cause the commercial disruption prejudice that is caused thereby and certainly should the Government consider introducing duty again or changing the duty on this again and knowing what occurred on the previous occasion, the Government would certainly give favourable consideration to giving as much advance warning as possible of its intention without thereby prejudicing the intended purpose. But the intended purpose is long term and therefore one would not expect that the Government should be unable to give warning provided of course it is not abused by importing an enormous amount of stock for a year or two. But given the value of this commodity it is unlikely that anybody would wish to invest that much capital in that. Yes, the Government are sensitive to what has occurred and would wish if possible to avoid a recurrence of it.

NO. 614 OF 1998THE HON J J BOSSANO**HAGUE CONVENTION**

Can Government state what further action has been taken by Her Majesty's Government since 1997 in response to Spain's notification that it no longer recognises the Supreme Court of Gibraltar under the Hague Convention?

ANSWERTHE HON THE CHIEF MINISTER

In response to enquiries from my office, I was informed on the 3rd April 1998 that HMG had protested against the Spanish Government's stance on the applicability of the Hague Convention to Gibraltar. A Diplomatic Note was sent on 30th December 1997 to the Dutch Government, which is the depository of the convention, answering the Kingdom of Spain's declaration. This Note had been reinforced by a further Note which had been sent to the Spanish Ministry of Foreign Affairs on 30th December 1997. Both documents made it clear that as far as HMG were concerned, the UK had designated the Supreme Court of Gibraltar as an "authority" under the UK's right of nomination as the contracting state.

We have asked HMG to keep us informed of any further developments. We have continued to monitor this matter. The most recent communication was sent by my office on the 24th August 1998. I have not had any indication that there have been any responses from Spain or any other new developments.

SUPPLEMENTARY TO QUESTION NO.614 OF 1998

HON J J BOSSANO:

I hate to speculate on what they do in the Ministry of Foreign Affairs in Madrid with the Notes they get from the British Government but in fact does that mean that there is nothing open to the United Kingdom to challenge the decision that Spain took to stop recognising the jurisdiction of Gibraltar under the Hague Convention? Was it not said at the time that it was not open for Spain to do this?

HON CHIEF MINISTER:

Yes, indeed and that is what has been communicated to the depository country of the Convention and to the Spanish Government. I suppose the UK Government take the view that at the end of the day this is going to be tested in the practice. It remains to be seen whether the next attempt by the Registrar of the Supreme Court to effect an outward service of process is satisfied or whether it is rejected. I think that can be the acid test. I do not see what else can be done. The chances of the Foreign Office persuading the Spaniards to write a letter now saying, "I am sorry I have made a mistake, of course we will recognise the Supreme Court," is unlikely but certainly if there is a test of it, and it is rejected again the Government would take a serious view of it and would take the matter up with the UK Government. We will have to wait and see until it is tested.

HON J J BOSSANO:

I think the Chief Minister said in answer to the original question that there had been no response from the Dutch Government either, is that correct? Do the Dutch Government, as the depository state have any responsibility in this matter?

HON CHIEF MINISTER:

No, Mr Speaker, they are a secretariat, they are the depository of declarations and ratifications and notifications. They have no powers of refereeing or arbitration or settlements of disputes. They just file everything that is sent in. I suppose that ultimately the United Kingdom if Spain were to continue to challenge it, the United Kingdom could argue that Spain is in breach of an international treaty and seek a declaration in the International Court of Justice or something like that. I should find a comfortable chair to sit and wait.

NO. 615 OF 1998

THE HON J J BOSSANO

INCOME TAX - MUTUAL ASSISTANCE DIRECTIVE

Can Government state how many requests have been received by the Commissioner of Income tax, as the competent authority, pursuant to the Mutual Assistance Directive giving the nationality of the requesting competent authority?

ANSWER

THE HON THE CHIEF MINISTER

I am informed by the commissioner of Income tax that since the 1st October 1997 when he was appointed as the Competent Authority in respect of Gibraltar for the purposes of Council Directive No. 77/799/EEC (the Mutual Assistance Directive) he has received no request for exchange of information.

NO. 616 OF 1998THE HON J J BOSSANO**CROWN DEPENDENCY STATUS**

When were the Government informed by UK that the status of Crown Dependency was not considered an appropriate option for Gibraltar's decolonisation?

ANSWERTHE HON THE CHIEF MINISTER

The Government have not been informed by HMG that the status of Crown Dependency is not an appropriate option for Gibraltar.

SUPPLEMENTARY TO QUESTION NO.616 OF 1998

HON J J BOSSANO:

Given that the Gibraltar Chronicle was so informed, did the Government go back to check the accuracy of the supposed confirmation by the Foreign Office, which was the link story?

MR SPEAKER:

As you know, from a newspaper you cannot ask a question. Anyhow, if he is willing to answer it, I do not mind. It is contrary to the rules.

HON J J BOSSANO:

Given that the newspaper in question allegedly had official sources.....

MR SPEAKER:

Yes, I know, but the only official sources here is our Standing Orders. Carry on because I am quite sure the Chief Minister will probably answer it but I thought of letting you know.

HON CHIEF MINISTER:

He forces me to answer, I was tempted not to do so. There was a degree of contact obviously the Gibraltar Government expressed their dissatisfaction to the British Government that matters that are supposed to be under discussion between them should be communicated and placed in the public domain if indeed it was the policy, or even if it is not the policy in the newspaper I expressed the view to Her Majesty's Government that they are constantly saying that they do not carry out megaphone diplomacy and that they should not make an exception of the Government of Gibraltar in that rule. They produced a draft of a press statement that they offered to put out. We did not pursue it. Basically what it said, that nothing in what was said or intended would exclude the approach to constitutional reform advocated by us but of course it did not go so far as to say that the United Kingdom Government was willing to countenance a formal Crown Dependency status. In other words, transferring Gibraltar from the Overseas Territories list to be a fourth Crown Dependency after Jersey,

Guernsey and the Isle of Man. I know much use has been made of this phrase "Crown Dependency" and that indeed I have contributed to the usage. I think I have also said on a number of occasions that the importance of the Crown Dependency concept as far as the Government are concerned is that it demonstrates that it is possible to have a constitutional relationship with the United Kingdom which is not colonial in nature and that the Government seek such a status but of course the Government do not seek a Constitution like Jersey or a Constitution like the Isle of Man which are very different one to the other. The Government seek a constitutional relationship with the United Kingdom which regulates a relationship of dependency but which is not colonial in nature. It remains to be seen whether that can be achieved and that is more important whether it enables the formal categorisation with Crown Dependencies or otherwise. It is certainly a statement which of course I read in the Chronicle about remarks attributed to the Foreign Office. Whilst certainly disappointing, because they are unhelpful at this point in time, are actually not regarded by the Government as incompatible with the thrust of the Government's policy objective in relation to Constitutional reform. The acid test of whether we succeed, the acid test of whether what turns up to be available is sufficient or is not sufficient to satisfy the Government and presumably the House, it can reach a consensus position, will depend on the substantive content of the Constitution and not on any label from any pigeon hole that can be attached to it. The acid test for assessment of success or failure is the substance and not the label.

HON J J BOSSANO:

Is it that the Government are no longer committed to the status of colony as the internationally legally recognised status being altered? Would the Government not agree that, for example, Bermuda would have a less colonial relationship than Jersey, that that would not convert Jersey into a colony or decolonise Bermuda, so the substance is a separate issue from whether our international legal status is that we are a colony on which there has to be a reporting requirement to the United Nations or there is not one and are the Government seeking no longer to remove that international legal status?

HON CHIEF MINISTER:

It follows from that that the hon Member's definition of a colony is any territory that features on the United Nations list of non self-governing territories. That, of course, is not a definitive test. There are colonies that were not on that list, Hong Kong the most recent example, but there are others of other countries, there are only 23 territories on the list. There are many more than 23 non self-governing territories that are not integral part of the metropolitan state. The Government have not abandoned the idea that really what Gibraltar needs to do is find a status with which it is content to live in its relationship with the United Kingdom and that that should be an end of the search for self-determination and that therefore Gibraltar should cease to be. Certainly it ceases to be a territory that goes to the United Nations seeking decolonisation because we would have taken the view, if we get that far, that we will have achieved that measure of decolonisation that we want. Whether Gibraltar is taken off the list may not depend on whether the Constitution justifies being taken off the list. We could have a constitutional relationship with the United Kingdom, it is an if, which he and I may think more than justifies Gibraltar being taken off the list and that for political reasons which have nothing to do with anything that he and I can do of our own..... we can continue to go to the United Nations and say, "We have got a Constitution with which we are happy, take us off the list", they may refuse to do so. The United Kingdom may refuse to apply to have us taken off the list and therefore I do not think that he should set as the acid test of whether we have actually achieved a status with which we can

be satisfied as being non-colonial that the sole test of that should be whether or not we are taken off the list because we may be taken off the list for reasons which have nothing to do with the actual characteristics of the new relationship. But yes, the Government would like to see this cull made in the context of the United Nations and we will just have to see to what extent that happens.

HON J J BOSSANO:

Is it not in fact the case that it is the United Kingdom that put Gibraltar on that list and therefore unless and until, irrespective of what anybody else thinks, us or the rest of the members of the United Nations, if the administering power makes no move to remove us from the list, effectively the position is that the administering power continues to accept that it has an obligation to report on us as a colony under Article 73 of the Charter. There may be people now who think the relationship between Gibraltar and the United Kingdom is no longer colonial. Is it not the case that under international law, until the administering power makes an attempt to change that, that is what we are?

HON CHIEF MINISTER:

Mr Speaker, not necessarily. Certainly, I accept what the hon Member says to the extent that it was incumbent on the administering powers originally to place territories or not place territories on the list. If the administering power chose not to place Gibraltar on the list then Gibraltar would be a colony today and not be on the list and that would demonstrate what I was saying before. However, I do not think that the corollary of all of this is necessarily true anymore. I have attended, as I am sure he has, specially the Regional Seminars of the Special Committee in which they make it perfectly clear that taking territories off the list is not a matter for the administering power as indeed the Americans have tried to do with Guam. The fact of the matter is that the Committee has now formed the view that territories can only be taken off the list following an act of self-determination, by which they mean a properly and freely and democratically exercised referendum and that they, the Special Committee, are the judge of whether it is a genuine democratic act of self-determination untainted by machinations from the administering power. Therefore, I am not sure that it is true that it is incumbent on the administering power. I think it is incumbent on the Special Committee if it is satisfied that the territory has exercised its right to self-determination in accordance with the free and democratic act of self-determination. If the Committee was satisfied of that I do not think the fact that the reluctant administrative power refuses to submit the application for withdrawal from the list would be relevant.

HON J J BOSSANO:

Surely, the Chief Minister is using a totally wrong example. Is it not the case that the example that he has given with Guam and the United States is that of course the administering power will not remove Guam because the United States want it when the Chamorro people do not want it removed. But if we have a situation in which the Chief Minister is saying, "Well, we are satisfied here in Gibraltar we are no longer a colony and therefore we stop going to the United Nations" but the United Kingdom continues to support a resolution with Spain every year which says we have to be decolonised by negotiating with Spain can he explain to the House what he thinks we will have gained by that?

HON CHIEF MINISTER:

If the United Nations takes Gibraltar off the list, which is a big if, a very big if, I believe, then of course the United Kingdom will have no mechanism pursuant to which to report and certainly the committee will not accept report on territories which are no longer on its list of non self-governing territories. By making that remark I do not want to give the impression that the Government underestimate the difficulty of being removed from the list given the creature that the Special Committee is showing itself to be. But it remains to be seen. The question of whether Gibraltar is taken off the list or not is a matter ultimately for the Committee. I do not believe that the member state could impede it if the Committee were satisfied. Frankly, the Committee has not shown that degree of support for Gibraltar's aspirations in this regard to give me any confidence that it would rush to take us off the list the moment we asked to do so.

HON J J BOSSANO:

Mr Speaker, I am totally perplexed by the nature of the answers I am getting from the Chief Minister because I am not for one moment suggesting that we have got a problem in that the Committee wants to take us off the list and the United Kingdom wants to keep us there. What I am saying is if he is saying that if we can get a status, that is to say if we can get a content to our Constitution which satisfies us in Gibraltar but which does not alter the status of Gibraltar in international law then as far as he is concerned we will have achieved decolonisation to our satisfaction even though the rest of the world and the administering power continue to discuss us but we stop going to the UN because we deem ourselves to have been decolonised, is that what he is saying?

HON CHIEF MINISTER:

What I am saying is that whether that final step happens or not is ultimately not down to us alone. This is not something that we can do. Therefore, it remains to be seen either whether the United Kingdom will be willing to apply to the extent that her application is required or whether or not her application is required, whether the Committee of 24 will be willing, on our application, to remove us from the list. What I have said in that second respect is that I have not seen an inclination, a degree of support for Gibraltar in the Committee of 24 given that we have not yet been able to persuade them to stop calling for bilateral dialogue between the United Kingdom and Spain. I have seen no evidence of a sufficient degree of support for Gibraltar's aspirations from the Committee of 24 or, put another way, I have not seen in the Committee of 24 a sufficient indication that they consider themselves to be the champions of the colonial people as opposed to engage the usual horse trading that the United Nations is rife with to suppose that they will act any differently when it comes to exercising the judgement to take us off the list and I suspect that they will then take the same view as they are presently taking in relation to the consensus resolution which is that provided that the UK and Spain come along once a year, they sign on the dotted line, regardless of what the representatives of the colonial people is saying to them. Frankly, with this track record we may find the same attitude when it comes to any possible future application to take us off the list. That is not a statement of my aspiration. It is not a statement of what I would like. It is just a realistic assessment of where I think we are now in relation to that.

HON J J BOSSANO:

Irrespective of what we might or might not expect from the Committee of 24, given their track record, is it still the position that as far as the Government are concerned, as he stated in that meeting we addressed in the Mackintosh Hall the position is that what we are seeking is to finish up with a new status which we would then send to the United Kingdom, we would put this to a referendum, the referendum is an act of self-determination, one can then tell the United Nations that one has decolonised with our agreement, whatever they think in the Committee of 24.

HON CHIEF MINISTER:

That is exactly what I would like to end up with. A situation where it would be as incongruous for Gibraltar to continue on the United Nations list of non self-governing territories as it would be for the Isle of Man to be on it now.

ORAL

NO. 617 OF 1998

THE HON J J BOSSANO

EU CONVENTIONS

Can Government list the EU conventions that have been extended to Gibraltar, with Gibraltar's agreement, giving the date of the extension in each case?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 620, 621 and 622 of 1998.

NO. 618 OF 1998THE HON J J BOSSANO**PROPOSALS BY SR MATUTES**

When did Her Majesty's Government reply to the Chief Minister's letter of January 1998 requesting that the Matutes proposals of December 1997 should be rejected?

ANSWERTHE HON THE CHIEF MINISTER

I have not received a written reply to my letter of 15th January to the Secretary of State for Foreign and Commonwealth Affairs.

SUPPLEMENTARY TO QUESTION NO. 618 OF 1998

HON J J BOSSANO:

Does the Chief Minister expect to receive a reply to the letter?

HON CHIEF MINISTER:

If I get one in less time it took him to get one in similar circumstances I will be happy but certainly it is an issue that I do raise orally with the Foreign Secretary and with Ministers on every occasion that I meet them, but if the hon Member is asking whether I have yet obtained, in writing, a commitment, or even orally for that matter, a commitment to reject the proposals I have not yet done so. If the hon Member is asking if I have had a written statement for the reasons why they have not been rejected I have not had that either.

HON J J BOSSANO:

The Chief Minister presumably wrote in January in the expectation of getting a reply in writing. Otherwise, he could have raised the matter orally in the first place. Is it that he thinks the matter is going to be left there? He has been told what the British Government thinks orally but the British Government is not prepared to commit itself in writing and he knows it? Is that the position? Or is it that he still thinks he will get a written reply? Which of the two is it?

HON CHIEF MINISTER:

Mr Speaker, one never knows. I have often called him that in the past in appropriate circumstances. One puts things down in writing for the record but one can use political persuasion orally rather than in writing and that is the process in which the Government are engaged and we expect it to be a long-term thing. But we will certainly treat it with persistence and not with occasional perfunctory attention. The fact of the matter is that the first batch of reasons was, "not whilst we have got the Presidency". The Presidency has now finished and we have not had it yet and one looks forward to what the next reasons are going to be. Gibraltar could not have made

its position clearer, both Government in writing to the Foreign Secretary, the Government in many public statements, by myself in international fora, the United Nations and elsewhere. Indeed, the hon Member has made the Opposition's position perfectly clear publicly as well and all the king's horses and all the king's men have not yet procured the formal rejection of the proposals by the United Kingdom. It is something which I think ought to happen but which has not yet happened.

HON J J BOSSANO:

Strictly speaking the question is not asking the Government when they think the United Kingdom will reject, or indeed whether the United Kingdom will reject. The point is that presumably the purpose of putting it on the record in January was in the expectation that the UK position would also be on the record in writing irrespective of the verbal persuasion that is being attempted. Frankly, it has not been clear until now that the United Kingdom needed persuading of this because as I recall it the original position that Mr Cook had attributed to him in the press was that this was a non-runner.

HON CHIEF MINISTER:

Yes, that is indeed so and I think that the position that Mr Cook takes when asked is that he has made it perfectly clear, indeed he made it perfectly clear on the steps of Carlton Gardens immediately after Mr Matutes had handed in the proposal that he was committed and the British Government was committed to not entering into any arrangements involving sovereignty to which the people of Gibraltar did not consent or approve. He regards it completely as a non-starter as a proposal but I suspect that there is a reluctance to formally reject them for fear of how the Spaniards might react. We have advised the Foreign Secretary that that is a mistaken view because it would simply encourage the Spaniards to believe that there is hope where really there is none and that this would condition their management of the affair in a way which would disincline them to reasonableness. As to the reason why I have not yet had a reply in writing, I suppose, on reflection, that it is a difficult position to answer in writing. What does one put on the record? Given what the British Government's position is in relation to sovereignty and given the commitments that they have made, given what Mr Cook has said publicly in response to the Matutes proposals, what could he possibly say? He could either say, "yes, Chief Minister, I will reply as soon as I can" or set out some reasons why he will not. That must be almost impossible, so I suspect that that is the reason why I have not had the reply in writing.

NO. 619 OF 1998THE HON J J BOSSANO**GIBRALTAR IDENTITY CARDS**

Can Government give the date when Spain replied to the European Commission's notification of the 5th June 1996 on the validity of the Gibraltar ID Card as an EU travel document, and when were Government informed of Spain's reply?

ANSWERTHE HON THE CHIEF MINISTER

Spain replied to the Commission on 26th June 1996 and the Government were informed on 28th June 1996.

SUPPLEMENTARY TO QUESTION NO.619 OF 1998

HON J J BOSSANO:

Given that they were informed so quickly after the event, can the Government explain why it is that two years and three months later there seems to have been no further progress on this issue?

HON CHIEF MINISTER:

Mr Speaker, because progress on this issue as he mischievously calls it, does not depend on the Government of Gibraltar having been informed. It depends on the willingness of the Government of the United Kingdom and of the European Commission to pursue the matter as expeditiously as possible through all the mechanisms available to either or both of them. I think they both demonstrate a lack of proclivity to doing that. The Government of Gibraltar have raised again this matter, this is on the agenda at every meeting that we attend in the Foreign Office. The issue has been on the agenda for consideration at infraction meetings every six months since it was first raised at an infraction chefs meeting in December 1996 and every time it is just carried forward. I am not present at infraction meetings of the European Commission to see why it is carried forward or to witness the intensity or enthusiasm with which British and other representatives may address this matter. Mr Stephen Wall, the Permanent Secretary, the Permanent British Representative to the EU wrote on the 10th March 1998 to the Commission requesting the Commission to ensure that Gibraltar's rights under EC law are upheld and beyond lobbying, raising the matter, it is on every lobbying list of issues that I raise with MPs and I am sure it must be with the Leader of the Opposition and therefore, Mr Speaker, I reject the premise of the supplementary which suggests that because we knew two days after the event that it is very surprising that we have not yet secured Spanish recognition of the Identity Cards themselves.

ORAL

NO. 620 OF 1998

THE HON J J BOSSANO

EU CONVENTIONS

Can Government list which EU conventions can be extended to Gibraltar, but have not been so extended because Gibraltar has not exercised the option to be included?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 617, 621 and 622 of 1998.

ORAL

NO. 621 OF 1998

THE HON J J BOSSANO

EU CONVENTIONS

Can Government list the EU conventions from which Gibraltar had been excluded because of Spanish objections prior to May 1998 giving the date of each exclusion?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 617, 620 and 622 of 1998.

NO. 622 OF 1998

THE HON J J BOSSANO

EU CONVENTIONS

Can Government list the EU conventions from which Gibraltar has been excluded because of Spanish objections prior to May 1998?

ANSWER

THE HON THE CHIEF MINISTER

From the records available to the Gibraltar Government, a total of five EC or EU Conventions have been extended to Gibraltar with the approval of GOG. These are:-

1. European Convention for the Protection of Arrivals during inter transport (September 1974).
2. European Convention Abolishing the legalisation of documents in Member States (August 1986).
3. European Convention on Human Rights (January 1987) with reservations.
4. European Convention on the Suppression of Terrorism (May 1988).
5. European Cultural Convention (May 1998).

The extension of an EC Convention on the Protection of the Architectural Heritage of Europe to Gibraltar has been delayed at Government of Gibraltar's request. One European Union Convention in the pipeline, namely EURODAC will not be extended to Gibraltar at the request of the Government of Gibraltar. One other Convention, the Drivers Disqualification Convention was approved by the EU and adopted by the UK in June 1998 but will also not be extended to Gibraltar at the request of the Gibraltar Government. The Mutual Legal Assistance Convention, which builds on the 1959 Mutual Legal Assistance Convention, has not been extended to Gibraltar, with Government of Gibraltar concurrence, because the 1959 Convention itself does not extend to Gibraltar and can only be extended to Gibraltar by bilateral treaties.

The Naples II Convention has also not been extended to Gibraltar by agreement with the Gibraltar Government. Its scope was restricted to the Community Customs Territory. The Europol Convention has not been extended pending implementation of Data Protection Legislation when the matter will then be considered by the Government. There are no EU Conventions which have not been extended to Gibraltar because of objections from the Spanish Government.

SUPPLEMENTARY TO QUESTIONS NOS. 617, 620, 621 AND 622 OF 1998

HON J J BOSSANO:

If there has been no problem of objections with the Spanish Government why is it that the Government have asked Her Majesty's Government not to extend these Conventions to Gibraltar?

HON CHIEF MINISTER:

Mr Speaker, for the reasons that I have been explaining publicly in response to every misleading press statement by the hon Member during the early summer. He cannot change the goal posts during the course of this Supplementary. His questions seek to ask can Government list the EU Conventions from which Gibraltar has been excluded because of Spanish objections since May 1998? That question means in English a list of the Conventions from which the United Kingdom has excluded Gibraltar because Spain objected to Gibraltar's inclusion. The answer is that to my knowledge Spain has not objected to the inclusion of Gibraltar in any of these Conventions. However, which is a different matter, Spain objected to the United Kingdom, well initially her objection was to the United Kingdom nominating a separate competent authority in Gibraltar for Gibraltar, although she was happy for the Convention to be extended to Gibraltar so long as the United Kingdom domestic competent authority was the competent authority for Gibraltar. Eventually, Spain hardened her position beyond that even and objected to the Convention unless there was language in the text of the Convention itself which prohibited the United Kingdom from nominating a competent authority for Gibraltar. They were no longer willing to trust the United Kingdom not to do so if it possibly could. The United Kingdom throughout all the time that the Gibraltar Government were discussing these Conventions with her which was from the very early days when we discovered the existence of these Conventions was pressing the United Kingdom on the competent authority issue as we do generally on the competent authority issues and the United Kingdom wrote to us saying that they would defend the propositions. Amongst them was the right of Her Majesty's Government to nominate competent authority in and for Gibraltar if Her Majesty's Government chose to do so. At the eleventh hour the United Kingdom Government resiled from that position and unwilling to be the cause of in effect a Spanish veto any longer indicated to the Government of Gibraltar that she was no longer able or willing to maintain the position that she had told us in writing hitherto that she would defend and actually proposed to extend the Conventions to Gibraltar not only without language which specifically enabled her to nominate a competent authority but indeed with the inclusion of language that positively prohibited it and the Gibraltar Government said that we were unwilling to have the Convention extended to us in such circumstances that we believed that the United Kingdom Government had an obligation to Gibraltar to ensure that the Conventions were in terms which protected Gibraltar's rights to have a competent authority extended to it if the United Kingdom so chose. The United Kingdom indicated that because these are inter-governmental agreements which require unanimity, they could not drag Spain to a trough from which it did not wish to drink. The alternatives facing the United Kingdom was in effect to give up the position that she had until then upheld or sacrifice the Convention knowing that there would be a succession and that she was not willing to do the latter in preference to the former and therefore she did the latter regardless of the last minute protestation delivered by me not only in writing but in person in the Foreign Office and in those circumstances the Gibraltar Government took the view that if it had to choose between being left out of the Convention or being included in terms which gave away the competent authority point irredeemably and generally that we would prefer, as the lesser of two evils, not being in the Convention at all. Those are the circumstances in which Gibraltar has been excluded from the two Conventions, the EURODAC and the Drivers Disqualification.

HON J J BOSSANO:

Mr Speaker, I can only conclude from that explanation that in fact apart from being mischievous the explanation clearly demonstrates that if Spain had behaved as any other normal EU partner and had not raised objections to the normal Convention unadulterated being applied to us, we would not be out. So it has not been that the Government did not want to be in these Conventions, but that the Government, because of the Spanish objection, was faced with having to choose the lesser of two evils and that the United Kingdom, rather than sacrifice the Convention, sacrificed us. That is the position.

HON CHIEF MINISTER:

Indeed, but Spain, as the hon Member's question suggests, Spain did not object to the Convention being extended to Gibraltar. Spain was very happy for the Convention to be extended to Gibraltar provided it did not make provision for a competent authority in Gibraltar, for Gibraltar, separately to the United Kingdom. There is a distinction there. What I said was mischievous, not vicious, was the attempt that the hon Member had repeatedly made to try to blame the Government of Gibraltar for the fact that we are not participating, that we are not included in the Convention which I understand why the hon Member tries that, but certainly it is not an accusation which is justified.

HON J J BOSSANO:

Mr Speaker, the Government of Gibraltar have started off putting more blame on itself today than I have done throughout the episode since it starts off by saying that it is not true, that it was Spanish objections to these Conventions being extended, that is us being left out. We have been left out at the request of the Government of Gibraltar. It seems to me that all that the Government of Gibraltar is saying is that they put up a fight on this as they have done on other things and they have lost the fight and having lost the fight they expect not to carry the responsibility for losing the fight on the basis that they tried to win it.

HON CHIEF MINISTER:

That remark is typical of the intellectually dishonest mischief that the hon Member gets up to. He talks as if the Government of Gibraltar have the political and legal wherewithal which he was never able to deliver to force the British Government, either to include us in the way that we wanted to be included or not to sign the international treaty at all. It is precisely that, that complete lack of sequential logic because the hon Member is not interested in sequential logic. What the hon Member is interested is in contaminating the Government of Gibraltar with the aura of having failed in some things in which it could have achieved success and the answer is that the Government of Gibraltar did everything that it was within its power to do, no less than the hon Member has done, or not more than the hon Member has done in the past, on occasions in which he has met with the same lack of success. No one blames him personally for doing so, not necessarily in relation to Third Pillar Conventions because in effect these are the first three Third Pillar Conventions but there are plenty of Directives, let alone inter-governmental agreements, in which the hon Member was not able to secure the inclusion of the right to nominate a competent authority for Gibraltar. He knows that.

HON J J BOSSANO:

During the time that we were in Government or before we were in Government, Spain did not object because in fact Spain was not there prior to 1986 to object to anything. That is a complete red herring, that we tried to achieve directives for Gibraltar being included as a competent authority and that Spain was able to block it which is what has happened on this occasion, is a complete red herring. What the Chief Minister seems to be incapable of doing is in discussing anything at all without at the same time embellishing it with adjectives to describe what he thinks is the legitimacy of the approach of the Opposition in this matter, irrespective of whatever he used to do when he was in Opposition and where he blamed the Government for every single thing under the sun. That is irrelevant. The fact is that the problem with the Chief Minister is that it is not a question of sequential logic. He has got no logic at all because he says that he tried everything that was humanly possible but he did not succeed, but it is dishonest of us to say that he failed. Mr Speaker, if he did not succeed, he failed and whether somebody else might have succeeded or not succeeded, one will never know, whether enough was done or not done one will never know because it is his responsibility and if he had been successful he would expect to come out taking the credit for the success and since he was not successful he has to take the responsibility for having failed, however hard he has tried. The position is, Mr Speaker, am I not correct that before May 1998 Spain had not attempted to prevent the United Kingdom from carrying out what is its constitutional right in terms of determining who is responsible for what in the territory for which it is the administering power and in respect of which it is the member state responsible in the EU? Is it not the case that the nearest parallel that we have to this is the exclusion of Gibraltar under the 1987 directive on air liberalisation when we were given the choice of either going in on the terms that Spain would accept or being left out or Spain would veto the whole process? Is it not the same strategy that has been used?

HON CHIEF MINISTER:

No Mr Speaker, it is not. I can give him a much closer parallel for which he is responsible. First of all let us be clear, the reason why this has not arisen before in the context of European Union Conventions is because since the third pillar was erected by the Maastricht Treaty, these are the first three inter-governmental agreements, which is what third pillar instruments are, not Instruments of the Community, not regulations, not directives, not Community instruments but international agreements between countries acting in their own right. Albeit the whole 15 of them happen to be members of the European Community and like any other international agreement they require unanimity and because they require unanimity Spain is free to sign or withhold her signature from whatever she pleases and neither Gibraltar nor the United Kingdom is able to oblige Spain to enter into an international agreement of which Spain for whatever reason, whether it be because of Gibraltar, or because she does not like the colour of the paper it is printed on, does not like. But the nearest analogy, given that the exact fact could not possibly have existed before, because there were no inter-governmental agreements before, arise in the several directives for which the hon Member failed to ensure that the United Kingdom was able to make provision for Gibraltar in terms of things annexed. One example that comes readily to mind and of which he made a great fuss and failed was the parent subsidiary directive which he was about to launch with great fanfare on some new financial services product for Gibraltar and when the thing was published it said "United Kingdom companies incorporated under the Companies Act" and made no provision either for Gibraltar or companies incorporated in Gibraltar or companies incorporated under the Companies Ordinance. There is any number of directives that fall into that category where there is no specific provision for competent authorities in Gibraltar. The hon Member knows

that. The hon Member knows the number of occasions in which he was unable in directives to obtain specific provision for the distinct constitutional circumstances prevailing in Gibraltar. My opinion, with which I know the Leader of the Opposition will not agree, is that that is the nearest analogy to the situation. In other words, the extent to which Gibraltar has an ability to oblige the United Kingdom when entering into collective obligations, collective agreements internationally or in an EU context, to make provision for the separate constitutional status of Gibraltar in the future administration of that measure when the United Kingdom decides in the context of a last minute negotiation that she does not wish to uphold. I do not know, short of anything, at the end of the day one points out the United Kingdom's obligations as one thinks she has them, one points out the moment one spots the Gibraltar point, one raises the point at every possible opportunity and with Parliament, with Ministers, with officials, one obtains from them the agreement to uphold one's position and to defend one's position and then at the eleventh hour they give away their position in the context of selling up the deal at the end. The hon Member thinks that that represents failure on the part of the Government of Gibraltar in circumstances where success might be impossible, it is a standard by which I am very happy to be judged.

HON J J BOSSANO:

Well, Mr Speaker, I do not want to.....

MR SPEAKER:

I do not want to stop either of you because this is very interesting.....

HON J J BOSSANO:

Given the fact that the Chief Minister is saying that he is happy to be judged by that, then he should not be moaning about the fact that that is what I am accusing him of, in his failure. Is it not a fact, Mr Speaker, that the examples that he has given are totally inaccurate, irrelevant and misleading because the wording of that directive, the one that he has chosen, the parent subsidiary directive, was something that was brought to the Government of Gibraltar's notice long after the directive had been agreed and implemented and it might not even have been implemented when Spain was in the EEC. It had nothing to do with the Government of Gibraltar being consulted by the United Kingdom as he apparently has been; being given a commitment by the United Kingdom as he apparently has been; and then the United Kingdom at the eleventh hour not honouring the commitment that has been given. That has never happened in respect of any directive.

HON CHIEF MINISTER:

If the hon Member is saying that in addition to everything else he did not, during his term in office, put in place a mechanism as we have done to get our own early warning of directives and that he put himself in the position when he made no attempt to protect the interests of Gibraltar unless and until Her Majesty's Government informed him of the existence of a particular directive, then he was in serious dereliction of his duty and the loss of the battle to oblige the United Kingdom to include us in a particular way in a Treaty, which is entirely a matter for the United Kingdom, is certainly not a greater defeat for us than his loss after a long, painful and costly, for Gibraltar, battle to withhold implementation of the directives which he eventually had to do when Britain squeezed his arm hard enough behind his back, no more of a defeat than giving up the battle to keep control of the Financial Services Centre which he tried to do and he gave up the moment the British Government twisted his arm behind his back, both

issues which were within his control and he chose to give up. I am not saying that I would have fought those battles any differently but certainly those are battles that the British Government and he fought and lost when he could have, if he had wanted to, stood his ground. We cannot prevent the Prime Minister from sitting down at a table and signing an international Treaty with whatever content he chooses regardless of whether we like it or not.

HON J J BOSSANO:

Mr Speaker, then if the Chief Minister cannot achieve a success, is he saying that he knew or is it that he has just discovered it from the beginning that in fact there was no way that he could get the United Kingdom to accept it and in fact is the Chief Minister saying that as long as he thinks he can drag up something to prove that I did not put up a sufficiently strong battle or was not sufficiently successful that that exonerates him from the responsibility that he has? He has to answer for the things that he does since the 16th May irrespective of how successful or not I was before. Can he quote one single case, Mr Speaker, when we have said to the United Kingdom we want to be included in this? The United Kingdom has said "you will be included" and then at the eleventh hour the Prime Minister has decided not to order what has been promised. Of course he cannot. He cannot quote one.

MR SPEAKER:

The time has come when you give a short answer and that is the end of this question.

HON CHIEF MINISTER:

Mr Speaker, I think there is no shorter answer than to say nothing at all.

NO. 623 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - EXPENDITURE

Can Government state what is the latest forecast outturn for expenditure by the Gibraltar Health Authority in respect of the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Mr Speaker, £23,279,344.98.

SUPPLEMENTARY TO QUESTION NO.623 OF 1998

HON MISS M I MONTEGRIFFO:

Can the Minister tell the House why there is a contribution of £99,000 to make up part of the shortfall in income as receipts from the GPMS in reallocation No.13 of 1997/98?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The reason is that in the Estimates 1998/99 we forecast at that time that the income was going to cover all the expenditure for that year. It has turned out that we overestimated the amount of money we would get from the Group Practice Medical Scheme because of rates. I do not think the final figure has been sorted yet for that £500,000 of which the first tranche has been pushed through in supplementary funding from last year and the remainder has to be resolved some time this financial year.

HON J J BOSSANO:

The extra expenditure, Mr Speaker, in the answer that has just been given about the forecast outturn is it in fact £23,790,000 as opposed to £250,000 so that does not seem to explain the note in the supplementary funding requirement of a shortfall in income. Is it that the GPMS is £99,000 short of the £14.8 million or is it to meet extra spending?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

As I explained, Mr Speaker, and I am sorry if I did not make it clear, the expenditure is just slightly over what we forecast the outturn would be by £70,000-odd. The actual shortfall has really arisen because of a shortfall in income, has not been as much, and therefore if the shortfall in income from the Group Practice Medical Scheme and other sources of health funding, then it means that the contribution from the Consolidated Fund has to go up and so it is a shortfall in income.

HON J J BOSSANO:

Mr Speaker, I am aware that the explanation given for the extra funding from the Consolidated Fund is a shortfall in income but if the expenditure is higher then the need is not a shortfall in income but a higher expenditure. Is it in fact that the £99,000 that is given is due to a shortfall in income or is it really due to the fact that the expenditure is higher than the estimated forecast outturn given at the time of the Estimates.

HON K AZOPARDI:

Mr Speaker, I think it is a combination of both. There is a higher expenditure by about £60,000 and there is a shortfall in income of £30,000, higher as the Financial Secretary indicated.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have not got the exact figures in front of me but my understanding is that the total excess expenditure over income of the Health Authority for 1997/98 is going to be in the region of £500,000 and the major reason for that as I explained earlier is because the receipts from the Group Practice Medical Scheme have not come out in the order of £14.8 million and are considerably £400,000-odd less than that.

HON J J BOSSANO:

The figure is closer to the original estimate then of £14.3 million is that what we are being told?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That is correct.

NO. 624 OF 1998

THE HON MISS M I MONTEGRIFFO

GHA - LEGAL FEES

Can Government state what is the latest forecast outturn in respect of legal fees paid by the Gibraltar Health Authority for the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Mr Speaker, £15,561.06.

SUPPLEMENTARY TO QUESTION NO.624 OF 1998

HON MISS M I MONTEGRIFFO:

Can the Minister state what this figure is in relation to? Is it, for example in relation to claims against the Gibraltar Health Authority?

HON K AZOPARDI:

Yes, these are all legal fees paid in respect of defensive claims against the Authority.

HON MISS M I MONTEGRIFFO:

Is the Minister in a position to state how many legal firms have been contracted by the Gibraltar Health Authority, private legal firms?

HON K AZOPARDI:

I do not have a breakdown with me of the fees but if I remember rightly I think of the £15,500, about £8,000 or £9,000 was paid to Hassan & Partners in respect of various claims, of a variety and if I could correct what I have just said about it being all in respect of defence legal fees, of claims, I would say the majority of that is paid in defence of claims but I do recall now that we took advice on the interim MOD agreement from Triay & Triay, for example, so that part of it obviously would not be in respect of defence and I think that leaves a balance of about £2,000 to £3,000 or £4,000 perhaps. I would not be able to say in respect of what the remainder is but I suspect that it is for litigation matters.

NO. 625 OF 1998

THE HON J L BALDACHINO

DISPOSAL OF ASBESTOS SHEETING

Can Government state whether there is any asbestos sheeting requiring disposal as a result of the demolition of the former Governor's Meadow School?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Yes, there was asbestos sheeting requiring disposal as a result of the demolition of the former Governor's Meadow School.

SUPPLEMENTARY TO QUESTION NO.625 OF 1998

HON J L BALDACHINO:

Obviously, under the Factory Ordinance (Amendment) Ordinance 1997, the Minister did give authorisation for the removal?

HON J J NETTO:

There are substantial and compelling evidence that the company that was awarded this tender could be in breach of the Works Contract, the Factories Ordinance and the Employment Ordinance. The comprehensive report is being prepared by the Ministry for Employment which will serve the basis for advice from the Attorney-General's Chambers in due course. Therefore this matter is sub judice and I would not want to enter into any further details.

HON J L BALDACHINO:

But the contract was given by the Government, is that correct?

HON J J NETTO:

As far as I can recollect the tender was given by the Government Tender Board.

HON J L BALDACHINO:

And therefore the company must have been made aware of the requirement under the Ordinance I have just stated, is that correct?

HON J J NETTO:

These are the kind of details that I would not wish to entertain, given that there are possible implications of the case that have to be taken to the Attorney-General.

HON J J BOSSANO:

The question of asbestos is something that has come to light subsequent to the demolition because that sometimes happens, that people discover that the asbestos is there when they start knocking things down, but in the original contract, were the Government conscious before it even started, that there was asbestos there which had to be handled, was that specified in the contract?

HON J J NETTO:

From my recollection from what I have been told both the company that was awarded the tender and the various other companies that actually could have bid for the tender were informed that there was asbestos sheeting that had to be taken out.

HON CHIEF MINISTER:

Yes, Mr Speaker, indeed, I can add that they were aware of it, which was the reason why the contract had to be carried out in a specific window opportunity whilst the school was not in operation and why indeed they knew that the school's opening had to be delayed by a week or two, I do not remember, to do that. They were well aware of the nature of the demolition contract.

HON J L BALDACHINO:

I do not understand the answer that has been given by the Chief Minister. Was not that a vacant building?

HON CHIEF MINISTER:

There is a nursery there, Tiny Tots.

HON J L BALDACHINO:

I understand what the Minister has stated, that may be there is proceedings against the company, but I would like certain information even if it is on a private basis, is he prepared to do that?

HON J J NETTO:

The Ministry is actually preparing this Report which will then serve the basis to go to the Attorney-General's Chambers. Therefore, I do not think at this precise moment in time I am at liberty to be able to disclose this to the hon Member even if it is private and confidential. I think I am disqualified from doing this.

NO. 626 OF 1998THE HON J L BALDACHINO**ETB - WAGE SUBSIDY**

Can Government state the number of employees that were receiving a wage subsidy from the ETB and in respect of how many employees from the 1st November 1997 up to 31st March 1998 giving a breakdown for each month?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information requested is as follows:

WAGE SUBSIDIES

| Month | Expenditure | Number of employers | Number of employees |
|---------------|--------------------|---------------------|---------------------|
| October 1997 | £43,928.91 | 30 | 88 |
| November 1997 | 24,499.38 | 17 | 51 |
| December 1997 | 9,054.34 | 17 | 25 |
| January 1998 | 20,266.13 | 16 | 50 |
| February 1998 | 5,727.57 | 15 | 16 |
| March 1998 | <u>23,327.86</u> | <u>21</u> | <u>54</u> |
| | <u>£126,804.19</u> | <u>116</u> | <u>284</u> |

ORAL

NO. 627 OF 1998

THE HON R MOR

ETB - EMPLOYMENT SURVEY REPORT

Can Government state how many of the 101 full-time weekly paid male adult workers shown as employed in the hotel industry in April 1997, according to the Employment Survey Report, were Gibraltarians?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question No. 630 of 1998.

NO. 628 OF 1998

THE HON R MOR

ETB - EMPLOYMENT SURVEY REPORT

Can Government state how many of the 101 full-time weekly paid male adult workers shown as employed in the hotel industry in April 1996, according to the Employment Survey Report, were Gibraltarians?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

According to the april 1996 Employment Survey Report, the number of Gibraltarian full-time weekly paid adult males in the hotel industry was 13.

NO. 629 OF 1998

THE HON R MOR

ETB - EMPLOYMENT SURVEY REPORT

Can Government give a breakdown as between the MOD and the Gibraltar Government employment in respect of the 952 full-time weekly paid adult male workers in April 1996, as shown in the Employment Survey Report, and give the average weekly earnings of such workers in each sector?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information requested is as follows:

Full-time Adult Male (Weekly Paid) Employees

| | |
|----------------------|------------|
| Gibraltar Government | 427 |
| Ministry of Defence | <u>525</u> |
| Total | <u>952</u> |

Average Weekly earnings

| | |
|----------------------|---------|
| Gibraltar Government | £297.18 |
| Ministry of Defence | £238.55 |

NO. 630 OF 1998

THE HON R MOR

ETB - EMPLOYMENT SURVEY REPORT

Can Government give a breakdown as between the MOD and the Gibraltar Government employment in respect of the 926 full-time weekly paid male workers in April 1997, as shown in the Employment Survey Report, and give the average weekly earnings of such workers in each sector?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information requested is not readily available. The computer is being programmed to enable the information to be processed. Once it is available, it will be given to the hon Member.

ORAL

NO. 631 OF 1998

THE HON R MOR

ETB - EMPLOYMENT SURVEY REPORT

Can Government state of the 1097 full-time employees shown as earning over £25,000 a year as at April 1996 in the Employment Survey Report, how many of these were employed in (a) the private sector, (b) the MOD and (c) the Gibraltar Government?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question No. 632 of 1998.

NO. 632 OF 1998

THE HON R MOR

ETB - EMPLOYMENT SURVEY REPORT

Can Government state of the 1276 full-time employees shown as earning over £25,000 a year as at April 1997 in the Employment Survey Report, how many of these were employed in (a) the private sector, (b) the MOD and (c) the Gibraltar Government?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

In the short time available to answer this question it has not been possible to obtain the information requested. This is being processed and once ready it will be made available to the hon Member.

NO. 633 OF 1998

THE HON J L BALDACHINO

ETB - TRAINING LEVY

Can Government state what is the latest estimated outturn in respect of receipts from the training levy for the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The forecast outturn for 1997/98 as provided in the approved Government of Gibraltar Estimates of Revenue and Expenditure under Appendix E is £1,300,000.

However, the actual outturn is £1,231,721.

SUPPLEMENTARY TO QUESTION NO.633 OF 1998

HON J J BOSSANO:

Can the Minister say whether in fact this has required an additional contribution from the Consolidated Fund? Or there are other changes in the Estimates of Income and Expenditure which compensate for the £70,000 difference between the forecast and the figure he has given now?

HON J J NETTO:

No, I do not have that kind of information available with me here..

NO. 634 OF 1998THE HON J L BALDACHINO**ETB - VOCATIONAL CADETS**

Can Government state how many, if any of the vocational cadets whose employment terminated in April, May and June were cadets with the Ministry of Education?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information is as follows:

| | | |
|-------|---|---|
| April | - | 6 |
| May | - | 9 |
| June | - | 3 |

SUPPLEMENTARY TO QUESTION NO.634 OF 1998

HON J J BOSSANO:

Were these in fact cadets who were attending the Construction Training Centre?

HON J J NETTO:

I am actually hesitant to confirm that because I have not got the information with me. I can obviously find out and if the hon Member so wishes I can pass that information to him, whether in fact they belong to the trainees from the Construction Training Centre or indeed any other particular course.

HON J J BOSSANO:

But was there any other course going on in April, May and June?

HON J J NETTO:

Mr Speaker, given the lateness of the day, I have to confess that I am not exactly with it. I can find out exactly where they belong, to what particular course or indeed if they come under the Construction Training Centre and pass the information to the hon Member if he so wishes.

HON J L BALDACHINO:

Would those in the Construction Training Centre have finished all at the same time?

HON J J NETTO:

That would depend because my assessment is that all the trainees follow the particular modules, some are more advanced than others and it is likely that not all finish at the same time. That is the flexibility with the NVQ that my hon Colleague in the previous session was talking about.

NO. 635 OF 1998

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state how much has been spent by the ETB in the current financial year up to 31st August out of the £1.1 million provided for payments to vocational cadets?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information is as follows:-

| | | |
|-----------------------------------|---|-----------------|
| Vocational cadets (employment) | - | £149,022 |
| Vocational cadets (training) | - | <u>£142,560</u> |
| Total for 2 nd quarter | | <u>£291,582</u> |

SUPPLEMENTARY TO QUESTION NO.635 OF 1998

HON J L BALDACHINO:

Is it expected by the Government to spend the £1.1 million or does the Minister estimate that it would fall short of that?

HON J J NETTO:

So far the total of £291,582 represents 26.5 per cent of the amount used so far, so we still have available 73 per cent. Yes, it does appear that at this trend not all the money allocated will be spent.

HON J J BOSSANO:

Am I correct in thinking that this is the money paid to the individuals, there is no other cost here, is that right? This is the money the ETB pays to the individual cadets, the wage they get?

HON J J NETTO:

That is correct.

NO. 636 OF 1998

THE HON J L BALDACHINO

EDUCATION - TRAINING AND DEVELOPMENT COURSES

Can Government state how much has been spent in the current financial year up to 31st August out of the £811,000 provided for Training and Development courses?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Up to the 31st August, £87,185 have been spent in the current financial year out of the £811,000 provided in the 1998/99 estimates for Training and Development courses.

SUPPLEMENTARY TO QUESTION NO.636 OF 1998

HON J J BOSSANO:

Mr Speaker, this money is spent where? Is this money that goes to the College of Further Education?

HON DR B A LINARES:

No, this money goes for training schemes which are now on course. In some cases payments have been made and also we hope to draw this fund for other training schemes which are very much in the pipeline and which have been costed but which entail considerable expenditure out of the estimated £811,000.

HON J J BOSSANO:

Are not the courses run by the Department funded from the Consolidated Fund and then covered by the reinvestment of a £250,000 back to the Consolidated Fund?

HON DR B A LINARES:

No, Mr Speaker, the £250,000 which is reimbursed from the Gibraltar Development Corporation funded by the Consolidated Fund is for the Personal Emoluments and the Wages of the Construction Training Centre.

HON J J BOSSANO:

Is the £87,151 money that has been paid to whom then? If it is not the College and it is not the courses that come from the Education Department, where has the £87,000 been paid to?

HON DR B A LINARES:

My answer was given from the start, that it has been paid into training schemes which are now on course and for which payments have to be made on an on-going basis. I have a list of all these training schemes which are already on course and I would be quite happy to give the information to the Opposition Members.

HON J J BOSSANO:

Are these the training schemes in Bleak House, or are they something different?

HON DR B A LINARES:

No, they are not the courses at Bleak House.

HON J J BOSSANO:

Are they training courses run by the private sector?

HON DR B A LINARES:

I apologise, the School of Tourism is one of the schemes which is now being operated in Bleak House and that would be funded from this. There is another course run by the University of Durham Business School which I referred to in an earlier answer to an earlier question which is also being funded to the tune of £28,000 from this.

HON J L BALDACHINO:

The last one that the Minister just mentioned, can he tell us how many students there are in that course?

HON DR B A LINARES:

The number of students in the Durham course is 20 and it was over-subscribed so it is very likely that by February we will have another 20 to follow.

HON J L BALDACHINO:

These 20 students do they cover any Government employee as well? Is any Government employee doing this?

HON DR B A LINARES:

I am not too sure what the answer to that is, but I do not think so. I think they are mostly senior management in the private sector.

HON J L BALDACHINO:

And is this partly funded by the private sector? Is there a ratio of Government and the private sector?

HON DR B A LINARES:

Yes, Mr Speaker, there is a ratio of 45 per cent from ESS funds, 35 per cent from the Government and 20 per cent from the private sector.

HON J L BALDACHINO:

When he says 45 per cent by the fund and 25 per cent from the Government, is it that another 25 per cent is paid from the Government from another source, other than from this one? If I understood the Minister correctly in the answer he just gave, he said that 45 per cent is financed by the Fund, 35 per cent is funded by the Government and 20 by the private sector. Is it that the Government's 35 per cent other than the 45 per cent that is paid from there is funded by another fund from the Government?

HON DR B A LINARES:

No, Mr Speaker, as I said before it is funded from the £811,000 which has been estimated for training schemes.

HON J J BOSSANO:

When I asked earlier on about whether the money was going to the College and the answer was no, are none of these courses run at the College of Further Education?

HON DR B A LINARES:

I do not think so, but at this time of the night, as we agreed before, I am not entirely with it.

HON J J BOSSANO:

He does not have a list that he could let us have? I believe that he said earlier on that he could provide a list to us of the cost.

HON DR B A LINARES:

Mr Speaker, it is intended and it was announced today at the opening of Bleak House that the Chief Minister will be presenting and making public a comprehensive blueprint, a developmental programme of our intended training schemes and therefore all these courses which are now in the pipeline are being processed and costed and negotiated will soon be made public and of course will be available to the Opposition Members.

NO. 637 OF 1998

THE HON J L BALDACHINO

HEAD 2B, SUBHEAD 6

Can Government state how much has been spent up to 31st August out of the £1 million provided for Housing Maintenance – Materials under Head 2-B, subhead 6 – Buildings and Works?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The amount is £346,946.97.

SUPPLEMENTARY TO QUESTION NO.637 OF 1998

HON J L BALDACHINO:

Can the Minister say if out of the £346,000 does it also cover the tender that has been awarded for the scaffolding for one of the Alameda Estate buildings?

HON J J NETTO:

It is difficult to tell that, not giving me notice to that effect. I would like to say yes but I would need to confirm that if he so wishes.

HON J L BALDACHINO:

Obviously he has not got that information. Could he give me a breakdown when he has it available on how the £346,000 have been spent?

HON J J NETTO:

No, I have been told that is totally impossible to give a breakdown of all the materials in all the jobs. One has to bear in mind that there are thousands of jobs done in Buildings and Works. I am prepared to pass on the information of the scaffolding, yes, but not on every single material, in every single job.

HON J L BALDACHINO:

That is not what I am requiring. Could he say how much has been spent on materials, on a global figure. I am not asking for any specific job and what is not spent on materials, like scaffolding. Is he prepared to do that?

HON J J NETTO:

There has to be some more of a generic item. If the hon Member is saying things like outside materials, the purchase of scaffoldings and heavy plant and things of that nature, fine, I might look into that, but is that specifically what he wants?

HON J L BALDACHINO:

Yes, Mr Speaker, that is specifically what I want.

NO. 638 OF 1998THE HON J L BALDACHINO**ETB - WAGE SUBSIDY**

Can Government state how much has been spent in the current financial year up to 31st August out of the £600,000 provided for wage subsidies in each month giving the number of employees receiving a wage subsidy and in respect of how many employees?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information is as follows:-

| <u>MONTH</u> | <u>EXPENDITURE</u> | <u>NO. OF EMPLOYERS</u> | <u>NO. OF EMPLOYEES</u> |
|--------------|--------------------|-----------------------------|-----------------------------|
| April 1998 | £4,051.35 | 13 | 13 |
| May 1998 | £14,406.51 | 20 | 40 |
| June 1998 | £6,362.86 | 12 | 17 |
| July 1998 | £10,971.00 | 15 | 27 |
| August 1998 | £10,412.77 | 17 | 30 |

NO. 639 OF 1998

THE HON J L BALDACHINO

I&D FUND - HEAD 101, SUBHEAD 6

Can Government state how much has been spent from the I&D Fund, Head 101, subhead 6 – Housing Consultants Fees, from April 1998 to date?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

£9,200 has been spent to date from the Improvement and Development Fund, Head 101, subhead 6 – Housing Consultants Fees.

SUPPLEMENTARY TO QUESTION NO.639 OF 1998

HON J L BALDACHINO:

Mr Speaker, in relation to what projects?

HON J J NETTO:

This is the backing information which I have, which I can make available. In June 1998, Proclain Ltd, reference contract work, Macfarlane House, that was £2,350; July 1998, Proclain Ltd, in relation to Macfarlane and Willis's tender documents, that was £4,700 and in September, 1998, Proclain Ltd tender document 62, Flat Bastion Road, which is £1,850, bringing the total to £9,200.

NO. 640 OF 1998THE HON J C PEREZ**VARYL BEGG ESTATE - GARAGES**

Can the Minister for Employment and Buildings and Works explain how the figure of £94,243 as the cost of the construction of the garages at Varyl Begg, has been arrived at?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The breakdown is as follows:

| | |
|-----------------------------------------------------------|-------------------|
| Provision of bases and ancillary works | £23,587.91 |
| Electrical Works (inc Meter cupboards to Phase 1 garages) | £6,655.09 |
| Purchase and erection of garages | <u>£64,000.00</u> |
| | <u>£94,243.00</u> |

SUPPLEMENTARY TO QUESTION NO.640 OF 1998

HON J C PEREZ:

Can he confirm that the bases and ancillary works for £23,587.91 was the subject of a tender which included other things for the car park?

HON J J NETTO:

I do not know whether it was included as a subject of tender. I should imagine so.

HON J C PEREZ:

I did ask him at the last Question Time whether he could provide me with a breakdown between what the part of the garages was and the part that was related to the car park which he said in this House he would, but then subsequently he wrote to me and said he could not give me the breakdown; the point being that if he is able to give me the breakdown now, I wonder why it is that the Minister wrote to me saying that he could not give me the information when he had promised in this House that he was going to give it to me. That is the point I am making, Mr Speaker.

MR SPEAKER:

Next question.

NO. 641 OF 1998

THE HON R MOR

SOCIAL SECURITY - SOCIAL INSURANCE CARDS

Can Government state what was the number of Social Insurance Cards in issue at 31st December 1996 which had not been renewed as at 31st August 1998 and the number of employers concerned, giving a breakdown as follows:

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

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The number of social insurance cards in issue at 31st December 1996 which had not been returned as at 31st August 1996 is 385, broken down as follows:-

| | |
|----------------------|------------|
| British/Gibraltarian | 266 |
| Non-British | <u>119</u> |
| Total | <u>385</u> |

The number of employers concerned is 232.

NO. 642 OF 1998

THE HON R MOR

SOCIAL SECURITY - SOCIAL INSURANCE CARDS

Can Government say how many employers are involved in relation to the 448 social insurance cards in issue at 31st December 1997, which have not been renewed as at 31st August 1998?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The information requested is not readily available. However, the Department of Social Services is now in the process of compiling lists of different employers. This will be made available to the Opposition Members once it is ready, hopefully in two weeks.

ORAL

NO. 643 OF 1998

THE HON R MOR

SOCIAL SECURITY - INSURED PERSONS

Can Government explain the drop from 115 to 84 in the distribution of insured persons in respect of adult British females in the construction industry as at the end of 1997 compared to the end of 1996?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 645 and 646 of 1998.

NO. 644 OF 1998

THE HON R MOR

SOCIAL SECURITY - INSURED PERSONS

Can Government explain the increase from 702 to 950 in the distribution of insured persons in respect of adult male British employees in the defence sector as at the end of 1997 compared to the end of 1996?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Prior to 1997 the annual statistics of insured persons have not included the permanent cadre of the Gibraltar Regiment. The increase in respect of adult male British is due to the inclusion in the 1997 statistics of 163 members of the Gibraltar Regiment.

SUPPLEMENTARY TO QUESTION NO.644 OF 1998

HON J J BOSSANO:

Since that accounts for 163 of the 248, is it that the MOD actually increased the employment of people in 1997 contrary to every other statistic?

HON H CORBY:

I have not got that information with me and I cannot answer the hon Member as such because I am not responsible for the MOD, who they employ.

HON J J BOSSANO:

But what we are talking about is the explanation that we have been given that of the 248 increase shown in the statistics, 163 are Gibraltar Regiment permanent cadre that presumably were not included as part of the insured population previously, is that correct?

HON H CORBY:

That is correct.

HON J J BOSSANO:

I understand, what we are being told is that 163 is people who did not appear anywhere else before because they were not included, but what I am asking is that still leaves an increase of 80 which is 12 per cent increase in numbers employed in the MOD in 1997. Is he saying that the MOD employed 12 per cent more in 1997 than in 1996? That does not seem to fit in with every other indicator we have had.

HON H CORBY:

I will try to find that out for the hon Member and produce, if I can, the figures for him.

HON J J BOSSANO:

In respect of the previous question, there was a figure of adults from 115 to 84, the Minister gave the explanation of vocational cadets, were the adult females in the construction industry also vocational cadets?

HON H CORBY:

Yes, they were

ORAL

NO. 645 OF 1998

THE HON R MOR

SOCIAL SECURITY - INSURED PERSONS

Can Government explain the drop from 44 to 2 in the distribution of insured persons in respect of female juveniles in the construction industry as at the end of 1997 compared to the end of 1996?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 643 and 646 of 1998.

NO. 646 OF 1998

THE HON R MOR

SOCIAL SECURITY - INSURED PERSONS

Can Government explain the drop from 114 to 13 in the distribution of insured persons in respect of male juveniles in the construction industry as at the end of 1997 compared to the end of 1996?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

A detailed analysis of the figures quoted in respect of the construction industry in the annual statistics for 1996 and 1997 reveal that the drop of 115 to 84 in respect of adult British females; from 44 to 2 in respect of female juveniles (British); and from 114 to 13 in respect of male juveniles (British) was due to the manner in which the vocational cadets were distributed in the different industries at the end of 1996. It seems that part of the distribution was based on inaccurate information of their place of training.

The statistics for 1997 take account of a more accurate distribution of the vocational cadets. However, in order to avoid any future discrepancies in respect of the distribution of vocational cadets, I am considering that for the 1998 statistics they should all be included under industry No. 29 "Educational Services".

SUPPLEMENTARY TO QUESTION NOS. 643, 645 and 646 OF 1998

HON J J BOSSANO:

Would the Minister not reconsider that allocation given that in fact educational services shows the people employed in providing education as opposed to people receiving education? Would it not be better, if he wants to group them altogether to have a column just showing the vocational cadets?

HON H CORBY:

What happened before was that the vocational cadets were entered in bulk and they were all put in the construction industry. I will reconsider the observation made by the hon Member.

HON J J BOSSANO:

Mr Speaker, the explanation obviously is that people if they were, for example, presumably in the retail trade or bars or whatever, that is where they should have appeared and they appear in construction. That is what happened in 1997 but not in 1996. So in 1997 it must appear somewhere else presumably?

HON H CORBY:

No, in 1997 they have appeared in different sections.

HON J J BOSSANO:

And they are distributed throughout?

HON H CORBY:

Throughout.

NO. 647 OF 1998

HON J C PEREZ

VARYL BEGG ESTATE - INSTALLATION OF LIFTS

Can Government say whether they have received representations from tenants at the Varyl Begg Estate for the installation of lifts?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Yes, I have received representations from the tenants of one block at Varyl Begg Estate for the installation of lifts.

SUPPLEMENTARY TO QUESTION NO. 647 OF 1998

HON J C PEREZ:

And is it going to be pursued further? I understand from one of the tenants concerned that the Minister for Employment has given them an appointment for December, is that how it is going to be pursued or will Government take a policy decision on it, or what is the position?

HON J J NETTO:

Can the hon Member elucidate on the question of the December meeting?

HON CHIEF MINISTER:

The Government constantly receive representations from tenants in any number of Government blocks of flats asking for the installation of lifts in their block. Indeed, there is a sense in which it is a policy that recommends itself because given that many of the tenants that were originally put into Government housing estates are now becoming elderly and increasingly immobile. Installing lifts is a way of rendering elderly people being able to live for longer in those houses as opposed to put pressure for transfers to ground floor flats and flats where they can remain active in their older age, therefore the Government have commissioned from the Support Services Department engineers a report to assess each block in all the Government Housing Estates to advise which blocks lend themselves to the installation of a lift and at what cost and which blocks do not because of the particular peculiarities of the layout. Some blocks lend themselves much more easily than others. Some lend themselves to the installation of lifts at a greater or lesser degree of expense and some do not lend themselves to the installation of lifts at all. The response that the Government have given to Action for Housing that has raised this issue generally on behalf of housing tenants is that the Government are not going to give priority to that matter this year and there is no possibility of the Government proceeding with this but a phased lift installation programme is a project that the Government may initiate at some time in the future. The Government would not consider ad hoc applications from tenants of particular

blocks. The Government are now seized of the issue, has done its assessment, has a survey report on all the blocks, will try and create some sort of phased programme and will initiate that programme if and when it decides that the priority allocation of resources permits initiating that programme. In the meantime, no lifts will be installed in any block.

HON J C PEREZ:

I understand that an appointment has been made. I might have made a mistake, but I did understand from the gentleman that raised the matter with me that it was with the Minister for Employment and that a meeting had been fixed for December. Perhaps I am mistaken and the Hon Mr Corby has given the meeting instead of the Hon Mr Netto.

HON H CORBY:

That is correct. The letter came to me and the appointment was made with me.

NO. 648 OF 1998

THE HON J J BOSSANO

TOURISM - ARRIVALS BY SEA – MOROCCO

Can Government explain why in 1995 50 per cent of the visitors arriving by sea from Morocco were assumed to be staying in hotels and for 1996 and 1997 the proportion was increased to 75 per cent?

ANSWER

THE HON THE CHIEF MINISTER

The chronology of events in relation to this percentage business is as follows: In 1993, and when we talk about dates we talk about the year to which the statistics relate which are normally worked out in the following year, in respect of statistics year 1993 the assumption was 100 per cent. It was assumed that 100 per cent of visitors arriving by sea from Morocco stayed in hotels. During 1995 and in respect of the statistics for 1994 but during calendar 1995 when considering the survey for 1994 statistics year, the Chief Secretary, then known as the Administrative Secretary, reviewed tourism expenditure calculations generally and directed the Statistics Office that the statistics should be altered as follows:- There should be an assumption of 50 per cent in respect of visitors from Morocco by sea staying in hotels and there should be an assumption of 66 per cent, two-thirds, in respect of visitors from the UK staying in hotels. The practice was 1993, the assumption was 100 per cent. It was lowered in respect of the year 1994 to 50 per cent in respect of visitors by sea from Morocco and 66 per cent in respect of visitors by air. In 1997, in respect of the 1996 statistical year, it was raised by the Government Statistics Office to 75 per cent because it was assumed that if there were a higher number of visitors a higher proportion of them would stay in hotels. It is a coincidence and a curiosity nevertheless that the survey results in respect of the months so far lapsed in 1998, survey results as opposed to assumptions, actually show it coming in at about 50 per cent on the basis of survey. That is the reason, the practice of assuming did not start in 1996 or 1997, the assumption has moved from 100 per cent in 1993 and in previous years, to 50 and 66 per cent in respect of 1994 and 1995, 75 per cent in respect of 1996 and 1997 and this year 1998 we are trying to do it on the basis of survey rather than assumption but we will see how that goes given the earlier exchange in relation to that practice. It just occurred to me that I never actually read the original answer to the question which is: The Government Statistics Office has increased the percentage of visitor arrivals from Morocco by sea from 50 to 75 per cent to reflect the fact that the improved frequency of service led to an increase in the number of arrivals and consequently in their assumed propensity to stay at hotels.

SUPPLEMENTARY TO QUESTION NO.648 OF 1998

HON J J BOSSANO:

On the basis of that non-sequential logic, if the point that I drew to the attention of the Government earlier which is that in 1995 there were a total of 23,000 arrivals of which only 3,100 were taken to be visitors, and that in 1996 the 9,500 which were assumed to be visitors were perhaps a misallocation of the total of 9,500, then by that peculiar logic the percentage should have been reduced in 1996 because the numbers that arrived went down from 23,000 to 9,500 so the percentage should have gone down from 50 to 22 per cent given that it went up because they thought it had gone up from 3,000 to 9,500.

HON CHIEF MINISTER:

Yes, Mr Speaker, I make no attempt to defend the statistic data assumption of management, those are the facts as they have been explained to the Government and I think the hon Member is free and entirely justified in evaluating them as he pleases.

HON J J BOSSANO:

Can the Chief Minister say, since he has quoted 100 per cent for 1993 and 50 per cent for 1994, what that translated into in terms of numbers of visitors? What was 100 per cent of 1993 and 50 per cent of 1994?

HON CHIEF MINISTER:

In 1993..... I assume he is interested in the number of arrivals by sea from Morocco....

HON J J BOSSANO;

The other figure he has quoted is 66 per cent by air but he is not sure where from by air. That is why I am asking back....

HON CHIEF MINISTER:

From Morocco. Mr Speaker in respect of the 1993 survey the arrivals from Morocco were 2,568. In respect of 1994 the arrivals from Morocco were 1,465. Of course, 1994 is the first year in which the proportions were applied. Mr Speaker, if I could just take the hon Member back to 1993, of the 2,568 from Morocco, 475 are said to have come by sea and 2,093 are said to have come by air, totalling 2,568. In 1994, 2,401 came from Morocco of which 817 are said to have come by sea and 1,584 by air. A third of the visitors arriving by air from the UK alleged to have stayed in hotels, two-thirds of the visitors from Morocco by air and half of those by sea stayed in hotels. That is confirmation of the earlier point. Two-thirds of the figure that I have just given him in respect of the air Morocco passengers are alleged to have stayed in hotels and half of the 817 alleged to have come by sea are assumed in 1994 to have stayed in hotels. Then in 1995 the figure from Morocco is 2,278 of which 1,085 came by sea, 1,193 came by air and the same proportions for the purposes of assumptions of hotel stayers are applied. Two-thirds of the air arrivals and one half of the sea arrivals are assumed to have stayed in hotels. That takes us up to 1995. In 1996 we then have the situation where the percentage of arrivals by sea is raised to 75 per cent from the 50 per cent that had been assumed in 1994 and 1995. Of course, that is repeated again in 1997.

HON J J BOSSANO:

What that information reveals is that the number of visitors staying in hotels arriving by sea from Morocco is around 500 in 1993, 1994 and 1995 and then it goes up in 1996 to the 75 per cent of 9,500 and then to 75 per cent of 20,000.

HON CHIEF MINISTER:

I beg your pardon, Mr Speaker, there are two variables, there is the percentage of arrivals by sea which are assumed to stay in hotels which is raised from 50 per cent to 75 per cent and then there is a substantial increase in the gross number of arrivals to which that increased percentage is applied.

HON J J BOSSANO:

The result of that is that the increase in hotel occupancy in 1996 and 1997 is predominantly reflected by the fact that of the source of clients in 1993, 1994 and 1995, arrivals by sea from Morocco is, from the figures that the Chief Minister has given me, it was 475 in 1993, 458 in 1994 and 500 in 1995. It is virtually static in those three years and then it shoots up in 1996 and 1997.

HON CHIEF MINISTER:

No, Mr Speaker, at no stage in any of these years have the hotel visitors actually been calculated working back from the information we have just been discussing. For example, starting in 1997, although I will take the hon Member back to demonstrate, there is information provided by the hotel of visitors to their hotel, and those statistics in respect of 1997 are, from the UK 10,796, from Morocco 12,137 and from Spain 25,487. In 1997 we have a total of 48,420 visitors to hotels and that information is provided by hotels. The number of arrivals for the purposes of the Expenditure Survey is allocated by these assumptions but always subject to the controlled total of 48,420 which is the statistic provided by the hotels. One may wish to argue about whether the 48,000 visitors that the hotels tell us they have had, one may wish to argue about the allocation of, for example, 10,700 of those 48,000 to arrive from the UK, arrivals from Morocco, arrivals from Spain and then one may also wish to argue with the average length of stay and with the average daily expenditure but the number of arrivals in the Tourism Report, the figures and the number of arrivals has to add up however it is distributed between the various countries of provenance has to add up I am told to the controlled maximum which is the figure provided by the hotels. There is an equivalent such figure, I have said it is 48,000 for 1997 but there is an equivalent figure of 46,000 in 1996, 45,000 in 1995, 37,800 in 1994, 39,000 in 1993, 41,000 in 1992 and so on and so on, I have got them going all the way back here to 1987. If the hon Member wants to open one of those tables, I cannot tell him right now which table it is, but the one that says "CATEGORY, NUMBER OF ARRIVALS, AVERAGE LENGTH OF STAY, AVERAGE EXPENDITURE PER PERSON PER DAY, TOTAL EXPENDITURE IN THOUSANDS", that first column "Number of Arrivals" does add up to the figure provided by the hotels.

HON J J BOSSANO:

Mr Speaker, the point is that the hotels provided information to the Government saying 48,000 people have bought 144,000 nights and have paid for 144,000 nights at the hotels in 1997. The Government then say "well, we believe that they are telling the truth about the 48,000 people but we do not believe they are telling the truth about the 144,000 nights. We believe they have bought 200,000 nights and the reason why we believe they have bought 200,000 nights is because we believe that of the 48,000 people, 20,000 came by sea from Morocco and stayed four nights which is 80,000 nights and that in the previous year we believe that it is true that 46,000 arrived but we believe that in 1996 they are not understating how long they stayed." In 1996 they are overstating how long they stayed. In 1996 the hotels tell us that they bought 141,000 but we do not believe that. We believe they only bought 107,000 and that is the point that I have been questioning ever since the report was tabled in the House last June. I have been asking the Government to check the incompatibility of that because why should the Government come to the conclusion that they accept half the story of the hotels but not the other half and that they believe the hotels decided in 1996 to exaggerate the number of nights that they had sold and to understate them in 1997. The only explanation that has been given is that the calculation that was made on the numbers of visitors reported by the ferry operator was such that it led them to think that

there were more Moroccans staying there and that because they made an assumption in 1997 that not only as a result of 20 people at the frontier saying they had stayed four nights, did they then assume that 30,000 Spaniards had stayed four nights because of these 20. They also assumed that 12,000 people from Morocco had stayed four nights because of what the 20 said at the frontier because the numbers staying by sea from Morocco in 1996 was altered from an average of two to an average of four based on the response of the interviews at the frontier which have nothing to do with the people coming on the ferry.

HON CHIEF MINISTER:

Mr Speaker, I cannot say whether the hon Member is right to believe that the way these statistics are handled create errors as he has described. But if he is right, it has happened every year since 1987 because the Tourist Expenditure Survey has always been worked out using the number of visitors reported by the hotels which has never coincided and has always been different from the guest nights sold figure separately provided by the hotels. It has always been the case. In 1994 the 10,000 arrivals by air from the UK were assumed to have stayed for an average length of seven nights on the basis of a tourist survey result. We reduced that down to four. The arrivals from Morocco are put in at 2.6 per cent on the basis of a residue having taken the seventh night assumption from the Survey and the arrivals from Spain are put in at two point six and there is a little footnote here that says "inflated", I do not know what that means. This is 1994 but I can assure the Opposition Members that these calculations which at the end of the day are the working papers for what gets into the published survey reports have always been done using the number of visitors, number of arrivals at hotels, multiplied by an average length of stay which have always been done on the basis of survey at least in respect of the major figure which is the UK and Spain and then applying an average expenditure for day which is also the result of a survey. Therefore, it has always been done in this way. The only difference may be subject to the enquiries as I said this morning I would initiate if whether the Moroccan average length of stay has always been assumed or used to be done in another way. Even if that had changed, it would be one of six factors which will continue to be done the way they have always been done.

HON J J BOSSANO:

No, Mr Speaker, I am afraid the Chief Minister is still wrong.

HON CHIEF MINISTER:

Mr Speaker, I am reading straight from the working papers.

HON J J BOSSANO:

The Chief Minister may be reading straight from the working papers, it does not mean he understands them. Mr Speaker, does the Chief Minister not accept that in fact he has just said that the two point six average length of stay is a figure which is not arrived at by interviews but a figure that is arrived at as a residue after deducting from the total number of guest nights sold the number arrived at from the interviews by departures from the United Kingdom.

HON CHIEF MINISTER:

No, Mr Speaker, it depends in respect of what year he is asking me. That is true of some years for which he wanted to allege that but not true of others. In the case of 1994 the figure of seven as the average length of stay for arrivals from the UK and the figure of two point six in respect of arrivals from Spain are both said here to be the result of tourist surveys. Not just the figure from the UK, the average length of stay of visitors from the UK and the same statistics in respect of arrivals from Spain are both said to be the result of survey. That is in respect of 1994. My paper here suggests that in respect of 1995 that is true only of arrivals from the UK, it does not say that it is from tourist surveys so it must be by some other means in respect of Morocco and Spain.

HON J J BOSSANO:

Mr Speaker, this is precisely the point that I have made on a number of supplementaries to bring this question. In 1995, which is the year that I am comparing with 1996, the figure for arrivals other than from UK was calculated by removing from the total reported by the hotels of 144,000 guest nights the calculation made from interviews from UK arrivals. If the interviews from UK arrivals were deducted from the total, the total being the residue could not help but match the figure when it was added back so the figure of two point six was the rounding up of a formula used which produced two point five nine nights sold and that is the working figures that we have been provided with for 1995.

HON CHIEF MINISTER:

Except that in 1995 there were two variables to assess by deduction, the arrivals from Morocco and the arrivals from Spain. In fact they are both given the same value.

HON J J BOSSANO:

Yes, they are both given the same value because it is being done by simply saying if 144,000 nights have been sold which is accepted as being accurate and 10,000 people have come from the UK and the 10,000 people have bought four nights and that gives 40,000 nights one is left with 104,000 to account for. Then, given that one has got an estimated number of people arriving one divides the 104,000 by the number of people and one arrives at 2.59 and there is a formula that says that is the residual figure and the residual figure was not based on interviews and the interviews were supposed to be in 1996 being conducted with higher frequency and consequently the explanation was given that in 1996 the result of the interviews which we have discovered was four people at the frontier in 1996 was supposed to increase the accuracy of the calculation downwards so that it was reduced from 2.6 to 2.

HON CHIEF MINISTER:

The hon Member asserts repeatedly as he has during the day that the figure of two point six in respect of arrivals from Morocco and Spain in 1995 is deduced as the residual basis and he asserts that and as I cannot prove the negative I am not able to disprove what he is saying. What I can say is that these working documents which are in typescript, they are not in manuscript, they are not rough early documents, they are the final working papers, explain in considerable detail how these calculations have been drawn. Under the headings of the table it has notes which shows how each of the figures was worked from, whether it is a source and nowhere here does it give the remotest indication which would be consistent with the general content of this document that the figure for Morocco and Spain was the product of some neat

mathematical deduction. On the contrary, the impression that it clearly gives is that it has been arrived at not by applying some process of neat deductions to the figure of guest nights sold but by the same communal garden way of applying a figure of average length of stay to the figure of total visitors to hotels as reported by the hotels, nothing to do with guest nights sold. By the same token nor does it say that it was not done the way the hon Member says but there is no indication in these working papers that the radical departure that the hon Member is suggesting has been done and they do have footnotes showing where these documents deduced from and it does not say footnote 4, two point six is the product of some genial process of deduction which the Chief Minister of the day worked out for us and taught us about. It just does not say that. It gives the clear impression to me that I accept it is nothing more than an unsubstantiatable impression that two point six is a figure that has been carried forward. Indeed, it was two point six in 1994 as well, when it is said to be the result of a survey. Is it not much more logical that the figure of two point six finds its way into the 1995, not because it is the result of some great scientific process of deduction but because it has simply been carried forward from the figure of 1994 which is also two point six and which is said to be the result of the Survey. I am not suggesting that that explanation is necessarily factual but it is at least as likely as the hypothesis that the hon Member repeats which does not become any more credible and does not become any more scientific simply because the hon Member repeats it and repeats it and repeats it throughout one day.

MR SPEAKER:

This is no longer a Question and Answer session, only a session to prove who is right and who is wrong.

HON J J BOSSANO:

Mr Speaker, in the previous meeting I asked the Chief Minister whether he would go back and ask the Statistics Office whether this formula that I am referring to was used for 1995. That is what I asked him to do in the previous session and the reason why I gave notice of the question that I put today obviously was because I anticipated that in the intervening week he would have asked and he would have got an answer.

HON CHIEF MINISTER:

Mr Speaker, I will ask them.

NO. 649 OF 1998

THE HON J J BOSSANO

TOURISM - ARRIVALS BY SEA - MOROCCO

Can Government confirm that the number of persons arriving by sea from Morocco in 1995 was over 23,000 and can they further confirm that only 3,100 of these were assumed to be visitors for the purpose of the Tourist Survey Report?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government can confirm that for the purposes of the 1995 Tourist Survey the number of visitor arrivals, excluding workers, from Morocco by sea was 3,109. This is an actual figure and not a proportion of total arrivals.

SUPPLEMENTARY TO QUESTION NO. 649 OF 1998

HON J J BOSSANO:

Are the Government saying that the total arrivals was not 23,000? Are they confirming that figure or not confirming it?

HON J J HOLLIDAY:

The figure of 23,000 is not the Government's. The figure must obviously include workers as the number of visitors to Gibraltar from Morocco is supplied to us by the operators of the Morocco/Gibraltar ferry, therefore our statistics have to be based on these figures which are 3,109.

HON J J BOSSANO:

Is the Minister then saying that the figure of 3,109 is the figure that the ferry operator claimed were visitors arriving on the ferry?

HON J J HOLLIDAY:

That is correct.

HON J J BOSSANO:

Is it not the case that the ferry operator has to pay an arrival tax to the Government in respect of all arrivals and can he not confirm that in fact that amount represented in excess of 23,000 people arriving in Gibraltar?

HON J J HOLLIDAY:

It is correct that there is an arrival tax on passengers on the ferry from Morocco but this figure has not been checked. I have not checked whether the figure is 23,000 or not but if the hon Member has checked it himself and it comes out to that then obviously the figure of 23,000 must be correct.

HON J J BOSSANO:

We were in Government then that is how I know that it was in excess of 23,000. Would the Minister not agree that if the amount of money paid is on the basis of over 23,000 it is something that the Minister is able to establish, would he not agree that that is the case, by looking at the revenue received in respect of arrivals?

HON CHIEF MINISTER:

Yes, but just so that the Government can be aware of the premise upon which the hon Member is arguing, where does he get the statistic for passenger taxes in respect of visitors by sea from Morocco?

MR SPEAKER:

There is no need for you to answer questions.

HON J J BOSSANO:

Will the Government confirm that in the amount shown in the audited accounts for the financial year the sum received in respect of arrival and departure tax by sea is a reflection of the numbers arriving by ferry from Morocco and will they confirm that if they were to seek a breakdown of that figure from the recipient of the revenue they would find that there are 23,000 arrivals in that year?

HON CHIEF MINISTER:

The hon Member makes the deduction and I am not conceding the premise upon which he does so. There is a published statistic for estimated revenue and the forecast outturn – the 1995 figure by now is an actual figure – of revenue to the Government from passenger tax. I do not accept that the published figure enables the hon Member to deduce that 23,000 people must have arrived by sea from Morocco.

HON J J BOSSANO:

I am not suggesting that I have deduced it from the published figure. I have pointed out that I am talking about 1995 and I am asking the Government will they look at the figure because my recollection is that it was 23,000. It is not possible to do it by looking at the figure published because the figure published does not tell one, for example, whether half of it is from arrivals and half of it is from departure. But I am saying to the Government, since the information is in the possession of the Treasury and there is a return made, can the Government confirm that figure which is what the original question asked them to do which they can do simply by asking somebody in the Treasury to look at the figure for that year and there is a return in respect of the tax paid?

HON CHIEF MINISTER:

If the hon Member wanted to know from the Government how much according to our records we have collected in passenger tax in respect of passengers arriving by sea from Morocco, that is the question that he should have asked. In fact, he has not asked that question, he has asked the Government to confirm a figure of 23,000

people as arrivals by sea from Morocco and the Government have answered that question to the effect that the Government do not confirm that figure. It is a figure which he throws up into the wind and starts a debate on it and we do not accept that it is a proper basis for a debate.

HON J J BOSSANO:

Well then if they cannot confirm that the figure of people arriving from Morocco in 1995 was 23,000, can they say what the figure was?

HON CHIEF MINISTER:

Yes, it is in the answer to the question which I will read to him again, "The Government can confirm that for the purposes of the 1995 Tourist Survey the number of visitor arrivals, excluding workers, from Morocco by sea was 3,109." If the hon Member wants to know what that figure would be enlarged to if it included, for example, workers, that may be possible, I do not know whether either from the ferry operators themselves or perhaps the Immigration Department may keep control or, as he suggests, perhaps from the collection of tax at the ferry. It is possible, I suppose, to collect that information but it is not the information that he has requested in his original question.

HON J J BOSSANO:

The original question asked for confirmation of two pieces of information, one is that the total number of people arriving by sea was over 23,000 and that of those 23,000 3,100 were recorded as visitors for the purpose of the report. Therefore, is it the case that the Government can confirm that 3,109 were deemed to be visitors because the operator said they were visitors but they do not know other than the visitors how many other people arrived?

HON CHIEF MINISTER:

That is precisely the case, yes. The Government, for the purposes of the Tourist Survey Report, rely on the statistics provided to us by the ferry operator as to the number of people that are brought to our shores who were visitors as opposed to people because "people" includes Moroccan workers and "visitors" does not.

HON J J BOSSANO:

So the answer is that in terms of the original question the Government have been unable to establish whether other than visitors for the Tourist Survey Report there were 20,000 or more or less? They have not been able to establish that?

HON CHIEF MINISTER:

The Government do not have the information available to tell the hon Member whether it is 23,000 or 43,000 or 13,000; it is not statistics that the Government keep.

HON J J BOSSANO:

Does the ferry operator have to make a regular return of the total numbers of people disembarking to the Government?

HON CHIEF MINISTER:

I cannot answer that question. I suppose that there must be, for immigration purposes, some sort of check, whether that check is limited just to people who require visas or non-EU nationals, it may well be that some sort of check is kept but not necessarily of every person who arrives. If it is, it is not information that the Government have and it is certainly not information that is tallied up or aggregated and reported to the Government. It may exist in some room in the Immigration Department but it is not information that the Government have available in a usable form, if it is kept at all in the form that the hon Member suggests, in the form of arrival sheets and things of that sort.

HON J J BOSSANO:

In making the payment for the arrival tax, does the operator not have to say, "payment of so much in respect of so many people arriving"? Is that not the way it is normally done? That is how it used to be done.

HON CHIEF MINISTER:

I cannot say on what basis the passenger tax collection mechanism is administered and to what extent it provides the information of arrivals. If it were that easy to collate the information then presumably we would not have to do surveys, we would not have to make guesstimates. I suppose that those in the Government who have to collate statistics have the natural inclination that we all have to do our job of expending as little energy and effort as possible and if information were readily available to Government in the sort of scientific way that the hon Member is suggesting, then it would not be necessary for my Government now or for his Government over the last eight years before 1996 to have done it in the basis of guesstimates.

HON J J BOSSANO:

There has not been any guesstimate about the total number of people arriving and paying 50p on arrival, this is the point I am making. I am telling the Chief Minister that I have asked for confirmation of the 23,000 because my recollection is that it was 23,000 in 1995.

HON CHIEF MINISTER:

What I am not willing to do is to cause the civil service to invest the necessary time if all that the hon Member wants to do is to satisfy his curiosity about whether his memory is good or not. If the hon Member wants to know whether there were 23,000 people who arrived in Gibraltar by sea from Morocco in 1995, which information it has not been possible to obtain in the time scale I am told that we have had, I shall remit the question back to the Statistics Department and ask them please, given that the Leader of the Opposition is particularly keen to have this information, whether it cannot be dredged up from somewhere. The hon Member should accept that there is absolutely no reason why the Government should not want him to know that statistic, but it is not available to us at this moment in time and if he particularly wants it, I shall ask those whose job it is to do so to do all that they can to get it or if not, to give an explanation why it is not available.

HON J J BOSSANO:

I am grateful for that. Will the Chief Minister accept that it is not a question of confirmation of the accuracy of my memory but of trying to establish the ratio between the total number of people who arrive on the ferry and the numbers that are visitors to Gibraltar for the purposes of tourism? That is what the question is clearly designed to do.

HON CHIEF MINISTER:

If that is why he wants the information, the offer to do all that is possible to obtain it for him stands but if that is the purpose for which he wants the information, I think I shall be able to satisfy him before we have finished this exchange of questions, that there is in fact no ratio of the sort that he seeks and that the information that is used for Tourism Survey purposes, both in relation to expenditure and in relation to stays at hotels, is in no sense derived from the total number of arrivals by sea.

ORAL

NO. 650 OF 1998

THE HON J J BOSSANO

TOURISM - ARRIVALS BY SEA - MOROCCO

Can Government state what was the total number of persons arriving by sea from Morocco in 1996, and how in relation to this figure the estimate of 9,500 for other visitors by sea was calculated, for the purposes of the Tourist Survey Report?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question no. 651 of 1998.

NO. 651 OF 1998

THE HON J J BOSSANO

TOURISM - ARRIVALS BY SEA - MOROCCO

Can Government state what was the total number of persons arriving by sea from Morocco in 1997, and how in relation to this figure the estimate of 20,700 for other visitors by sea was calculated, for the purposes of the Tourist Survey Report?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The total number of visitors arriving by sea from Morocco in 1996 and in 1997 was 9,460 and 20,720 respectively. These were the figures that were taken for the purposes of the 1996 and 1997 Tourist Survey Reports.

SUPPLEMENTARY TO QUESTION NOS. 650 AND 651 OF 1998

HON J J BOSSANO:

Yes, that is the total number of visitors taken for the purpose of the Tourist Survey Report but that is only half the answer. The other half of the answer is in 1996, 9,500 were visitors and how many of the arrivals were not visitors and in 1997, 20,700 were visitors and how many were non-visitors?

HON CHIEF MINISTER:

The ferry operators provide the Government with statistics only relating to visitors, in other words, tourists as opposed to returning workers. In respect of 1996, that figure was 9,460. In respect of 1997, that figure was 20,700. In other words, according to the operators of the ferry, as reported by them to the Government, there was an increase of 100 per cent, indeed slightly more than 100 per cent, in the number of visitors that arrived to Gibraltar from Morocco by ferry in 1997 over 1996. The number of those persons who were stayers is taken from the hotel returns, it is not assessed and in respect of 1996 that figure was 6,869 and in respect of 1997 it was 14,700 visitors. We then have a percentage applied to that as to how many of them stayed in hotels.

HON J J BOSSANO:

A percentage applied to what?

HON CHIEF MINISTER:

Well, of the people that arrive in Gibraltar by boat the only category of visitors – they are, first of all, divided into two categories, we only get told about the visitors, we do not get told about which of them are workers so the ferry operator gives the Government a statement of the number of visitors. But of course visitors are not necessarily hotel stayers because we have excursionists as well arriving in Gibraltar by sea. So of the number of persons that arrive by sea from Morocco, the number of

them that are stayers in hotels is taken by applying a percentage of 75 per cent in 1997, the percentage applied was 75 per cent also in 1996. In respect of 1997, I will also give the hon Member the figures for 1996, of the 20,700 visitors that arrived by ferry from Morocco, 14,671 were assumed to be staying in hotels and the balance of 6,038 were assumed to be excursionists. That assumption is applying the 75 per cent ratio that we debated at the last Question Time, which was also applied in 1996. In 1995 that had been 50 per cent and when we come to debate Question No. 648 I will explain to the hon Member what the history of that percentage is, why it became 50 per cent in 1995 and why it became 75 in the following year. Therefore if I can just summarise that. In respect of 1997 the figure of 20,700 are the visitors by sea from Morocco as reported to the Government by the ferry operator. That figure breaks down into 14,700 stayers, 6,000 excursionists. Of the 14,700 stayers – this is another subdivision – not all of them stay at hotels, some of them stay with family and friends and the proportion of those is 25 per cent thereby giving the 75 per cent that are assumed to stay in hotels amounting to 11,000 therefore in respect of 1997. The equivalent figures for 1996, the equivalent of 20,700 would be 9,460; arrivals of the visitor type by sea from Morocco of which 6,869 are stayers, 75 per cent of those stayers, 5,152 are presumed to stay in hotels for purposes of the survey and 2,631 are assumed to be day excursionists.

HON J J BOSSANO:

Can the Chief Minister repeat the last sentence of his explanation because it does not seem to add together, 2,631 is what, the difference between.....

HON CHIEF MINISTER:

No, in respect of the calculation for 1996 there is one calculation I have not done. Of the 6,869 stayers, 75 per cent of those are assumed to stay in hotels and that amounts to 5,152. The other 25 per cent, 1,717 are assumed to be stayers but not staying in hotels which leaves 2,631 excursionists. The 9,460 is 5,152 plus the 1,717 plus the difference who are excursionists.

HON J J BOSSANO:

In respect of Question No. 649 where the figure was confirmed to be 3,100 for the purposes of the Tourist Survey Report, is the 3,100 people staying in hotels or the figure of stayers inclusive of excursionists?

HON CHIEF MINISTER:

In respect of Question No. 649 the answer gives visitor arrivals excluding workers. In other words, that is a figure of the people who land on the wharf who are visitors, that is not a figure in relation to hotel stayers.

HON J J BOSSANO:

So the 3,100 is comparable to the 9,460, is that correct and to the 20,700?

HON CHIEF MINISTER:

That is argumentatively correct, yes. In other words, that is the comparable figure.

HON J J BOSSANO:

Can the Government, in fact, confirm or research whether in fact the figures of 9,460 and the figure of 20,700 which they claim to be the reported visitor arrivals by the ferry operator could in fact be the figure of total arrivals comparable to the 23,000 of 1996?

HON CHIEF MINISTER:

Well, indeed it could be but we have asked and we are told that it is not. At the end of the day we get asked questions, we obtain the factual information from the appropriate Government department, he then puts in additional questions and we say, "Are you sure that what the man is really saying is that there cannot have been an explosion of visitors of the sort, 100 per cent?" and they assure me that that is what has happened and that the explanations range from increased frequency of ferries and all sorts of things. I accept that it is a large increase but the mere fact that it is a large increase does not compel me to agree with the hon Member that there must therefore be a mistake. What it does do is cause me to ask, "Are you sure?" and they say, "Yes, we are sure", this is as sure as the Government statistical set up can be about these things. This is the source of information. But I agree that it is possible that that would be an explanation but I am told that it is not.

HON J J BOSSANO:

The Chief Minister says he is sure it is not?

HON CHIEF MINISTER:

No, I am not saying I am sure it is not, I am saying I am sure that I am told that it is not.

HON J J BOSSANO:

Is it not the case that in fact in 1996 the ferry was out of operation for a considerable part of the time and that the total number of arrivals by sea from Gibraltar was down, when it showed the 300 per cent increase?

HON CHIEF MINISTER:

Again, the hon Member asserts that this was a period of ferry breakdowns, I am not in a position either to accept or reject what he says. Again, it is one of these facts that he throws into the ring which we then continue our discussion on on the assumption that it is accurate. The survey, tourist arrivals by sea suggests that there was an increase of the order of two thirds from 3,100 to 9,500 between 1995 and 1996 and those are not years for which I would seek to take any credit myself. 1995 is 3,100; 1996 is thought to be 9,500, they are both years for which I would have to give him credit given that I arrived in office in May 1996, I would not claim instant success for my tourism policy such as would have rocketed the 1996 ferry arrivals so there is no reason why I should wish to be giving to the hon Gentleman figures that shows that even his non-existent tourism policy had this salutary effect on visitor arrivals from Morocco but this is what the official statistics show and at the end of the day, I can only repeat to him what he said to me at the last House. What he said to me at the last meeting was that he was

surprised by the size of the increase, no matter in whose year of office or in whose term of office they fell. If he wishes to put to these specific questions in writing perhaps, because he is genuinely interested in having this quadruple checked I am very willing to do so but he must submit specific concerns to me and I will look at it. The last thing that the Government want is the Government, the hon Member and everybody else who are making use of these statistics for any number of reasons to be relying on statistics which can be demonstrated to be inaccurate. So far all the Government's reasonable attempts to check at the hon Member's bidding whether these statistics are demonstrably and obviously inaccurate have met with the response that they are not except to the extent and to the margin that all statistics are inaccurate when they rely on an element of judgement. But the hon Member's point does not relate to margins of judgement because what he is saying is that the increase is so large that there must be some counting error. In other words, that something which should not be included in a figure has been included in a figure in one year but not in the previous year and the next. I understand that to be the essence of what the hon Member is saying.

HON J J BOSSANO:

The point that I am making is indeed that the 9,460 arrivals in 1996 and the 20,700 arrivals in 1997 are not visitors but include all the workers, that is the point that I am making. Has that been checked because it seems to me it has not been checked other than to say that the people who compile the statistics have been asked whether in fact they compiled the statistics on the assumption that they were all workers and the answer that has been given is that they did not compile it on that assumption?

HON CHIEF MINISTER:

Well, all I can say is yes, we have asked, we have checked, we have been told that the information is right but if the hon Member wants me to I shall do it again and I shall ask them, "Triple check because the Leader of the Opposition is still not persuaded". But, of course, the Leader of the Opposition suggests that the worker element is included in both the 1996 and the 1997... [*HON J J BOSSANO: And not in 1995.*] But then how would he explain, if they are absent from both why should one be 9,500 and the other 20,700?

HON J J BOSSANO:

I am happy to explain it to the Chief Minister. Will the Chief Minister confirm that because the ferry was broken down for a large part of 1996 in 1996 all the arrivals by ferry from Gibraltar, including all the workers, pensioners and everybody else, fell from 23,000 to 9,500 and that when the ferry was brought back into action in 1997 it went back to 20,000, can he check that fact?

HON CHIEF MINISTER:

Well, that is put in a question in another way, that is the essence of the triple check that he has suggested should be done. I can do no more than assure him that the Government Statisticians and the appropriate departments that collect these statistics from the ferry operators who will read this debate in Hansard will be instructed to check the providence of those statistics for the simple test of whether or not the 1997 figure includes workers or not which is what the hon Member is in effect suggesting is the case.

HON J J BOSSANO:

Can I ask the Government to state whether other than on the basis of the report of the ferry operator, there is no other independent source to corroborate this jump? That is to say, there is no indication from hotels or anybody else that they have three times as many people from Morocco staying in the hotels in 1996 than they had in 1995 or that they had seven times as many people from Morocco staying in the hotels in 1997 as compared to 1995 which presumably they would have noticed?

HON CHIEF MINISTER:

I would have thought so, they certainly would have noticed.

NO. 652 OF 1998

THE HON J J BOSSANO

TOURISM - ARRIVALS BY SEA - MOROCCO

Can Government state, of the 7,010 visitor arrivals by sea from Morocco in the period from January to July this year, how many are estimated to have stayed in hotels and what is the estimated average length of stay?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The estimated number of visitor arrivals by sea from Morocco between January 1998 and July 1998 staying at hotels is estimated at some 50 per cent. This is based on interviews carried out at Waterport during the months of June, July and August. There is no survey data for any other month. The estimated average length of stay during this period was over three days.

I would like to take this opportunity to clarify that the figures which were given to the Leader of the Opposition last Friday should have added up to the figure of 7,935 and not 7,010.

SUPPLEMENTARY TO QUESTION NO. 652 OF 1998

HON J J BOSSANO:

The figure that was given in the last House with the new total for January to July this year is this a monthly return from the ferry operator?

HON J J HOLLIDAY:

That is correct.

HON J J BOSSANO:

Is this the return that the operator sends to the Government on the basis of the people that he deems to be visitors to Gibraltar as opposed to all arrivals?

HON J J HOLLIDAY:

That is correct.

HON J J BOSSANO:

Can the Government say whether, in fact, in terms of arrivals from Morocco there is any indication of the visas or visa waivers that are provided for these visitors to come to Gibraltar?

HON CHIEF MINISTER:

I am not sure that I know exactly what the hon Member is asking. Many Moroccans who would fall into the visitor variety as they are not currently working but who are old age pensioners who come to collect their pensions enjoy visa waivers but I am not sure that that is taken note of. I suppose that the Immigration Department must keep a record of their comings and goings but it is not a statistic that is provided to the Government but I suppose that as part of the ordinary entry point control, Security and Immigration Limited, must make a note of the visits by visa requiring nationals and that must include visa requiring nationals who enjoy visa waivers.

HON J J BOSSANO:

I am trying to establish how it is that the visitors are identified if it is indeed true that there is a figure for visitors independent of total arrivals. What I am trying to establish is if somebody says 500 visitors arrive in one month then how is he arriving at the figure of 500 if the implication is that those who are not visitors are not being recorded, that the record only shows the visitors? Is it because of their documentation, the visas or the visa waivers?

HON CHIEF MINISTER:

I do not think that that necessarily follows. I think the hon Member needs to recall what the source of this information is and that is the ferry operator. Whether they have a degree of familiarity with frequently travelling resident workers..... My hon Colleague says that one way that he believes that they identify the workers is that they have a special ticket because they are entitled to special discounts. I could not say what means they use to differentiate between a returning worker and an arriving visitor but this is the basis upon which it has always been done. I have no reason to believe that the basis that they use to make the distinction has changed in the last two years but the hon Member asked me how they actually do it physically.

HON J J BOSSANO:

In relation to the original reply, has the Minister got the numbers that were interviewed at Waterport to arrive at the estimate of 50 per cent of 7,935?

HON CHIEF MINISTER:

It appears it is not readily to hand, perhaps the officials can look at it and provide it to the hon Member when they have it.

HON J J BOSSANO:

I would also be grateful when they look at it if in fact there is an indication of whether we are talking about Moroccans staying in hotels or people who do not need visas and so on, if that is available as a result of the interviews I would be grateful if that would be included, I do not know whether it is or it is not.

HON CHIEF MINISTER:

If it is available it will be provided to the hon Member.

NO. 653 OF 1998THE HON J J BOSSANO**TOURISM - ARRIVALS BY AIR**

Can Government give the number of visitors arriving by air, showing the numbers staying in Gibraltar and those in transit in each month from January to July 1998?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:-

| Month | Stay Gibraltar | In Transit | TOTAL |
|----------|----------------|------------|-------|
| January | 2003 | 1904 | 3907 |
| February | 2481 | 2676 | 5157 |
| March | 3245 | 3306 | 6551 |
| April | 2784 | 3920 | 6704 |
| May | 3353 | 4573 | 7926 |
| June | 3292 | 3511 | 6803 |
| July | 3625 | 4505 | 8130 |

SUPPLEMENTARY TO QUESTION NO. 653 OF 1998

HON J J BOSSANO:

Can Government say whether in fact the apparent higher percentage of people in transit is due to any specific reason? Is it, for example, the fact that they have had the hotels under refurbishment in the period which was what we were given in a question earlier about the hotel occupancy?

HON CHIEF MINISTER:

It is usually about half and half with the exception of one or two months in which there are 1,000 more transits. I must admit I have not seen these statistics before. These statistics are kept by Terminal Management Limited and whenever I have, as a matter of interest, on the occasions that I have been at the Air Terminal myself waiting for an aeroplane and asked this very information about roughly how many, obviously the Government are interested to see to what extent subsidising extra flights to Gibraltar actually results in in benefit to the local economy, I have always been told, albeit casually and informally, that it is about 50/50, it is about half and half and that on the whole is supported by these figures. But I would not be able to analyse them as to what the particular reason is for the two months in which the in transit is slightly more than 50 per cent more than the stays in Gibraltar.

NO. 654 OF 1998

THE HON J J BOSSANO

TOURISM - VISITORS INTERVIEWED

Can Government state, of the 86 persons interviewed in 1996 who said they had stayed in a hotel, how many were interviewed at the airport and how many were interviewed at the land frontier, and in each case what was the average length of stay in hotels?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 655 and 656 of 1998.

NO. 655 OF 1998

THE HON J J BOSSANO

TOURISM - VISITORS INTERVIEWED

Can Government state, of the 125 persons interviewed in 1997 who said they had stayed in a hotel, how many were interviewed at the airport and how many were interviewed at the land frontier, and in each case what was the average length of stay in hotels?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 654 and 656 of 1998.

NO. 656 OF 1998

THE HON J J BOSSANO

TOURISM - VISITORS INTERVIEWED

Can Government state, of the 77 persons interviewed from January to July 1998 who said they had stayed in a hotel, how many were interviewed at the airport and how many were interviewed at the land frontier, and in each case what was the average length of stay in hotels?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

| Year | Land Frontier | | Airport | | Total | |
|-------|------------------|----------------|------------------|----------------|------------------|----------------|
| | N° of Interviews | Length of Stay | N° of Interviews | Length of Stay | N° of Interviews | Length of Stay |
| 1996 | 4 | 2 | 80 | 4 | 84 | 4 |
| 1997 | 24 | 4 | 91 | 5 | 115 | 5 |
| 1998* | 20 | 2 | 44 | 6 | 77 | 5 |

*January to July – these figures are provisional.

I take the opportunity to inform the Leader of the Opposition that in Question No. 398 there was a typographical error which should have made it 115 and not 125.

SUPPLEMENTARY TO QUESTION NOS. 654, 655 AND 656 OF 1998

HON J J BOSSANO:

Can the Government confirm that in fact the implication of these figures are that the calculation made for the Tourist Expenditure Survey in terms of expenditure by tourists in hotels which showed 100 per cent increase has been, other than the Moroccan element, determined by the result of interviews from two days to four days and that this has been what has been used to multiply the length of stay of 30,000 Spanish visitors?

HON CHIEF MINISTER:

The Tourist Expenditure Survey is done by applying two bits of information that are assessed from the questionnaires and that is the average length of stay and the average expenditure, those two bits of information are derived from the questionnaires but the final multiplicand, in other words, how many people, is applied to the figure of hotel stayers as provided by the hotels.

HON J J BOSSANO:

Would the Government not agree that on the basis of the final calculation being a residual figure then the increase of bed nights sold of 200,000 as opposed to 140,000 which is the difference that exists in 1997, would not exist?

HON CHIEF MINISTER:

No, I have to admit I do not follow him. The bed nights sold element, in other words, the numbers of people involved is taken from actual information provided by the hotels not by any assessment or guesstimate or questionnaire. The only thing that is derived from the questionnaire is how much each such person spent and the average length of their stay. That would not explain, without going into the question whether there is the defect that the hon Member describes, but I do not think it would be explained by the reason that he has said.

HON J J BOSSANO:

If the average length of stay, based on the response of the questionnaire, is that in 1996 as a result of asking four people at the frontier how long they stayed in Gibraltar those four persons said they stayed two nights and then in arriving at the guest nights sold 32,083 persons were assumed to stay two nights because four people said they had stayed two nights and that that meant that the calculation of £8.5 million of total expenditure assumes that the bed nights sold was £40,000 less than the hotels claim. That is the consequence of applying this information to the breakdown that was given previously. Would the Chief Minister not confirm that that is the case?

HON CHIEF MINISTER:

No, I repeat, what the hon Member might want to say is that the sample is too small to provide a reliable figure of average length of stay. He might want to do that, that is a matter of judgement of how *[Interruption]* Well, I personally would have regarded 24 as too small myself but there again I am not a statistician. I would query whether they are asking 91 people but statistics operate from this basis. Opinion polls are done on this basis, there is a sample and then there is an extrapolation and the final result of the opinion poll certainly depends entirely on the reliability of the sample that one takes. The hon Member might wish to criticise whether the sample is large enough to produce an average length of stay of two, I do not know whether he is suggesting that he thinks the average length of stay is less than two but I would urge him not to forget – I am sure he has not – that it is then applied to people who have stayed in hotels and somebody who has stayed in an hotel must have stayed for at least one night and therefore an average of two is the next highest figure from what is the minimum which is one. It cannot be too far off as an average, there must be people presumably who have stayed for more than two.

HON J J BOSSANO:

Is it that the Chief Minister does not understand that what has distorted the figure in 1996 is that in 1995 the numbers staying in hotels and the length of their stay was arrived at by taking the information provided by the hotels, removing the UK arrivals and being left with the residual figure and therefore the residual figure could not help but be accurate in the sense that if the hotels said 144,000 nights were sold in 1995 and they removed the 11,400 arrivals from the United Kingdom, the average length of stay which was deemed to be 2.6 was not assumed to be on the basis that people stayed 2.6 nights and they left before the 40 per cent of the night was over but that that was an arithmetical average by starting from the figure of 140,000. Can the Chief Minister not confirm that in fact in 1996 the Tourist Expenditure assumes that because four people were interviewed at the frontier, the figure provided by the hotel of 141,000 nights was wrong and that the right figure for computing expenditure was 107,000 nights because of these four people?

HON CHIEF MINISTER:

I am not in a position to say yes or no to that. I am not aware that there has been any difference in the way these figures are assessed but certainly if what the hon Member is saying that whether I believe that it is statistically sound to replace actual empirical information provided by a service supplier like the hotels with a survey conducted on the basis of a sample of four people, I would have little difficulty in agreeing with the hon Member that if I were a statistician I would not be minded to rely on that. But I cannot tell him here and now that what has happened is exactly what he has described. I would need to find that out for him.

HON J J BOSSANO:

Then will the Chief Minister look at the explanation that was provided to me on the 12th June by the Minister and he will find in that explanation the statement that I have just made. That is to say, that whereas in 1995 the arrivals from Spain which led to an estimated expenditure was based on a formula in which the hotels said they had sold, for the sake of argument, 80,000 nights and there had been 40,000 people then it was assumed they stayed two nights on average because that was the arithmetical result of dividing one figure by the other. In 1996, instead of that happening what was done was that because the response of these four was supposed to be more accurate than the report of the hotels, the figure of the hotels was ignored and the calculation produced a drop in tourist spending to £8 million because of the figure of two nights which did not concur with the Hotel Occupancy figures in the rest of the report.

HON CHIEF MINISTER:

The hon Member does not increase my knowledge by simply repeating the point time and time again. What he does is make sure that I understand it fully but he is just saying what I have understood him to say and he can repeat it in any number of formulations, I think I have understood his point and I will certainly seek for him the explanation of (a) why if there was this change that he has described, why the change was introduced by the Statistics Office and indeed what their comment is about the relative statistical merit and reliability of the two systems if indeed there was a change, the old system and the new system. I am as interested in the answer to that as the hon Member appears to be.

HON J J BOSSANO:

Given the answer that has been provided to the original three questions, will the Government establish, when they look into this further, that on the basis of the system that has operated in 1996 and 1997, what the implications of that would be for the figures of 1998 if we used the average of two from the 20 interviews that have taken place to date. The Minister for Tourism who has said that he was very happy with the 100 per cent increase which is going up from two days to four would now have to express sadness at the 50 per cent decline from four to two and that if that same methodology were used for the first six months of this year we would have half of the tourist expenditure lost by applying this multiplier as the bed nights sold. That is to say, if the Chief Minister looks at the information he has provided in the original answer which is two days and then four days and then two days, when they look into this will they establish the accuracy of what I am saying which is that applying this methodology would lead to the first six months of this year showing a 50 per cent drop and that, in fact, will they agree that if on the basis of interviewing four people or 20 people we are going to have fluctuations in assumed spending in the economy by tourism which goes up from £2.1 million in 1996 by frontier visitors to £3.9 million in

1997 and now if we have the average of two accepted for the first six months, it would then show a collapse back to £2 million that in fact is not going to be conducive to proper planning on the part of the Government never mind the use that anybody else does of these statistics.

MR SPEAKER:

What is the question?

HON J J BOSSANO:

The question is that given that the Government are going to look into this in response to my previous question, will they also consider the wisdom of continuing with the method that has been used for 1996 and 1997 which on the basis of the answer given for 1998 would then produce a 50 per cent drop in tourist spending?

HON CHIEF MINISTER:

I think it would follow that if we conclude that the questionnaire system produces unreliable statistics it follows then that it should not continue to be used. Hon Members will have heard me say, even from the Government benches, on several occasions what I used to say from the Opposition, that these are the statistics that all Members of the House have, these are not collated by the Government, they are presented to the Government just a few days before the hon Member sees them, I have to say that I personally have always had a great deal of scepticism about the quality of some of these statistics because the machinery for collating information and it is not limited to tourism is suspect. The hon Member will recall the extent to which I used to criticise his economic growth projections on the basis of statistical input which we all knew was of less than reliable scientific providence and the Government are investing considerable resources in altering that. We are having studies done into the whole question of national accounts, the development of economic models that the Government can apply statistics to, the computerisation and the networking of Government records so that, for example, immigration control information, Treasury information about passenger tax, some of the points that the Leader of the Opposition has been saying here today, will be available for other statistical use and in that way over a period of time try to improve the reliability of Government statistics. Certainly the statistics which rely on this degree of guesswork and to the extent that they rely on questionnaires conducted in uncontrolled circumstances, are statistics that are published because the law requires them to be published. I would tend to share the hon Member's misgivings about their reliability. None of that is supposed to mask what the hon Member said in his last supplementary which I have already agreed to do. As to whether it is necessary to go on to apply the results of our enquiry to the 1998 figures to satisfy ourselves that the result would be a decrease, I am not sure that that will be necessary, I think it will be self-evident from the results of the reliability of the statistic itself.

HON J J BOSSANO:

I am just asking the Government to ask what the implications of the results of the first six months survey would be if the same methodology were applied so that they could be able to see for themselves that the effect of that would be a huge drop in tourist spending.

HON CHIEF MINISTER:

Yes.

NO. 657 OF 1998

THE HON J J BOSSANO

TOURISM - TOURIST EXPENDITURE

Can Government confirm that the average expenditure per person per day of £34 in respect of visitors from UK staying in hotels published in Table 4 of the 1995 Tourist Survey Report was the sum used to calculate tourist expenditure for that year?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 658 and 659 of 1998.

NO. 658 OF 1998

THE HON J J BOSSANO

TOURISM - TOURIST EXPENDITURE

Can Government confirm that the average expenditure per person per day of £36 in respect of visitors from UK staying in hotels published in Table 4 of the 1997 Tourist Survey Report was not the sum used in calculating tourist expenditure for that year, and instead a daily rate of £53 was estimated?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 657 and 659 of 1998.

NO. 659 OF 1998

THE HON J J BOSSANO

TOURISM - TOURIST EXPENDITURE

Can Government confirm that the £36 daily average expenditure by visitors from UK staying in hotels for 1997 was arrived at by interviewing persons who said they had stayed in hotels, and if so, can they explain how the additional £17 per person per day was arrived at to reach the £53 daily rate used to calculate tourist expenditure for that year?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government cannot confirm this. The average expenditure per person per day of £36 in respect of all visitors from UK is not solely for those staying in hotels. The daily rate of £53 used in calculating tourist expenditure is in respect of those UK visitors staying in hotels and has been calculated from the survey questionnaires.

The Government's Statistics Office has not been able to retrieve the information for 1995 as this forms part of the now disused database.

SUPPLEMENTARY TO QUESTION NOS. 657, 658 AND 659 OF 1998

HON J J BOSSANO:

Is it not the fact that irrespective of whether it is part of the disused database or not the figure for 1995 is published in the Tourist Survey Report for that year?

HON J J HOLLIDAY:

This could have been coincidental.

HON J J BOSSANO:

What could have been coincidental?

HON J J HOLLIDAY:

The figure that has appeared in the Tourist Survey Report 1995 of £34 is used both for the calculation of the expenditure figures and as appeared in the Tourist Survey Report.

HON J J BOSSANO:

So in fact the average expenditure per person per day in 1995 of all persons is £34 and in 1997 it is also £34 for all persons and yet what the Minister is saying is that in 1995 the tourists who did not stay in the hotels spent the same amount of money as those who did but this was not the case in 1997?

HON J J HOLLIDAY:

I am afraid that is what the figures do show, yes.

HON J J BOSSANO:

I am well aware that that is what the figures show but I am asking for an explanation of how that was arrived at.

HON CHIEF MINISTER:

It is the same point, it is the reliance on the results of the survey which of course relates to people other than staying in hotels but that is what the survey, either we use survey results or we do not and the survey, whatever the reliability of its results might be, produce that figure and therefore the Government's statisticians use them. We are debating, in a sense, the same issue as in the previous question and that is whether it is legitimate to use surveys and that is a decision which is made by the Government's Statistics Office and that is the result. It remains to be seen whether it is the £53 that are inaccurate or the £34 that are inaccurate. The fact that the £53 were used for 1997 because that is the figure that the survey shows does not mean that it is inaccurate. It is certainly a different sort of figure than the 1995 figure.

HON J J BOSSANO:

The point that I am making is, in fact I am questioning obviously in a number of questions the three components of the £17 million; the numbers, the length and the amount of money which is how the £17 million is arrived at. Since I have been questioning since the figure was first mentioned in the House six months ago the accuracy of that figure, I can only do it by reference to how the £12 million in 1995 was calculated. In the report tabled in the House in 1995 it showed average expenditure per person per day arrived by interviewing visitors to Gibraltar on flight departures it showed £34. In 1997 the same interviews with the same people which we have been told today were 91 persons leaving for the United Kingdom, produces an average expenditure of £36 but whereas in the case of 1995 the £34 figure is the figure that was used to multiply by the number of bed nights sold so that it was so many thousand bed nights by £34, in the case of 1997 it is so many bed nights by £53. How come that before the figure that was published was the figure that was reflected in the Tourist Expenditure and in 1997 the figure that is published is not the one that is reflected in the Tourist Expenditure?

HON J J HOLLIDAY:

What the Leader of the Opposition is saying is not correct. In 1995 the average expenditure per person per day on UK flights covering all visitors was £34, Table 4 in the Tourist Survey Report 1995. The figure that he claims that was used for expenditure purposes which could be coincidental to be £34 or could be the result of the actual surveys that were carried out last year. The Statistics Office have not been able to confirm to me the reason for the use of the same figure or whether it is coincidental that the figure was used for that purpose as a result of the results of these surveys. In respect of 1997 the average expenditure per day as per Table 4 of the Tourist Survey Report has an average expenditure per day per person of £36. However, on comparing that to the average expenditure per person per day of people staying in hotels, the results of those surveys shows £53 and therefore as we are calculating the expenditure of people staying in Gibraltar in hotels, the figure that has to be used is £53 and not £36.

HON CHIEF MINISTER:

Let us be clear. What we are advised is a coincidence is the fact that in that year, in 1995 the average expenditure of people staying in hotels was the same as the average expenditure of people not staying in hotels. There is the element of alleged coincidence.

NO. 660 OF 1998

THE HON J J BOSSANO

TOURISM - VISITORS INTERVIEWED

Have Government now been able to confirm that the use of replies to interviews to calculate guest nights sold by hotels to visitors other than from UK was introduced in 1996?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 661 of 1998.

NO. 661 OF 1998

THE HON J J BOSSANO

TOURISM - VISITORS INTERVIEWED

Can Government state what the expenditure by tourists staying in hotels in 1997 is, based on the number of guest nights sold for 1997 reported by the hotels and published in the Hotel Occupancy Survey?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Tourist Survey questionnaires are not used to calculate guest nights sold by hotels.

SUPPLEMENTARY TO QUESTION NOS. 660 AND 661 OF 1998

HON J J BOSSANO:

Then can the Government confirm that the use of the reply of interviewers in 1996 and in 1997 produces an expenditure figure which is the equivalent of 100,000 guest nights sold and 200,000 guest nights sold respectively in 1996 and 1997?

HON J J HOLLIDAY:

What the Leader of the Opposition is saying is strictly correct but I do not accept that that is really the issue. The reality of the situation is that there have always been discrepancies between the guest nights sold which are provided by hotels in their Hotel Occupancy Report and the Tourist Survey Report as produced through questionnaires. So therefore the issue is that discrepancies have always existed and these were illustrated in the last meeting of the House when I highlighted the discrepancies between 1990 and 1997 which clearly showed that none of the figures in any of the years really tallied.

HON J J BOSSANO:

Is it that the Minister does not know that the so-called discrepancy in 1996 which is about 50 persons in 144,000 is not the result of calculating the guest nights sold in two different ways, one by interviews and one from the hotels but in fact of rounding up the average from 2.59 bed nights per person to 2.6 bed nights per person and that that rounding up is the only thing that accounts for the discrepancy, not two different ways of calculating it, is the Minister not aware of that?

HON J J HOLLIDAY:

I am not aware of that but if we analyse figures for 1994, 1993, 1992, 1991, 1990 they all seem to have discrepancies of 54,000, 23,000, 39,000, 5,000, 7,000 which I do not think, strictly speaking, is rounding up figures I am afraid.

HON J J BOSSANO:

I do not know how it is that the Minister has lost the database for 1996 and has found the database for all the previous years. Can he confirm that in arriving at the Tourist Expenditure Survey published in the Tourist Expenditure Report tabled by him in this House for 1996, the figure that was used was based on response to interviews but that in the preceding year the response to interviews was not used to calculate the expenditure figure and that therefore my question, which still does not appear to have been answered, which is can he confirm that this was done in 1996 and not in 1995, the answer to that is yes?

MR SPEAKER:

You have already answered your own question.

HON J J BOSSANO:

No, I asked the question previously and I was told by the Government that they did not accept that simply because I said so, it was true but that they would go back and check. I have now given notice of the question which is to ask them to confirm in Question No. 660 that interview replies were not used in 1995 to calculate the expenditure figure, they were used in 1996. Can he confirm that having checked it the answer is yes, if they were used in 1996 and not in 1995?

HON CHIEF MINISTER:

The insinuation in the hon Member's question that the result of survey questionnaires were used to calculate tourist expenditure in 1996 but not in 1995 is incorrect. I have here in front of me the working papers for the calculation of the Tourist Expenditure Surveys for 1995 and I can tell him that it states quite clearly those bits of the information, namely the average length of stay which is drawn from the Tourist Survey results conducted in that year and that indeed the same applies for 1994 and the same applies for 1995; the papers that I have in front of me do not say and therefore I will not assert where they came from in 1993 but I suppose that we can deduce it and so on. But certainly his statement which is what he is now asking as to whether in 1995 the Tourist Expenditure Survey was in any part based on the average length of stay, that that was not done relying on questionnaires is not correct. Indeed, how could it be given that if one does not get the information of average length of stay and of average expenditure from a survey, how can we get the information at all? One certainly cannot get it from bed nights sold provided by the hotels.

HON J J BOSSANO:

Well, if he rereads my original question of which I gave notice which is a repetition of a question I put in the previous House when I was told to give notice, it says whether they can confirm that the use of replies to interviews by visitors other than those from the United Kingdom. So will the Chief Minister look at the bit of paper that he has been given again and can he confirm that in fact other than for visitors in the United Kingdom the procedure that was adopted in 1995 was that of the total guest nights provided by the hotels the element of the United Kingdom arrived at by the survey was removed and the figure assumed for the non-UK arrivals was the residue left and that a formula was used which was estimated number of visitors from the UK multiplied by length of visitors from the UK, minus the visitors from the total leaving a residue and the residue of course produces an average of 2.59 because it is not based on a survey, it is based on an arithmetical calculation in 1995 and that the 2.59 when

rounded up gives back the same number of bed nights as the hotels reported and that therefore in 1996 they assumed length of stay of visitors from Spain which is based on four people saying they had stayed two nights was not the method used in 1995, it was introduced in 1996 and that it is the consequence of that change in 1996 that produces a figure of £8 million of expenditure whereas if the Government had used in 1996 the method used in 1995, expenditure in 1996 would have been shown as £11 million.

HON CHIEF MINISTER:

I am not in a position to confirm that. What I can assert to the hon Gentleman is that if he was willing to rely on the reliability of an Expenditure Survey in respect of visitors from the UK, I do not see why he can be so critical of the application of the same techniques to people who come other than from the UK. His own figures, never mind about the accuracy of the residue, that is just a simple mathematical deduction, but his own results could not have been any more accurate than the survey conducted in respect of the UK visitors.

HON J J BOSSANO:

Let me explain to the Chief Minister by phrasing it by way of a question. Can the Chief Minister not understand that given the method used in 1995, the number of bed nights sold reported in the survey of 144,553 nights produced expenditure of £12.8 million and that in 1996 because instead of a residue being used the four interviews were used, the figure in the published accounts of the House is that tourist spending went down from £12 million to £8 million and because the interviews of 24 people were used in 1997 the figure went up from £8 million to £17 million? So if he asks me why it is would he not agree with me, that if the introduction of the response of four interviews is what led to the decision that the response was more accurate than relying on hotel returns, in fact, that is what led to that fluctuation down from £12 million to £8 million and then up from £8 million to £17 million so would the Chief Minister not agree that the reason why the 1995 figure can be assumed to be more accurate is because the 1995 figure is actually based on 144,000 bed nights sold and the 1996 and 1997 do not rely on the bed nights sold that the hotels claim they sold?

HON CHIEF MINISTER:

The hon Member himself assumes that his suppositions are necessarily correct and, of course, his suppositions might be correct but his suppositions are not inevitably correct as he believes. I have told the hon Member that the Tourism Expenditure Survey in 1996 and 1997 have been calculated by applying the average length of stay and average expenditure information which is drawn from the survey to the hotel statistics provided by the hotels. What he regards as a new system in 1996 does not involve any form of guesswork about the number of visitors that stay in hotels, that is provided by the hotels and he can attack, if he wishes to – not that we would agree with his attack – but he can if he wishes level any criticism he feels he can justifiably do against relying on the surveys for average length of stay and for average expenditure and that is all. We have not used those because to calculate the hotel occupancy or the hotel bed nights sold statistics, those have been used as provided by the hotels. Therefore I do not accept that the arguments that the hon Member builds on the suppositions that he relies upon are correct.

HON J J BOSSANO:

It is quite obvious that I am not succeeding in making the Chief Minister understand the nature of the question that I am phrasing.

MR SPEAKER:

I think this should be your last question and the last answer. Carry on.

HON J J BOSSANO:

The point is that I did give notice in Question No. 660 that interviews were used to calculate the number of guest nights sold other than from the United Kingdom, that that was introduced in 1996 and I have got confirmation that this procedure was adopted from 1996 onwards so I know that that is the case and, in fact, all that I was asking was since the last time the Chief Minister was not sure whether this was the case or not, I was asking for confirmation that indeed it is the case. If he insists in not confirming this is the case then I will insist in putting questions to get it confirmed because I have no doubt that this is the case. I have got the formula that was used in 1995 and the formula that was used in 1996 and the difference between the two methods is that in giving us a figure in this House of £8.4 million in 1996 what that figure implies is that the 141,000 guest nights sold in the report is wrong because if indeed 141,000 guest nights had been sold by the hotels and an average used to calculate the £8 million in terms of expenditure per day the result would not be £8 million. If the Chief Minister multiplies the guest nights sold in the survey by the daily cost he will not come up with £8 million, he will come up with £11 million. So therefore in saying the £8 million is accurate he is saying that the accurate figure is 107,000 guest nights and not 141,000, otherwise the £8 million is inaccurate and the 141,000 is accurate. So will the Chief Minister not agree that if we want the survey report to reflect accurately in 1996 and in 1997 the position of 1995 should be used to calculate the expenditure which would have given us £11 million in 1995 instead of £8 million?

MR SPEAKER:

Next question.

NO. 662 OF 1998

THE HON J L BALDACHINO

EDUCATION - REIMBURSEMENT OF TRAINING EXPENSES

Can Government state how much has been spent up to the 31st August from the £250,000 provided from the reimbursement of training expenses funded by the Consolidated Fund?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

The £250,000 funded by the Consolidated Fund for training expenses and reimbursed by the Gibraltar Development Corporation is intended to cover the "personal emoluments" and "industrial wages" as estimated under Head 1-B, subheads 1 and 2 of the Estimates for 1998/99. Up to the 31st August this year £92,021 have been paid out for this purpose.

SUPPLEMENTARY TO QUESTION NO.662 OF 1998

HON J J BOSSANO:

Mr Speaker, the £250,000 in the Estimates for the Construction Training Centre is what, for the materials that are used for the Construction Training Centre?

HON DR B A LINARES:

Those are the running costs for the Construction Training Centre as opposed to these sums which are for the Personal Emoluments and Industrial Wages.

HON J L BALDACHINO:

Is not the Personal Emoluments for the Training Centre covered under Head 1B, Subhead 1?

HON DR B A LINARES:

Yes, Mr Speaker, it says so under Head 1B, Subhead 1 and 2 of the Estimates for 1998/99 from the Consolidated Fund reimbursed from the Gibraltar Development Corporation.

NO. 663 OF 1998

THE HON J J GABAY

EDUCATION - MANDATORY/DISCRETIONARY SCHOLARSHIPS

Can Government state what is the latest forecast outturn in respect of (a) mandatory; (b) discretionary scholarships awarded in 1997/98?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

For the financial year of 1997/98 we have now a definite figure for the cost of scholarships as follows:

- (a) mandatory - £1,823,000
- (b) discretionary - £277,000

This gives a total cost of £2,100,000.

SUPPLEMENTARY TO QUESTION NO.663 OF 1998

HON J J BOSSANO:

The Supplementary Estimates provision which contains an increased amount for the Scholarships Head due to a shortfall in parental contribution, is that already reflected in these figures?

HON DR B A LINARES:

Yes Mr Speaker.

NO. 664 OF 1998

THE HON J J GABAY

EDUCATION - SUPPLY TEACHERS

What is the estimated forecast outturn for the cost of supply teachers in the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

For the financial year 1997/98 we have a definite figure of the cost for temporary assistance in our schools under Head 1-A, subhead 1(d) which includes classroom aides, lecturers, laboratory and workshop technicians, nurses, vehicle escorts and teachers is £627,088.

SUPPLEMENTARY TO QUESTION NO. 664 OF 1998

HON J J BOSSANO:

Does the supplementary provision which was shown in the Reallocation Warrant cover the amount or is there a further reallocation required for the figure that has been provided?

HON DR B A LINARES:

Yes, it covers the amount.

NO. 665 OF 1998

THE HON J J GABAY

EDUCATION - SCHOLARSHIPS

Can Government state what is the latest forecast outturn in respect of the contribution from the Consolidated Fund for scholarships?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND YOUTH

I presume the question refers to the forecast outturn of expenditure for scholarships for the current financial year 1998/99 and my answer must be the same as that to the previous question No. 663 of 1998, that is, that at this stage when grants and tuition fees for individual students are still being processed it is unrealistic to give any significant estimate of our final expenditure.

SUPPLEMENTARY TO QUESTION NO.665 OF 1998

HON J J BOSSANO:

In terms of the 1997/98 year the figure from the Consolidated Fund that goes into the scholarship is the amount shown in Appendix G, on the Expenditure side, is that reflected on the figure that has been given from the reallocation of funds from the Supplementary Vote?

HON DR B A LINARES:

I think the answer is yes, Mr Speaker.

NO. 666 OF 1998

THE HON J C PEREZ

GIBTEL - JOINT VENTURE AGREEMENT

Can Government state what was the cash investment made by British Telecom in the setting up of Gibtel following the agreement for the joint venture in 1987?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The 1987 Joint Venture Agreement between the Government and British Telecom, which established Gibtel, includes British Telecom's payment terms for their investment. The Joint Venture agreement includes a confidentiality clause restricting the disclosure of information by either party without the prior consent of the other party to the Agreement. British Telecom's consent has not been forthcoming as they consider the information to be commercially sensitive.

I would, however, be happy to disclose this information on a confidential basis to the Opposition Spokesman for Government Services. I wonder, however, whether this should be necessary because I know that the hon member is already aware of the terms as he was the Chairman of Gibtel for eight years between 1988 and 1996.

SUPPLEMENTARY TO QUESTION NO.666 OF 1998

HON J C PEREZ:

I knew the figure, it is just that eight years ago I had the figure and I cannot remember but although British Telecom might now tell the Minister the confidentiality clause, certainly there was a public statement made at the time which can be gone back and looked at and I will do that myself, no problem. But those terms, certainly the figure that I am looking for is something that must have been made public at the time by the AACR Government. The figure was not renegotiated by the GSLP, what was renegotiated was the amount of lines given in the exchange and the release of property by Gibtel to the Government which is something that was made public at the time and is therefore not conditioned to the confidentiality clause. That is why I am mentioning it now.

HON LT-COL E M BRITTO:

Mr Speaker, if the information, as the hon Member says, was made public at the time then he should be able to accept that he does not need me to provide it. I would repeat what I have already said before, I am prepared to make the information available to him as long as it is clear that it is on a confidential basis and not for publication. I have a letter from one of the BT Directors on the Board of Gibtel restricting me from providing the information so I cannot provide it publicly.

NO. 667 OF 1998

THE HON J C PEREZ

ELECTRICITY CHARGES

Can Government state what has been the value of billings of electricity charges in the current financial year up to 31st August?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Total billings for the period 1st April 1998 to the 31st August 1998 amounted to £3,647,969.57.

SUPPLEMENTARY TO QUESTION NO.667 OF 1998

HON J J BOSSANO:

Can Government confirm that this in fact indicates that the amount that has actually been collected in that period is very close to the amount for the consumption of that period? The amount collected was given in answer to a previous question.

HON LT COL E M BRITTO:

As the hon Member says the amount was given, I can wait for the pile of figures, I know it is about within £300,000 approximately so the answer to that question, as the hon Member knows is yes.

HON J J BOSSANO:

Are the Government then in a position now to say whether the expectation of collecting £1 million of arrears in the current financial year which does not seem to have happened so far in five months is still expected to happen in the remaining seven months?

HON CHIEF MINISTER:

No, realistically speaking we no longer expect to collect £1 million of the arrears element in the Estimates, that is the truth of it.

ORAL

NO. 668 OF 1998

THE HON J L BALDACHINO

CUMBERLAND BUILDINGS

Can Government state what is the intended use for the site previously occupied by Cumberland Buildings?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The site has still to be transferred by the MOD to the Government. No decision has been taken on its future use.

ORAL

NO. 669 OF 1998

THE HON J C PEREZ

ELECTRICITY CHARGES - ARREARS

Can Government state what was the level of electricity charges arrears as at 31st March 1998 and as at 31st August 1998?

ANSWER

THE HON THE CHIEF MINISTER

The level of electricity charges arrears as at 31st March 1998 was £5,010,888.48 and as at 31st August 1998, £5,330,425.19.

NO. 670 OF 1998

THE HON J J BOSSANO

SUPPLEMENTARY FUNDING - 1997/98

Can Government state what was the total requirement met from supplementary funding in respect of the financial year 1997/98?

ANSWER

THE HON THE CHIEF MINISTER

The total requirement to be met from supplementary funding in respect of the financial year 1997/98 is £2,583,000.

SUPPLEMENTARY TO QUESTION NO.670 OF 1998

HON J J BOSSANO:

Can the Chief Minister say whether in fact any further transfers of the supplementary provisions head need to be tabled in the House or is the last ones the ones we have had in this House?

HON CHIEF MINISTER:

The supplementary provision fund head is I believe now exhausted and therefore it will now be a matter of Supplementary Appropriation Bill, I do not think there is any more supplementary provision left unused under Head 14.

HON J J BOSSANO:

This is in fact after taking into account that there was a transfer from the pay settlement to the supplementary funding head.

HON CHIEF MINISTER:

That takes that into account and all sorts of virements from savings and heads and things of that sort.

NO. 671 OF 1998

THE HON J J BOSSANO

GOVERNMENT ARREARS - HOTELS

What amounts were due and owing to Government on the 31st August 1998 by hotels broken down by item and in respect of which periods these monies became due?

ANSWER

THE HON THE CHIEF MINISTER

The arrears due by hotels currently stand at £1.1 million. These arrears are in respect of amounts due over a number of years dating as far back as 1991. The breakdown is as follows:

| | |
|------------------|---------------------|
| Social insurance | £0.4 million |
| PAYE tax | £0.3 million |
| Electricity | £0.3 million |
| Rates | <u>£0.1 million</u> |
| | <u>£1.1 million</u> |

Agreements were recently entered into for the repayment of most of these arrears as well as for ensuring that current bills are settled as and when due. Hon Members will remember that that was part of the Hotel Assistance Scheme.