

GIBRALTAR
HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

25th & 26th FEBRUARY, 1999

No. 1 TO No. 259

INDEX

QUESTIONS & ANSWERS

25th & 26th February 1999

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NO. 1 OF 1999

THE HON MISS M I MONTEGRIFFO**GHA - REVENUE AND EXPENDITURE**

Can Government give a breakdown by item of the latest forecast outturn of revenue and expenditure of the Gibraltar Health Authority for the current financial year?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

I would be obliged if the hon Member would accept that answer on the record without the necessity of reading it. Let me say that I have noticed just on passing it to her that it seems that the revenue aspect has been omitted so I will read the revenue and I will then pass notes of the revenue to her by letter later this week.

The revenue is as follows:

Contribution from the Social Assistance Fund	£3,000,000
Group Practice Medical Scheme	£16,000,000
Contribution from the Ministry of Defence	£248,000
Contribution from Consolidated Fund	£3,672,000
Contribution from Improvement and Development Fund	£760,000
Other receipts	£300,000

The latest forecast outturn for the Gibraltar Health Authority for 1998/99 is as follows:

PAYMENTS

£

Personal Emoluments:

(a) Salaries	8,200,000
(b) Overtime	1,400,000
(c) Allowances	1,475,000
(d) Gratuities	215,000
	<u>11,290,000</u>

Industrial Wages:

(a) Basic	860,000
(b) Overtime	367,000
(c) Allowances	3,000
	<u>1,230,000</u>

Other Personnel:

(a) Relief Cover	330,000
	<u>330,000</u>

Employer's share of Social Insurance Contributions	750,000

Recurrent Expenditure:

(a) Prescribed Drugs & Pharmaceuticals:	
GPMS Prescriptions	4,750,000
Drugs & Pharmaceuticals	750,000
	<u>5,500,000</u>

(b) Equipment & Related Expenses:	
Medical & Surgical Equipment	185,000
Medical & Surgical Appliances	220,000
Hardware, Uniforms & Linen	107,000
Patients Appliances	<u>45,000</u>
	557,000
(c) Dressings & Medical Gases	554,500
(d) Provisions	230,000
(e) Laundry & Cleaning:	
Laundry Expenses	280,000
Cleaning Expenses	<u>45,000</u>
	325,000
(f) Visiting Consultant Expenses & Fees	70,000
(g) Recruitment Contractual Expenses	39,000
(h) Motor Vehicle & Fuel Expenses	27,000
(i) Offices Expenses:	
General Expenses	41,000
Electricity & Water	220,000
Telephone Service	132,000
Printing & Stationery	<u>55,000</u>
	448,000
(j) Legal Fees	20,000
(k) Official Travel Abroad	14,000
(l) Training & Study:	
Medical Books	12,000
Training Courses	95,000
Professional Study Leave	<u>25,000</u>
	132,000
(m) Sponsored Patients	2,050,000
(n) Miscellaneous Expenses:	
General	7,000
Extraordinary	<u>16,000</u>
	23,000
Ex-gratia	19,300
Cash Losses	20
(o) St John's Ambulance	250,000
(p) Registration Board	<u>5,000</u>
	23,863,820
	Total Recurrent
Capital Expenditure	
(q) New Equipment	300,000
(r) Minor Works	605,000
(s) Computerisation	<u>70,000</u>
	975,000
	Total Capital

Summary

Recurrent Expenditure	23,863,820
Capital Expenditure	<u>975,000</u>
	24,838,820
ICC Health Centre	63,000
ICC Health Centre Works	253,000
Contingencies (Y2K)	<u>25,154,820</u>

SUPPLEMENTARY TO QUESTION NO. 1 OF 1999

HON J J BOSSANO:

Can I ask the Minister, the contribution from the Ministry of Defence of £240,000 as opposed to the estimate, is this because the service went on longer than anticipated or was it that there was a later payment?

HON K AZOPARDI:

I think it was an item of expenditure that had accrued in the previous but was paid subsequently together with the normal expected payment of £110,000.

HON J J BOSSANO:

Does that mean that the forecast outturn for the preceding year of £745,000 which was, in fact, the same as the original estimate, was less than that?

HON K AZOPARDI:

I am unable to guide the hon Member on that matter but I will certainly look into it. I suspect so, that follows from what I have said.

HON MISS M I MONTEGRIFFO:

Would the Minister confirm whether the actual summary at the end is correct because I see that there is a figure which has been amended, recruitment contractual expenses, does the actual summary remain as it is?

HON K AZOPARDI:

Yes, I omitted to mention the fact that in the answer there should be an amendment on recruitment of contractual expenses instead of reading £39,000 it should read £390,000 but I am assured that the total remains the same and that is merely a typographical error.

NO. 2 OF 1999

THE HON MISS M I MONTEGRIFFO

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

Can Government state what was the total number of in-patient admissions and the average number of patients per day at St Bernard's Hospital in 1998?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 3 and 4 of 1999.

NO. 3 OF 1999

THE HON MISS M I MONTEGRIFFO

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

Can Government state what was the total number of out-patient attendances at St Bernard's Hospital in 1998?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 2 and 4 of 1999.

NO. 4 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - OUT-PATIENT ATTENDANCES, HEALTH CENTRE

Can Government state what was the total number of out-patient attendances at the Health Centre in 1998?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

During 1998 there were 84,090 out-patient attendances at the Health Centre; 31,904 out-patient attendances at St Bernard's Hospital, and 5,035 in-patient admissions at St Bernard's Hospital.

During the same year the average number of in-patients per day at St Bernard's was 114.

SUPPLEMENTARY TO QUESTION NOS. 2, 3 AND 4 OF 1999

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether the situation is static or whether there have been less or more attendances both at the Health Centre and the hospital in comparison to last year?

HON K AZOPARDI:

Yes, there were in fact less out-patient attendances this year at the Health Centre, less by about 4,000. The average number of in-patients at St Bernard's Hospital was higher this year than last year, it was 108 last year. I do not have the number of out-patient attendances exactly in respect of last year but I seem to recall it was more or less the same, about 31,000. The number of in-patient admissions last year was lower at St Bernard's than this year, it was 4,800 last year.

NO. 5 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - LONG-STAY ELDERLY CARE PATIENTS

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

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

There were 43 long-stay elderly care patients at St Bernard's Hospital at the end of January this year.

NO. 6 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - ST BERNARD'S HOSPITAL - KITCHEN

Can Government confirm whether the works in the kitchen at St Bernard's Hospital have now been completed?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

No.

SUPPLEMENTARY TO QUESTION NO. 6 OF 1999

HON MISS M I MONTEGRIFFO:

Can the Minister, in view of the years that it has taken for the kitchen to be ready, explain why the delay?

HON K AZOPARDI:

The delay relates to the next question on the Order Paper. I am not sure whether the hon Member wants to wait until then to have the answer.

HON MISS M I MONTEGRIFFO:

Just one more question, can the Minister confirm whether the kitchen will, in fact, be staying in what used to be the old Lewis Stagnetto Ward?

HON K AZOPARDI:

The current plan revolves around that scenario, yes but no final decision has been taken.

NO. 7 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - ST BERNARD'S HOSPITAL - REHABILITATION CENTRE

Have Government now decided whether the old kitchen area at St Bernard's Hospital will be used as a rehabilitation centre?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Yes.

SUPPLEMENTARY TO QUESTION NO. 7 OF 1999

HON MISS M I MONTEGRIFFO

We are just wondering whether this was the question where the Minister was actually going to expand on what he said he would do to the earlier question.

HON K AZOPARDI:

The delay in relation to the kitchen lies in the fact that we were considering what to do with the old area for which there were plans to turn into a rehabilitation centre and that indeed is the case and those plans are confirmed now and we plan to use the former kitchen for that and it is currently being used for that. Because that decision was taken relatively recently we are now moving on the basis that the kitchen will not go back to where it was and that we have to assess if it is possible for it to remain where it is. There are some structural surveys that have been commissioned to assess that because of the weight of the equipment and so on and so while I said in my last answer to the previous question that the current plans revolve around the kitchen staying where it is now which is old Lewis Stagnetto, it depends on the results of the cost assessments and on the work estimates that would need to be done for that to be the case. Therefore no final decision has been taken.

HON MISS M I MONTEGRIFFO:

So really the Minister cannot confirm whether or not they have an idea how much the rehabilitation centre the works involved will cost?

HON K AZOPARDI:

Sorry, the kitchen she means?

HON MISS M I MONTEGRIFFO:

The kitchen.

HON K AZOPARDI:

I cannot confirm it at this stage.

HON MISS M I MONTEGRIFFO:

And the rehabilitation centre?

HON K AZOPARDI:

Yes, we could confirm that but of course I was not on notice of that question and therefore I do not have the figures with me but if the hon Member wants to enquire about that I certainly can provide her with that information.

HON MISS M I MONTEGRIFFO:

I go back to my original supplementary, can the Minister explain why it has taken them nearly three years to decide whether the kitchen stays, whether there is going to be a rehabilitation centre because I do believe that a lot of money has been expended in the meantime?

HON K AZOPARDI:

As the hon Member appreciated it herself when she was in office because she herself was I think using what used to be Private Corridor for decanting for refurbishment, I think she will appreciate the space constraints there are at St Bernard's and we were juggling with difficult problems. We had to, I think I have explained before in the House that in previous years where we had planned to expedite these particular works we were unable to do so when the roof of Children's Ward collapsed, for example, and we had to divert funds and manpower resources practically for a year to do that and so therefore this has had a knock-on effect on these particular works, I think I have explained that in the House before.

HON MISS M I MONTEGRIFFO:

I remember that in earlier questions I have put to the Minister on the subject he has said that they would not be able to take a decision until the Chief Executive was in post. Then when he was in post he said that the Chief Executive needed to take that decision in consultation with the staff. Can the Minister now confirm who has taken the decision?

HON K AZOPARDI:

The decision has been taken by the management board but has been delayed by the unfortunate event relating to Mr Jackson's demise.

HON J L BALDACHINO:

Seeing that the kitchen is not going to go back to where it was originally and is going to stay where it is now, can the Minister confirm that all the safety factors that were previously in the other kitchen apply to the place where the kitchen is at the moment?

HON K AZOPARDI:

This is why I say that no final decision has been taken because that is one of the factors we are trying to assess. The Environmental Agency has been called in to advise the Health Authority on those aspects and, of course, we are keen to assure and to ensure that that is the case.

NO. 8 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - ST BERNARD'S HOSPITAL - PRIVATE WARD

Will Government confirm when a Private Ward will be made available at St Bernard's Hospital?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Government agree that a private ward facility should be made available at St Bernard's Hospital and are working towards achieving that. It is not possible to state exactly when this will be in place.

SUPPLEMENTARY TO QUESTION NO. 8 OF 1999

HON MISS M I MONTEGRIFFO:

Can the Minister at least confirm whether they have already earmarked a place for Private Ward?

HON K AZOPARDI:

No, I cannot confirm that because there are various possibilities. Developments are planned, I think it would be at the moment premature to speculate exactly where the location of the future private ward facility would be. We have got to also discuss, and I know that the Chief Executive, Mr Jackson, was indeed in discussions with the Trust on that matter but I certainly think that things will be clearer in a few months time and I would expect to make a decision within the next four months if that is of assistance to the hon Member.

HON MISS M I MONTEGRIFFO:

Could the Minister at least confirm whether Private Ward would be made available within the existing resources?

HON K AZOPARDI:

I am not sure what the hon Member means by existing resources.

HON MISS M I MONTEGRIFFO:

I mean by the existing space that is presently available?

HON K AZOPARDI:

That is the aim at this stage, yes.

NO. 9 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - ENROLLED NURSE STUDENTS

Can Government state how many Enrolled Nurse students were in the first year of their Enrolled Nurse training in the financial year 1997/98?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 10 and 11 of 1999.

NO. 10 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - ENROLLED NURSE STUDENTS

Can Government state how many Enrolled Nurse students are in the first year of their training in the current financial year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 9 and 11 of 1999.

NO. 11 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - RGN STUDENTS

Can Government state how many RGN students are in the first year of their training in the current financial year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

There are currently 12 RGN students undertaking their first year of training; 15 Enrolled Nurse pupils finished their first year of training in August 1998 and commenced their second year in September 1998; 11 Enrolled Nurse pupils were in their second year of training in financial year 1997/98.

NO. 12 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - LADY BEGG WARD

Can Government now 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

Answered together with Question Nos. 13 to 33 of 1999.

In advance of the hon Member's questions I will pass to her a copy of my respective reply because it is a long answer.

NO. 13 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - VICTORIA WARD

Can Government now 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. 12 and 14 to 33 of 1999.

NO. 14 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - NAPIER WARD

Can Government now 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. 12, 13 and 15 to 33 of 1999.

NO. 15 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - GODLEY WARD

Can Government now 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. 12 to 14 and 16 to 33 of 1999.

NO. 16 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - CHILDREN'S WARD

Can Government now 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. 12 to 15 and 17 to 33 of 1999.

NO. 17 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - LEWIS STAGNETTO WARD

Can Government now 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. 12 to 16 and 18 to 33 of 1999.

NO. 18 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - JOHN WARD

Can Government now 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. 12 to 18 and 19 to 33 of 1999.

NO. 19 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - MATERNITY

Can Government now 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. 12 to 18 and 20 to 33 of 1999.

NO. 20 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - BLOOD DEPARTMENT

Can Government now 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 Blood Department?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 12 to 19 and 21 to 33 of 1999.

NO. 21 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - EYE DEPARTMENT

Can Government now 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 Eye Department?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 12 to 20 and 22 to 33 of 1999.

NO. 22 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - OUT-PATIENT CLINICS

Can Government now 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 Out-patient Clinics?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 12 to 21 and 23 to 33 of 1999.

NO. 23 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - ACCIDENT AND EMERGENCY

Can Government now 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. 12 to 22 and 24 to 33 of 1999.

NO. 24 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - ITU

Can Government now 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. 12 to 23 and 25 to 33 of 1999.

NO. 25 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - ENDOSCOPY

Can Government now 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. 12 to 24 and 26 to 33 of 1999.

NO. 26 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - CSSD

Can Government now 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 CSSD?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 12 to 25 and 27 to 33 of 1999.

NO. 27 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - KGV

Can Government now 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. 12 to 27 and 28 to 33 of 1999.

NO. 28 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - COMMUNITY PSYCHIATRIC SERVICE

Can Government now 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. 12 to 27 and 29 to 33 of 1999.

NO. 29 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - SCHOOL HEALTH SERVICE

Can Government now 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 of Health Service?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 12 to 28 and 30 to 33 of 1999.

NO. 30 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - DENTAL SERVICES

Can Government now 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. 12 to 29 and 31 to 33 of 1999.

NO. 31 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - CHILD WELFARE CLINIC

Can Government now 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. 12 to 30, 32 and 33 of 1999.

NO. 32 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - COMPLEMENT - HEALTH CENTRE

Can Government now 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. 12 to 31 and 33 of 1999.

NO. 33 OF 1999

THE HON MISS M I MONTEGRIFFO**GHA - COMPLEMENT - DISTRICT NURSING SERVICES**

Can Government now 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?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

I would appreciate if the hon Member would waive reading of the answer given that I passed on a copy to her.

The Government announced new manning levels for nursing grades in the GHA in July 1998. These are expected to be phased in by 2002 and are as follows:

<u>LADY BEGG WARD</u>	<u>Current</u>	<u>Proposed</u>
Charge Nurse	2	2
Staff Nurse	2	6
S Enrolled Nurse	1	1
Enrolled Nurse	4.5	4
Assistant Nurse	9	8
<u>VICTORIA WARD</u>		
Charge Nurse	2	2
Staff Nurse	6	6
Enrolled Nurse	8	8
Auxiliary Nurse	1	0
Assistant Nurse	4.5	6
<u>NAPIER WARD</u>		
Charge Nurse	2	2
Staff Nurse	6	6
Enrolled Nurse	6	6
Assistant	6	6
<u>GODLEY WARD</u>		
Charge Nurse	2	2
Staff Nurse	5.5	6
S Enrolled Nurse	1	1
Enrolled Nurse	6	6
Assistant	6	6

CHILDREN'S WARD

Charge Nurse	1	2
Staff Nurse	6	6
S Enrolled Nurse	1	1
Enrolled Nurse	3.5	6
Assistant	1	6

LEWIS STAGNETTO WARD

Charge Nurse	1	2
Staff Nurse	2.5	5
Enrolled Nurse	3.5	4
Assistant Nurse	12.5	10

JOHN WARD

Charge Nurse	2	2
Staff Nurse	6.5	6.5
Enrolled Nurse	6	6
Assistant Nurse	6	6

MATERNITY WARD

Clinical Nurse Manager	0	1
Charge Nurse	4	3
Staff Nurse	9	9
Enrolled Nurse	3	6
Assistant Nurse	5	5

BLOOD DEPARTMENT

Staff Nurse	1.5	1.5

EYE DEPARTMENT

Charge Nurse	1	1
Staff Nurse	2	2
Enrolled Nurse	0	1

OUT-PATIENT CLINICS

Sister	1	1
S Enrolled Nurse	1	1
Enrolled Nurse	5.5	5.5

ACCIDENT AND EMERGENCY

Charge Nurse	2	2
Staff Nurse	7.5	10
Enrolled Nurse	4	6
Assistant Nurse	0	2

ITU

Charge Nurse	2	2
Staff Nurse	8.5	10
Enrolled Nurse	6.5	8

ENDOSCOPY

S Enrolled Nurse	1	1

CSSD

Enrolled Nurse	1	1
Auxiliary Nurse	1	0
Assistant Nurse	1.5	2.5

KGV

Clinical Manager	1	1
Charge Nurse	3	4
Staff Nurse	8	12
S Enrolled Nurse	2	2
Enrolled Nurse	10.5	14
Auxiliary Nurse	4	0
Assistant Nurse	20	24

COMMUNITY PSYCHIATRIC SERVICE

Sister	0	1
Staff Nurse	0	1
S Enrolled Nurse	1	1
Enrolled Nurse	3	3

SCHOOL OF HEALTH SERVICE

Charge Nurse	1	1
S Enrolled Nurse	1	1
Enrolled Nurse	1	1

DENTAL SERVICES

Auxiliary Nurse	2	3

CHILD WELFARE CLINIC

Charge Nurse (HV)	1	2
S Enrolled Nurse	1	1
Enrolled Nurse	1	1

HEALTH CENTRE

Charge Nurse	1	1
Staff Nurse	3	4
Auxiliary Nurse	5	0
Assistant Nurse	4	9

DISTRICT NURSING SERVICES

Charge Nurse	1	2
Staff Nurse	5.5	6
S Enrolled Nurse	1	1
Enrolled Nurse	1	1
Auxiliary Nurse	0.5	0
Assistant Nurse	2	4.5

Hon Members will have noted that there is a breakdown of staff into varying grades existing at the moment but should also note that there was a recommendation of the Review Team that the grades of Nursing Auxiliary and Senior Enrolled Nurse be abolished through natural wastage. Accordingly figures in respect of those grades in the "Proposed" column must be seen in that light.

This breakdown represents nursing management's current plan but, of course, it is subject to variation to take into account circumstances that may arise or areas that may need to be addressed in the health service in forthcoming months and years.

SUPPLEMENTARY TO QUESTION NOS. 12 TO 33 OF 1999

HON J J BOSSANO:

Can the Minister say what is the difference in the total, apart from the difference in the component grades, between the current and the proposed?

HON K AZOPARDI:

I can give the hon Member the totals but I have not added up the current because there have been recent fluctuations through retirement and so on and I am aware that there were figures taken by me recently but I think they may have changed. But I can certainly give the hon Member the totals in respect of the proposed complement: Charge Nurse – 37; Staff Nurse – 104.5; Senior Enrolled Nurse – 10, with the caveat that that grade will be abolished through natural wastage; Enrolled Nurse – 90; Assistant Nurse – 99. Those are the figures I announced in July which would be met by this phased programme.

HON J J BOSSANO:

Can the Minister clarify something that he has said in his answer. He has said he cannot provide the current because of some persons having left the service. Is it that the current is not the complement including unfilled vacancies? Is he talking about the people in post in both cases or the posts whether filled or not, which of the two is it?

HON K AZOPARDI:

It was a simple answer really. I meant that I had totals which were provided to me recently before the drafting of this answer. The last figures I had were a month or two ago which I thought were good. I am aware that there have been, perhaps recent retirements and I have not added the totals. If the hon Member wants to add those grades then he will realise how they are broken down. The figures in current, to answer his specific question, are the actual people in post, that is what I am told.

HON J J BOSSANO:

So, in fact, when comparing the two are we comparing the same thing? If it is the people in post in the current, the fact that there is a proposed structure does not necessarily mean that there are going to be more posts because of course the proposed do not necessarily presumably consist of people in post otherwise it would not be proposed?

HON K AZOPARDI:

Perhaps I should be a bit more specific in my answer. Both columns are consistent to the extent that it is – when I say actual people in post I mean actual whole time equivalents and so there are increases.

HON J J BOSSANO:

Irrespective of whether they are whole time equivalents or any other way of calculating the total, what I am asking is if the current shows, for example, that there are 50 Nursing Assistants does it mean that there is provision for 50 Nursing Assistants or that there are currently 50 Nursing Assistants working, which of the two is it?

HON K AZOPARDI:

That there are currently 50 Nursing Assistants working.

HON J J BOSSANO:

So, in fact, the current provision could be greater than the figures that we have been provided in the answer, is that correct?

HON K AZOPARDI:

No, the proposed column, if the hon Member cares to add up the current breakdown into different grades he will see that the proposed column is far greater than the current.

HON J J BOSSANO:

No, I am not asking that. If in fact we have in the Estimates of Expenditure a provision to employ 330 persons notwithstanding the fact that there may actually be in post 300, is the proposed column an increase over the preceding level of proposed employment? Because if what we are being given is two columns one of which consists of the number of jobs currently filled and the second column is the number of jobs inclusive of vacancies then we are not comparing like with like, surely?

HON K AZOPARDI:

I really do not see how the hon Member is trying to create an issue out of nothing. I have explained to the House that one column reflects the people in post, one column reflects the complement which will be filled by the year 2002; the second will mean an increase in staff.

HON J J BOSSANO:

No. Can the Minister tell the House then what is the complement now, not the people in post, the complement now? In every Head of Expenditure in the Estimates, surely the Minister accepts in all his other departments for which he has responsibility, the figure that is given in the Estimates shows that there is provision to employ an Executive Officer and it does not mean that as we stand here there is somebody currently occupying the post, the man or the lady might have left yesterday, we cannot judge. Obviously it is a constantly moving field, even as he stands here somebody might have had a heart attack yesterday and therefore the answer is wrong. What we want to know is what is going to be the structure in the future as opposed to the structure now irrespective of whether at any given point in time all the jobs in that structure are filled or not.

HON K AZOPARDI:

The Health Authority had an establishment which went back to the years when Opposition Members were in office but because the nursing profession was in review and we were changing the establishment as a result of the nursing review that we announced in July, to the extent that the establishment was changed because the future establishment will be the one that will be phased in by the year 2002, my understanding was that because the establishment figures were being changed vacancies are not provided for in the estimates that we brought to the House last year. Therefore the figure in personal emoluments was not the future figure that would be filled in that sense by the year 2002 but only the figure of people in post together with perhaps a few vacancies which would have been filled immediately thereafter.

HON J J BOSSANO:

I may have understood incorrectly the answer that he gave at the time but I believe he gave the opposite answer at the time of the Estimates because surely if what he is saying is correct then it would be very peculiar if in the last financial year there was a provision of salaries for £7.5 million and this year it is £7.9 million and they are not providing for any vacancies that may have arisen in the previous personal emoluments. I believe, at the time of the Estimates when we asked we got a specific answer that the salary provision in this expenditure item was no different from that in the rest of the Estimates where the provision is based on the assumption that the jobs that are there are going to be filled even though they may not be filled. Indeed, I think we were told specifically that it did not necessarily mean that the whole of the salary provision was going to be altered because there might precisely be vacancies that were going to be replaced as opposed to being reappointed.

HON K AZOPARDI:

I cannot recall giving an answer like that but I am certainly happy to look back in Hansard and check the position and mention that to the hon Member.

HON J J BOSSANO:

Will the Minister be able to provide, in order to be able to compare the proposed structure with the current structure, a figure which shows the position on the basis of the post provided for rather than the people in post otherwise if we are going to be relying on these figures on the basis that if tomorrow somebody leaves the structure changes, we will have to ask every time somebody leaves what the new structure is?

HON K AZOPARDI:

I am happy to provide the hon Member with any information he wants. If he wants to clearly set out exactly what he wants I will give him whatever information he wants.

HON J J BOSSANO:

Well, the information that we are seeking is the information that we thought we were going to get in answer to this question which is, what is the current structure and what is the proposed structure irrespective of whether every single job of that structure is as we stand here filled or unfilled?

HON K AZOPARDI:

I think that is the answer I have given. If the hon Member wants further information he is free to seek it and I will certainly give it to him.

HON J J BOSSANO:

Is the answer we are being given then that at the moment the position is that if it is shown that there are eight nurses in a particular ward there are no vacancies in those eight posts of eight nurses? The figure that he has got there is on the basis that when the answer was prepared if somebody had left that day the structure was changed, is that the information?

HON K AZOPARDI:

The answer that I have in my notes is that those are the people in post. It is at the time the answer was drafted.

HON J J BOSSANO:

So it means that, for example, if we say to the Minister at the next meeting of the House what is the current complement – I use the word “complement” because complement means of course the posts as opposed to the occupants – in Lady Begg the answer might be that there are now eight Nursing Assistants instead of nine?

HON K AZOPARDI:

Yes, for the simple reason that the proposed column was the column which breaks down the figures that I announced in July 1998 and I said I would fill those posts in a phased programme by the year 2002 and so therefore by implication it is clear that as months go by the thing will change until ultimately, by the year 2002, the proposed column will have been reached and so of course things have changed.

HON J J BOSSANO:

I can well appreciate that the proposed column will become filled when the opportunity arises to fill it either because there are vacancies or because there are people qualified to fill it, but in order to be able to exercise judgement of how the position, for example, in Lady Begg Ward has changed as a result of the proposals it is not possible to do so by looking at the figures if the second column shows what is the intended eventual position and the first column does not show what was the starting position. What we want to know is where he started from as well as knowing where he is going to finish so that we can compare the two.

HON CHIEF MINISTER:

That is not the question that he has asked. I can understand why he would want the position at a given fixed date in the past so that he can compare progress as against that but that is not the question as I understand it that he has asked.

HON J J BOSSANO:

If the Chief Minister will look at the question, if we ask for the proposed complement and the current complement surely the word "complement" cannot mean two different things in the same sentence. The complement in the future includes vacancies and the complement at present and in the past and indeed we raised this point I think, if the Minister would recall, during the Estimates when we wanted clarification that complement meant as we had always understood it to mean a provision for a certain number of posts and indeed this is why I have asked the Minister to check back on the answer in the Estimates because when we asked whether the provision for the salaries of £7.9 million was for the posts on the establishment on the complement or based on the actual number of persons in employment, I believe that the answer we got then was that it was for the complemented posts. The fact that those complemented posts may be different when the Estimates for this coming year are presented does not alter what the complement means. I do not know if we had asked, I suppose for the present distribution of persons in post, which is I think the answer we have got, then I think we would have been getting the answer so what I am asking the Minister is could he provide the answer that we thought we were getting given.....

MR SPEAKER:

And he said yes, he would give you all the information.

HON CHIEF MINISTER:

What the hon Member wants to know is whether complement in the answer means positions which are open, as opposed to positions that are filled. He wants to know not how many people there are wearing white uniforms today, on the 25th February, what he wants to know is how many people there should be given that there might be a few vacancies resulting from recent retirements or recent resignations.

MR SPEAKER:

The Minister has promised to give the answer. Next question.

NO. 34 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS

Can Government give a breakdown for the financial year 1997/98 of the number of items of medicines dispensed on GPMS 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

The number of items dispensed on GPMS during 1997/98 in the following categories were as follows:

(a)	no charge	-	75,528 items
(b)	20p	-	169,762 items
(c)	£1.20	-	167,159 items

NO. 35 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of September 1998 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 figure for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 36 to 51 of 1999.

NO. 36 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of October 1998 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 figure for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 and 37 to 51 of 1999.

NO. 37 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of November 1998 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 figure for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35, 36 and 38 to 51 of 1999.

NO. 38 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of December 1998 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 figure for 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 37 and 39 to 51 of 1999.

NO. 39 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government state the number of items covered by GPMS prescriptions in the month of January 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 figure for last year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 38 and 40 to 51 of 1999.

NO. 40 OF 1999

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 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 39 and 41 to 51 of 1999.

NO. 41 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give a breakdown of the prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of August 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 40 and 42 to 51 of 1999.

NO. 42 OF 1999

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 September 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 41 and 43 to 51 of 1999.

NO. 43 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give a breakdown of the prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of September 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 42 and 44 to 51 of 1999.

NO. 44 OF 1999

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 October 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 43 and 44 to 51 of 1999.

NO. 45 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give a breakdown of the prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of October 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 44 and 46 to 51 of 1999.

NO. 46 OF 1999

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 November 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 45 and 47 to 51 of 1999.

NO. 47 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give a breakdown of the prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of November 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 46 and 48 to 51 of 1999.

NO. 48 OF 1999

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 December 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 47 and 49 to 51 of 1999.

NO. 49 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - GPMS PRESCRIPTIONS

Can Government give a breakdown of the prescriptions issued and the number of items covered by such prescriptions under the GPMS in the month of December 1998 and the previous year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 48, 50 and 51 of 1999.

NO. 50 OF 1999

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 January this year and last year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 35 to 49 and 51 of 1999.

NO. 51 OF 1999

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

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

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The statistics requested in Question Nos. 35 to 39 are as follows:

	<u>Per item</u>	<u>Items</u>	<u>Value</u>
September 1998	£2.50	9,257	£94,405.23
October 1998	£2.50	9,193	£97,880.73
November 1998	£2.50	10,960	£123,529.40
September 1997	£1.20	12,614	
October 1997	£1.20	13,398	
November 1997	£1.20	15,779	
December 1997	£1.20	12,711	
January 1998	£1.20	14,143	

No record of value of items were kept before August 1998 and therefore value figures for September 1997 to January 1998 are unavailable. The figures for December 1998 and January 1999 are not available yet because not all accounts have been submitted by pharmacies.

The statistics requested in Question Nos. 40 to 50 are as follows:

	<u>Prescriptions</u>	<u>Items</u>		<u>Prescriptions</u>	<u>Items</u>
July 1998	16,657	65,002	July 1997	11,188	31,782
August 1998	9,857	25,091	August 1997	12,842	36,882
September 1998	9,718	31,501	September 1997	11,349	32,572
October 1998	9,977	28,313	October 1997	11,753	33,274
November 1998	12,528	34,738	November 1997	13,135	29,388
			December 1997	11,098	31,962
			January 1998	11,884	34,309

As above the figures for December 1998 and January 1999 are unavailable because not all accounts have been submitted.

The hon Member may wish to bear in mind when she puts questions on this subject that figures are now kept in the new system on a weekly or period basis, which means 13 periods of four weeks in a year, to avoid misleading figures appearing because of the fact that some months are made up of four weeks and some months are made up of five weeks and so it does cause a disproportionate effect when I read some of it.

NO. 52 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - POST OF CHIEF EXECUTIVE

Is it Government's intention to continue with the post of Chief Executive for the Gibraltar Health Authority?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Yes.

SUPPLEMENTARY TO QUESTION NO. 52 OF 1999

HON MISS M I MONTEGRIFFO:

Will the Government be advertising the post locally or will they be engaging the services of someone who is already employed by the Gibraltar Health Authority?

HON K AZOPARDI:

It is Government's intention to localise the post.

HON MISS M I MONTEGRIFFO:

But by localising the job is the Minister saying that they will advertise for that post locally or will there be direct recruitment?

HON K AZOPARDI:

It is Government's view that because what happened previously was that there was a short-term contract appointment as I said to the House some time ago, the incumbent then stood down to create space for the contract officer. There is a person acting in post and it is intended by Government to ratify that person in post on the basis that that person stood down about 18 months ago and merely is now taking back the job that that person was doing.

HON MISS M I MONTEGRIFFO:

Does that mean that the person, once the post is ratified, is in post will the salary be the same as the salary provided to the previous Chief Executive for the Health Authority?

HON K AZOPARDI:

That is a matter which is subject to direct discussions between that particular person and the Government and there may be some changes with regard to the present salary and so on. I cannot guide the hon Member at this stage because that decision has just been taken in principle and so therefore there is no final view taken in relation to salary terms and so on.

HON MISS M I MONTEGRIFFO:

So the Minister cannot confirm whether the same offer as far as the salary is concerned will be made to the present Acting Chief Executive?

HON K AZOPARDI:

I cannot confirm anything but I would say though that we have to take into account the fact that the previous incumbent was a contract officer and so therefore came with a package which might be slightly different to what is usually paid to permanent and pensionable officers.

HON MISS M I MONTEGRIFFO:

But I am not referring to the package. I have said in my question whether he will be offered the same salary as the previous Chief Executive. Can the Minister confirm that either way?

HON K AZOPARDI:

No, I cannot for me package includes salary and that is something that has not been decided definitely either way.

HON MISS M I MONTEGRIFFO:

But I am asking about the salary element only not the package.

HON K AZOPARDI:

I cannot confirm that, that is the answer.

NO. 53 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - SPONSORED PATIENTS

Can Government state the number of sponsored patients treated in the United Kingdom for the period April 1998 to end of January 1999?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 54 and 55 of 1999.

NO. 54 OF 1999

THE HON MISS M I MONTEGRIFFO

GHA - PATIENT REFERRALS TO UK

Can Government state for the financial year 1998/99 what was the total number of patients' referrals to the United Kingdom and the cost of these referrals?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 53 and 55 of 1999.

NO. 55 OF 1999THE HON MISS M I MONTEGRIFFO**GHA - SPONSORED PATIENTS**

Can Government state how many sponsored patients have been treated in the United Kingdom in the period September 1998 to end of January 1999 with the costs being met by the UK Government and what was this cost?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

From April 1998 to end of January 1999, 469 sponsored patients have been treated in UK. The total number of patients referrals to the UK in 1998/99, to 20th February 1999, stands at 761. The cost of hospital fees is assessed at £950,314.

Forty-one sponsored patients have been treated in the UK in the period September 1998 to end of January 1999. This cost cannot be ascertained at this stage as the UK has not informed us of these details yet. I should say that when I said 41 that meant 41 quota patients, I hope the hon Member appreciates that.

SUPPLEMENTARY TO QUESTION NOS. 53 TO 55 OF 1999**HON MISS M I MONTEGRIFFO:**

Perhaps the Minister has not got the information available to him now but I wonder whether if he does not, whether he would be willing to pass the information over and that is could he provide me with the number of sponsored patients who are treated in the UK who do not receive an allowance by virtue of the fact that they are means tested and therefore under the rules of the means testing they are not entitled to any allowance? Could he provide me with the number of patients that have been sent that have not received any allowance by the Gibraltar Health Authority?

HON K AZOPARDI:

Just to clarify, is the hon Member asking because of the fact that under the means testing rules their income exceeds... [*HON MISS M I MONTEGRIFFO: That is right.*] I am happy to produce that to her but I do not have the figures.

NO. 56 OF 1999THE HON MISS M I MONTEGRIFFO**GHA - DIALYSIS TREATMENT IN SPAIN**

Can Government state what payments have now been made via the United Kingdom in respect of dialysis treatment in Spain provided to Gibraltar patients with the relevant EU form with a breakdown for each year?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The general position remains as stated in answer to Question No. 132 of 1996. Further to that the Authority have been informed that in the last two weeks Spain has submitted a claim in respect of Gibraltar dialysis patients. No information is available yet on the extent of the claim or the dates in respect of which it has been made.

SUPPLEMENTARY TO QUESTION NO. 56 OF 1999

HON MISS M I MONTEGRIFFO:

Could the Minister confirm whether there have been any problems encountered by patients who visit La Linea for dialysis treatment?

MR SPEAKER:

This is hardly a supplementary.

HON K AZOPARDI:

I have not been informed of any problems in relation to the delivery of treatment. I think we all know of problems that have been reported in the press in relation to the recent border problems in respect of the ambulance. I think on that particular day when the fishermen blocked the frontier but other than that I have not been informed of any specific problem in relation to delivery of care.

HON MISS M I MONTEGRIFFO:

Going back to the original question, can the Minister confirm whether he knows how much the bills amount to which have been submitted from Spain to the UK?

HON K AZOPARDI:

No, when we drafted the answer the position was that we had not been informed of any recent claim but as a precaution I asked my department to contact the Department of Health in London and it was then that we were informed, when drafting this answer, that a claim had been put in the last couple of weeks but we do not have enough information. In fact, we have very scant information on it and we are awaiting details of that but we do not have any detail in relation to extent of claim, period or anything like that. All I know is that DOH have confirmed to us that they have received a claim but I cannot go further than that at this stage.

HON J J BOSSANO:

Is the implication of that that this is the first time that Spain has put a claim?

HON K AZOPARDI:

It is certainly my information that it is the first time that Spain have put in a claim to Britain in relation to our dialysis patients, yes.

NO. 57 OF 1999

THE HON J L BALDACHINO

GHA - DR GIRALDI HOME

Can Government state what is the procedure that has to be followed when a resident of Dr Giraldi Home has to be admitted to hospital for treatment?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The resident at the Dr Giraldi Home can be admitted to hospital either by visiting the Health Centre and being referred to hospital for admission by the appropriate GP or, in case of very ill residents, by either a recommendation of the duty doctor after a housecall or via ambulance to the hospital in an emergency.

SUPPLEMENTARY TO QUESTION NO. 57 OF 1999

HON J L BALDACHINO:

I was not referring to that, there are cases when before treatment can be given to a patient a relative, if the person is incapacitated to make a decision, has to sign. What is the procedure then if the resident is incapacitated?

HON K AZOPARDI:

I am sorry, I missed that part, could the hon Member repeat the question?

HON J L BALDACHINO:

There are times when a person who requires treatment and is incapacitated in making the decision, a relative or somebody who has authority has to sign. Who has the authority then if the patient is from Dr Giraldi Home?

HON K AZOPARDI:

Milbury who handle that Home have a policy in relation to that matter but, of course, any action in relation to treatment in the best question of consent in relation to incapacitated persons must be guided by the law of Gibraltar at the time. My understanding is that if an emergency arises where immediately necessary treatment is required the doctor can perform that without consent but that unless it is a lifesaving matter then consent must be sought and if it cannot be sought by someone like a relative or guardian then there may have to be an application to the court. That is my understanding.

HON J L BALDACHINO:

I understand that that is the understanding but what I am asking is, in the case of residents of Dr Giraldi Home, who has the authority in the Home to carry out the function of what would be the relative?

HON K AZOPARDI:

Perhaps the hon Member has misunderstood me. When treatment is required and it is not immediately necessary, or certainly in all cases I am led to believe that the doctor seeks the consent of the relatives and I believe that most, if not, certainly not all but most of the residents of the Dr Giraldi Home have relatives in Gibraltar that can provide that consent. I know of one resident who recently had treatment in St Bernard's Hospital whose relative was contacted in the United Kingdom and gave consent verbally over the phone and then confirmed it by fax and that is the position. The relative or guardian would always be consulted but if a relative or guardian should not exist in a particular hypothetical case then either it would be done in an emergency, if it is immediately necessary without consent or an application would be necessary to the court.

HON J L BALDACHINO:

Is it not then correct that in the case that the hon Member has just mentioned there was nobody in Dr Giraldi Home, on the management side, who has the authority for such a case if the relatives are not here in Gibraltar and the case was that the brother had to be contacted in UK because there was nobody in Dr Giraldi Home who has that authority?

HON K AZOPARDI:

Again my understanding is that people who are managing a Home simply in law do not have that authority and that authority can only be given by relatives or guardians who have been appointed under the due process and so therefore that question does not arise. The answer to the hon Member's question is yes, those members, as far as I am aware, under law, have not got that authority.

HON J L BALDACHINO:

Under law, is it not correct, that if somebody is in a Home then surely the management of that side has the authority if the relatives are not in Gibraltar?

HON K AZOPARDI:

That is not my advice. My advice is that the contrary is the case and that the position in law is as I have explained it to the hon Member.

HON J L BALDACHINO:

Therefore in this case if the brother had not been able to be contacted in the UK the doctor would have taken the responsibility of carrying out whatever he had to do without any authority?

HON K AZOPARDI:

I think there would have had to be a judgement by the doctor in relation to the test that I explained to him, whether the treatment was immediately necessary to that person or not and he would have acted accordingly.

HON DR B A LINARES:

The code of practice based on legislation in UK is that the law provides, "That no medical treatment can be given to any person without his or her valid consent but where the service user cannot understand the nature of the treatment there is no authority in law for any other to give consent so it is held by the doctor who may lawfully operate on or give treatment to a person who lacks the capacity to give consent provided that it is in the best interests of the patient. Examples of best interest include being necessary to save life or to prevent a deterioration or to ensure an improvement in physical or mental health", and I am reading from the statutory code of practice. So in the case that my hon Colleague hypothetically presumed, where there is no next of kin to take the decision nobody else has the authority except that at the end of the day it falls on the responsibility of the doctor to act in what he considers in professional judgement to be the best interest of the patient.

NO. 58 OF 1999

THE HON A J ISOLA

TAX CONCESSIONS - MAIN STREET

How many applications for tax concessions were received by Government up to 31st December 1998 in respect of the beautification refurbishment and repair of property in Main Street and what is the value of such concessions and what amount of concessions do Government expect to give in respect of the period 1st January 1999 to 31st December 2000?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The total number of applications was 43. The total expenditure of the works were £574,320.73. The value of the tax concession to the particular applicants will depend on the overall tax position of the applicant.

In 1999 there have been 10 applications in the first two months with expenditure of works totalling £81,180.88.

If this rate continues it is fair to assume that Government could receive in the order of 60 applications totalling expenditure of over £500,000. It is thought perhaps too early to speculate on figures and the House should take these figures with a note of caution.

SUPPLEMENTARY TO QUESTION NO. 58 OF 1999

HON A J ISOLA:

Do Government intend either during this period or subsequent to this period, to extend to a wider area? The press release that the Government issued said that the purpose of this was for the enjoyment of the entire community and yet it seems that the actual benefit is restrained to just what is now the extended part which is the City Centre?

HON K AZOPARDI:

The rationale behind that is that we wanted to gauge what the reaction was in a phased way and not be perhaps too bold initially. We did so by extending the tax concessions to Main Street, thereafter to the area that we were beautifying, Irish Town and the side streets and we have now extended that further to the whole of the City centre within the City walls. It may be that we take a view to extend it further but that is not something that is being discussed or contemplated at the moment. I think we would probably rather see how this scheme now is greeted by the landlords and tenants at large and then take a view on it.

NO. 59 OF 1999

THE HON J C PEREZ

LITTER CONTROL ORDINANCE - CLEANING CONTRACT

Is it the intention of Government to empower personnel involved in cleansing to fine litter offenders on the spot, as part of the announced re-organisation of the cleansing arrangements?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

It is the intention to delegate certain duties under the Litter Control Ordinance to personnel employed by the tenderer awarded the cleaning contract.

SUPPLEMENTARY TO QUESTION NO. 59 OF 1999

HON J C PEREZ:

Do Government have any idea of how they want this to work? Are there going to be powers in the Ordinance given to every employee involved in cleansing or is there going to be a number of employees with certain responsibilities for fining and do they expect this to work as the parking ticket system with the vehicles or are they looking at other different systems?

HON K AZOPARDI:

I am advised that the Litter Control Ordinance already allows delegation of duties by the Commissioner of Police to parties to administer these tickets, indeed it has happened in the past. I think the previous administration conducted that exercise and we have done so also in relation to security companies, we have given them that power. Our view is that we will have to discuss the mechanics of this with the successful tenderer. We have decided the principle and we have included that reference in the tender documentation so that people are aware of what we will require but we have not discussed the specifics, whether it will be an identifiable group within the tender or not. I imagine that that would be the easier way to deal with the matter but however we decide to proceed, it is certainly our intention that those persons would not be delegated powers under the Ordinance until they have received the relevant period of short training by the Police Department as other people have done in the past.

HON J C PEREZ:

Up to now, as I understand it, the powers have been conferred on the basis of litter offences related to the accumulation of litter in different areas where people have been accumulating litter but what has come out publicly up to now seems to suggest that this is a much wider thing which could result in people fined in the street for throwing a piece of paper on the road instead of in a wastepaper basket or a can of coke or something like that. Is the intention to widen the scope of litter offences which are already in the Ordinance but which have never been enforced in that strict way before? Is that the intention that the Minister has in mind?

HON K AZOPARDI:

The intention when the documentation was drafted by my department certainly to tackle the second example that the hon Member raised, the issue of accumulations rather than simple wrappers on the street, and so initially I think we will target that but if there is a need to widen it further we will review that decision but certainly the intention when drawing up the documentation was to assist the enforcement agencies in an area where I think historically there have been many problems and that is of accumulation on particular corners and we all know where those corners are.

HON J C PEREZ:

But I think if the Minister was to look back, there are already people empowered to fine people, not only the Police, there are people I think even within the department, if I remember rightly, who had powers to report and to fine people accumulating litter in different corners, one of the areas that was always a problem was the bottom of Hospital Steps, there was an accumulation there all the time. The Minister is saying that the intention is to strengthen that only, to strengthen the areas where there is accumulation of litter because on the spot description given seems to suggest that it is a much wider thing and it is a bigger thing and with the amount of tourists coming into Gibraltar I would not suspect that it is the intention of fining people who have dropped a piece of paper on the street even if that is not convenient or something which we would want to avoid anyway.

HON K AZOPARDI:

The hon Member is right in saying that there are people who have those powers now but I think he will agree with me when I say that that level of enforcement perhaps is not working. Because of other duties those people may be engaged in other tasks and so on and I think they require assistance. But certainly he is correct in saying that the intention behind this power will be to target the larger scale and more common accumulations around Gibraltar rather than either the accidental or perhaps deliberate slight littering which I think occurs everywhere throughout the world. I think what we want to target is the comprehensive cleaning arrangements together with those areas where we know, accumulations exist on a daily basis. My department can draw up a list quite easily if I asked it to.

HON J L BALDACHINO:

When the Minister says, "the decision to fine offenders on the spot", does it mean that it is when the person authorised to fine gets somebody "in flagrante" or is it that if they know of somebody then they go and fine him? Must it be that he must see the person depositing the litter before he can be fined or what does on the spot mean?

HON K AZOPARDI:

I think that that has, I am told by the Environmental Agency, led to problems in the past, of identification of who that offender has been and the Magistrates' Court has previously required quite a high onus of proof. I cannot really judge that but I suspect that if that is the case and that has happened in the past those officers will learn that they will have to have that evidence if not they may get their case thrown out.

HON J L BALDACHINO:

When we are talking about a fine it is something very similar to a parking ticket, it is not that there is a change of money between the offender, is that correct?

HON K AZOPARDI:

Yes.

HON J L BALDACHINO:

That it is like a parking ticket?

HON K AZOPARDI:

There is no exchange of money at the time.

NO. 60 OF 1999THE HON J L BALDACHINO**ETB - FRONTIER WORKERS**

What was the estimated number of frontier workers entering Gibraltar in each week of 1999 and the comparable figure for 1998?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The Ministry of Employment do not carry out estimated surveys at the frontier, as was the case with the previous administration. However, there are 1,471 Spanish workers registered with the employment service. What I would add to this, as I have said on previous occasions, given the historical legacy of not all employers sending the terminations, that perhaps an intelligent guesstimate of how many there are registered with us would probably be just over 1,000 but that ought to be taken with a bit of caution. The other thing that I would say to the hon Member is that they must have heard surely that a figure of 1,741 mentioned in the House of Commons, I can say that somewhere along the line a misunderstanding must have occurred because we did have a request from the Convent in terms of how many were registered and we did give them the figure which I have just given the hon Member but either the Convent or GBC or someone along the line seems to have got that figure wrong.

SUPPLEMENTARY TO QUESTION NO. 60 OF 1999

HON J L BALDACHINO:

I am asking the question precisely because of the last part that the Minister has mentioned. What Ms Joyce Quin said in the House of Commons in answer to Mr Gill was that as a matter of fact the impression given was that the figure of 1,741 actually came from his department, because it says registered personnel with the Employment and Training Board irrespective of nationality and therefore when we had 1,741 Spanish nationals, that is what she said, is it that there are no records whatsoever of frontier workers moving in only the people who are registered with open contracts, is that correct?

HON J J NETTO:

Yes, this is the figure that I have given that are registered, live records registered with us with the caveat which I have just said in terms of the termination. There have never been any other records in terms of the original question which is the number of estimated numbers of frontier workers, that has never been the case either in my time and I do not think it has ever been the case in the previous Government either.

HON J J BOSSANO:

Can we take it then that the figures that are being given by the newly created union of Spanish workers in Gibraltar which is over twice this is in fact not correct?

HON J J NETTO:

We are in the realms of speculation here as to the reasons why the spokesman of this new association of Spanish workers is quoting perhaps figures double the size that I am quoting now. I do not know by what yardstick they arrive at the figure which I have heard about 2,000 or 2,500 even 3,000. I do not know whether this is as a result perhaps of the original meeting which they had in La Linea and perhaps the number of people who attended but we are really in the field of speculation as to from where they are actually picking those particular numbers.

HON J J BOSSANO:

The number given, is that based on people being registered with the ETB with an address in Spain or is it based on nationality? We asked for frontier workers but is the answer that there are people that are registered with the ETB as being employed in Gibraltar but living in Spain irrespective of their nationality?

HON J J NETTO:

I believe it is nationality and by de facto the vast majority are frontier workers residing in La Linea which will probably be 90 per cent plus but I would dare say it is based on nationality, I can have that confirmed if the hon Member so wishes.

HON J L BALDACHINO:

Once the Minister gets confirmation on that, could he also give the number of Spanish workers who are frontier workers in comparison with the others? He said that he has not got that, he thinks that it is all frontier workers and he would look into it. Could it be possible to have how many Spanish workers are there out of the 1,471?

HON J J NETTO:

I am almost convinced it is based on nationality, as I said before, I will have that confirmed but I am almost certain it is the case and I will endeavour to look at the supplementary from the hon Member.

NO. 61 OF 1999

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state what was the total value of payments to vocational cadets from 31st July 1998 for each month to 31st January 1999?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question No. 62 of 1999.

NO. 62 OF 1999

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state how much has been spent by the ETB since 31st August up to 31st January 1999 out of the £1.1 million provided for payments to vocational cadets, broken down between those employed by the ETB and those with the Ministry of Education?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The total cost of cadets from 31st July 1998 to 31st January 1999 is £358,870.97.

The Ministry of Employment has spent in the period 31st August 1998 to January 1999 -

- (a) £142,807.60 in Employment Service Vocational Cadets; and
- (b) £158,225.31 in Educational Department Vocational Cadets, out of the £1.1 million provided.

SUPPLEMENTARY TO QUESTION NOS. 61 AND 62 OF 1999

HON J L BALDACHINO:

Am I correct in assuming that the figures that the Minister has given us they have overspent by £169,512?

HON J J NETTO:

Does the hon Member wish to know the total of the two, is that what he wants?

HON J L BALDACHINO:

No, what we have spent up to now, am I correct that they have spent about £1.26 million?

HON J J NETTO:

As I said before, between the 31st July to 31st January 1999 it was £358,870 and I gave the breakdown of the two in relation of the date range that the hon Member actually requested. That obviously might not be from the start of the financial year.

HON J L BALDACHINO:

If the calculation I have got is not correct, is it expected then that the £1.1 million will be spent in this financial year?

HON J J NETTO:

No.

HON J L BALDACHINO:

Has the Minister estimated by how much will be the shortfall?

HON J J NETTO:

I have not got that kind of information available at the moment so I will not be able to give the hon Member a forecast outturn. I can obviously find out and if he so wishes I can let him have it.

NO. 63 OF 1999

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 Consultant Fees, from 31st September 1998 to date?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information is as follows:

In October 1998 there was a payment of £1,170 to J R Management Ltd and this was based on a Health and Safety Report situation in Buildings and Works.

In November 1998 there was a payment of £5,000 to D J Mosquera in relation to the Cemetery Design and Tender Documents.

There was no payment in December.

In January 1999 there was a payment of £3,300 to Procon Ltd and another payment of £1,875 to McKay Partnership, bringing a total for January 1999 of £5,175. In relation to the £3,300 to Procon Ltd that was a part payment for the layout of the Glacis Estate; and in relation to the £1,875 to McKay Partnership that was another part payment for the Laguna Estate in relation to the re-parting and bin stores.

Up to 19th February 1999 there has also been another £420 to McKay Partnership for structural design for a retaining wall. Total fees paid up to 19th February 1999 is £18,615; commitments which we have is £13,530 and the balance still available is £17,855.

I can give the breakdown of the commitments, which are as follows:

AKS - £4,890 which are the designs for the relocation of the North Depot from its current location in Landport Ditch; there are £2,650 to McKay Partnership which is the other payment for the Laguna Estate which I mentioned earlier; and finally £5,990 to Procon Ltd, again the other part payment in relation to the Glacis Estate which I mentioned earlier which brings the total level of commitments to £13,530.

NO. 64 OF 1999

THE HON J L BALDACHINO

HEAD 2-B - SUBHEAD 6 - HOUSING MAINTENANCE

Can Government state how much has been spent since 31st August up to 31st January 1999 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 sum spent for the months mentioned are:

September 1998	£56,464.17
October 1998	£169,745.71
November 1998	£54,300.88
December 1998	£62,158.83
January 1999	<u>£110,081.49</u>
Total	<u>£452,751.08</u>

Total Expenditure to date	£846,791.16
Balance available	£153,208.84

SUPPLEMENTARY TO QUESTION NO. 64 OF 1999

HON J L BALDACHINO:

Is this money materials that have been used by the workforce in-house or is there an element of materials having been given to contractors if it has been contracted out? Is this the in-house spending?

HON J J NETTO:

It is.

HON J L BALDACHINO:

And there is no element of scaffolding or anything like that; it is just the material used?

HON J J NETTO:

Yes indeed. There is payment for scaffolding within this subhead.

HON J L BALDACHINO:

But there is no element there of bonuses or wages?

HON J J NETTO:

No, that comes under a different subhead.

NO. 65 OF 1999THE HON J L BALDACHINO**ETB - WAGE SUBSIDY**

Can Government state how much has been spent since 31st August up to 31st January 1999 out of the £600,000 provided for wage subsidy in each month giving the number of employees receiving a wage subsidy and in respect of how many employers?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

During the period 31st August 1998 to 31st January 1999 we have spent the following amount out of the £600,000:

<u>MONTH</u>	<u>AMOUNT</u>	<u>EMPLOYERS</u>	<u>EMPLOYEES</u>
August 1998	£10,412.77	17	30
September 1998	£14,374.06	22	32
October 1998	£14,900.45	22	36
November 1998	£26,386.70	34	51
December 1998	£17,380.87	31	46
January 1999	£12,751.78	19	31

SUPPLEMENTARY TO QUESTION NO. 65 OF 1999

HON J J BOSSANO:

Is there a period of time within which the employers have to take a decision of these employees to continue their employment beyond the period of the subsidy?

HON J J NETTO:

Obviously the payments do not tally with the number of employers and employees because their invoice did not come within that particular month and that is why there is this kind of fluctuations.

HON J J BOSSANO:

Do the employers have a period of time when they are required to come back to the ETB to confirm, presumably the wage subsidy is something that comes in for a new employee, do the employers have to come back and say to the ETB that they are going to retain the employee within a certain period of time?

HON J J NETTO:

It has never been the case either in this Government or before our time that there is a clear statement, an unequivocal statement to the effect of sustainable employment beyond the period of subsidy. Of course the changes that have occurred between the previous administration and ours is that clear abuses by a small minority of unscrupulous employers who kept asking for subsidies in the past only to terminate, so to speak, the employee, those particular clear abuses have been dealt with by discouraging those particular

unscrupulous employers which, I may add, are a minority. That is the only difference to that effect, the other one, as hon Members are aware, is the question that there are two types of subsidy. We have the traditional subsidy which started with the previous Government which we have cut back in the sense that we give the £85 for six months if the person is more than six months unemployed. The other category is the one that comes from Konver and of course the payments are larger and the duration is longer and then we have a reimbursement as a result of the 45 per cent of ESF funding. Those are the two categories there.

HON J J BOSSANO:

Presumably the ones with the Konver require that the person should be employed at the end of the subsidy period?

HON J J NETTO:

I am not in a position at the moment to guide the hon Member as to the full criteria, whether there is an element of sustainable employment after the duration of the period and for how long. If that is what he is seeking I would need to look at the rules in terms of the Konver to be able to give him that kind of information.

HON J J BOSSANO:

So the answer is that the Minister does not know whether anybody who is employing somebody with a wage subsidy has got any obligation to continue to employ that person at the end of the wage subsidy? He does not know whether he has or he does not?

HON CHIEF MINISTER:

There is no obligation.

HON J J BOSSANO:

There is no obligation, that is the answer.

HON J L BALDACHINO:

The Minister mentioned that there were two types of subsidies; am I correct that the £85 is for the under 25?

HON J J NETTO:

No, the hon Member is actually confusing the vocational cadet training scheme which is, in theory, a sum of money for supposedly vocational training and the wage subsidy for the over 25 and they all come from different subheads.

HON J L BALDACHINO:

Those are the two subsidies that exist. In the case of the wage subsidy, is it still the case that the employee is the employee of the employer, whilst in the other one the employee is under the ETB, am I correct in that?

HON J J NETTO:

Yes, that is correct.

HON J L BALDACHINO:

And is the wage subsidy then for a year or is it for less?

HON J J NETTO:

I have already explained that the wage subsidy for the over 25 is for six months and for those long-term unemployed with more than six months unemployed.

HON J L BALDACHINO:

Could he repeat the answer?

HON J J NETTO:

What I am saying is that the duration of the subsidy is for six months and on the qualifying aspect that they have to get an unemployed long-term person with more than six months unemployed as defined.

HON J L BALDACHINO:

The one that is for six months is somebody who is employed and then is given a wage subsidy? What is the relationship between the difference that the Minister has explained, that one is for six months and one is for a longer period and one is for the unemployed? They give a wage subsidy for somebody who is employed, is that the answer?

HON J J NETTO:

Both are for unemployed, both the traditional one and the Konver one.

NO. 66 OF 1999

THE HON J L BALDACHINO

ETB - WORK PERMITS

Can Government state how many work permits were issued in each month from July 1998 to January 1999 broken down by nationalities and trade and how many of these were to new entrants?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 67 to 70 of 1999.

NO. 67 OF 1999

THE HON J L BALDACHINO

ETB - WORK PERMITS

Can Government state the nationalities and trades of the 33 work permits issued in March 1998?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 66 and 68 to 70 of 1999.

NO. 68 OF 1999

THE HON J L BALDACHINO

ETB - WORK PERMITS

Can Government state the nationalities and trades of the 27 work permits issued in April 1998?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 66, 67, 69 and 70 of 1999.

NO. 69 OF 1999

THE HON J L BALDACHINO

ETB - WORK PERMITS

Can Government state the nationalities and trades of the 40 work permits issued in May 1998?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 66 to 68 and 70 of 1999.

NO. 70 OF 1999

THE HON J L BALDACHINO**ETB - WORK PERMITS**

Can Government state the nationalities and trades of the 19 work permits issued in June 1998?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The nationalities and trades of the work permits issued from March to December 1998 are as follows:

March 1998 - 33 work permits issuedNew 7

Swiss	2	Professional	1
		Director	1
Pakistani	1	Medical	
South African	1	Medical	
Malaysian	3	Professional	

Renewal 26

Moroccan	25	Skilled	5
		Craft	13
		Domestic	3
		Catering	3
		Unskilled	1
Indian	1	Managerial	

April 1998 - 26 work permits issuedNew 11

Malaysian	3	Professional	
American – USA	1	Managerial	
Canadian	1	Managerial	
Indian	4	Managerial	1
		Director	3
Norwegian	1	Director	
Chinese	1	Professional	

Renewal 15

Moroccan	13	Craft	5
		Domestic	1
		Skilled	4
		Unskilled	2
		Catering	1
Pakistani	1	Craft	
Indian	1	Managerial	

May 1998 - 40 work permits issued**New 16**

Indian	8	Domestic	1
		Director	3
		Professional	1
		Managerial	3
Brazilian	1	Domestic	
British O/S	2	Professional	
American – USA	1	Managerial	
Chinese	1	Professional	
Malaysian	2	Professional	
Dominican	1	Managerial	

Renewal 24

Moroccan	23	Craft	6
		Domestic	2
		Skilled	11
		Unskilled	4
Indian	1	Director	

June 1998 - 19 work permits issued**New 3**

Swiss	1	Managerial	
American – USA	1	Professional	
Polish	1	Professional	

Renewal 16

Moroccan	14	Craft	5
		Domestic	2
		Skilled	2
		Unskilled	1
		Catering	4
Canadian	1	Managerial	
Indian	1	Catering	

July 1998 - 42 work permits issued**New 9**

Swiss	1	Managerial	
Indian	2	Skilled	1
		Director	1
S African	1	Director	
American – USA	4	Professional	3
		Managerial	1
Moroccan	1	Professional	

Renewal 33

Moroccan	25	Craft	4
		Domestic	4
		Skilled	12
		Catering	5
Swiss	1	Managerial	

Indian	3	Skilled	2
		Director	1
S African	1	Director	
American – USA	3	Professional	

August 1998 - 7 work permits issued

New 1

Malaysian	1	Professional	

Renewal 6

Moroccan	5	Craft	3
		Domestic	1
		Catering	1
Malaysian	1	Professional	

September 1998 - 19 work permits issued

New 2

Australian	1	Professional	
S African	1	Professional	

Renewal 17

Moroccan	14	Craft	8
		Domestic	2
		Skilled	2
		Catering	2
Russian	1	Professional	
Indian	1	Managerial	
Canadian	1	Catering	

October 1998 - 21 work permits issued

New 7

Isle of Man (Manx)	1	Managerial	
British O/S	6	Professional	

Renewal 14

Moroccan	14	Craft	1
		Domestic	1
		Skilled	10
		Catering	2

November 1998 - 15 work permits issued

New 4

Swiss	1	Professional	
Norwegian	1	Professional	
Indian	1	Semi-skilled	
Moroccan	1	Craft	

<u>Renewal 11</u>			
Moroccan	10	Director	1
		Catering	2
		Craft	4
		Domestic	2
		Semi-skilled	1
Indian	1	Managerial	

December 1998 - 24 work permits issued

<u>New 8</u>			
Singaporean	1	Professional	
Thai	2	Professional	
Swiss	1	Professional	
Canadian	1	Professional	
Indian	2	Managerial	
Pakistani	1	Professional	

<u>Renewal 16</u>			
Moroccan	15	Semi-skilled	9
		Domestic	1
		Craft	5
Indian	1	Craft	

SUPPLEMENTARY TO QUESTION NOS. 66 TO 70 OF 1999

HON J L BALDACHINO:

Norwegians, there is one, do they actually require a work permits or do they not form part of the EU?

HON J J NETTO:

My understanding is that they are not yet part of the European Union, I do not know whether they will become in the next wave of membership.

HON J L BALDACHINO:

When it is referred to as professionals, in others for example we have got managerial, domestics, doctors; what does professional compose of, what grades are they composed of?

HON J J NETTO:

There is a standard classification of these titles and professional means quite a number of different people in professional areas.

HON J L BALDACHINO:

I know. And when it is medical, for example, in March 1998 there is a Pakistani and a South African, is it that they are for St Bernard's Hospital or are they practising medicine outside?

HON J J NETTO:

I would dare say that we are talking about in the main, if not all of them, for the Health Authority probably.

HON K AZOPARDI:

If it is of assistance to the hon Member, I certainly recall that in the last six months I think we have had two SHO's, one of which was a Pakistani and the other one was South African so it is probably the same people.

NO. 71 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 49 Spaniards who were employed during the month of January 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 72 to 82 of 1999.

NO. 72 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 66 Spaniards who were employed during the month of February 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 and 73 to 82 of 1999.

NO. 73 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 121 Spaniards who were employed during the month of March 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71, 72 and 74 to 82 of 1999.

NO. 74 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 72 Spaniards who were employed during the month of April 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 73 and 75 to 82 of 1999.

NO. 75 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 81 Spaniards who were employed during the month of May 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 74 and 76 to 82 of 1999.

NO. 76 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 46 Spaniards who were employed during the month of June 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 75 and 77 to 82 of 1999.

NO. 77 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 64 Spaniards who were employed during the month of July 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 76 and 78 to 82 of 1999.

NO. 78 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 48 Spaniards who were employed during the month of August 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 77 and 79 to 82 of 1999.

NO. 79 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 78 Spaniards who were employed during the month of September 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 78 and 80 to 82 of 1999.

NO. 80 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 67 Spaniards who were employed during the month of October 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 79, 81 and 82 of 1999.

NO. 81 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 41 Spaniards who were employed during the month of November 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 71 to 81 and 82 of 1999.

NO. 82 OF 1999

THE HON J L BALDACHINO

ETB - SPANISH NATIONALS

Can Government state of the 33 Spaniards who were employed during the month of December 1998 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Spanish nationals who were new entrants, without a previous employment history record, to the labour market during the period January 1998 to December 1998 are as follows:-

January 1998	out of	49 Spanish nationals employed	27 were new entrants
February 1998	out of	66 Spanish nationals employed	31 were new entrants
March 1998	out of	121 Spanish nationals employed	79 were new entrants
April 1998	out of	72 Spanish nationals employed	48 were new entrants
May 1998	out of	81 Spanish nationals employed	43 were new entrants
June 1998	out of	46 Spanish nationals employed	28 were new entrants
July 1998	out of	64 Spanish nationals employed	37 were new entrants
August 1998	out of	48 Spanish nationals employed	23 were new entrants
September 1998	out of	78 Spanish nationals employed	55 were new entrants
October 1998	out of	67 Spanish nationals employed	52 were new entrants
November 1998	out of	41 Spanish nationals employed	33 were new entrants
December 1998	out of	33 Spanish nationals employed	22 were new entrants

NO. 83 OF 1999

THE HON J L BALDACHINO

ETB - CAMMELL LAIRD

Can Government state of the 35 jobs filled in March 1998 at Cammell Laird how many of these were taken up by persons then registered at the ETB as unemployed?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Of the jobs filled in March 1998 at Cammell Laird a total of 20 were registered unemployed in the Employment Service.

NO. 84 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 103 Gibraltarians who were employed during the month of January 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 85 to 95 of 1999.

NO. 85 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 134 Gibraltarians who were employed during the month of February 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 and 86 to 95 of 1999.

NO. 86 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 205 Gibraltarians who were employed during the month of March 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84, 85 and 87 to 95 of 1999.

NO. 87 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 162 Gibraltarians who were employed during the month of April 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 86 and 88 to 95 of 1999.

NO. 88 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 143 Gibraltarians who were employed during the month of May 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 87 and 89 to 95 of 1999.

NO. 89 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 263 Gibraltarians who were employed during the month of June 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 88 and 90 to 95 of 1999.

NO. 90 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 293 Gibraltarians who were employed during the month of July 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 89 and 91 to 95 of 1999.

NO. 91 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 182 Gibraltarians who were employed during the month of August 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 90 and 92 to 95 of 1999.

NO. 92 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 197 Gibraltarians who were employed during the month of September 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 91 and 93 to 95 of 1999.

NO. 93 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 204 Gibraltarians who were employed during the month of October 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 92, 94 and 95 of 1999.

NO. 94 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 186 Gibraltarians who were employed during the month of November 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question Nos. 84 to 93 and 95 of 1999.

NO. 95 OF 1999

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government state of the 91 Gibraltarians who were employed during the month of December 1998 how many were registered unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The information as regards Gibraltarians who were unemployed prior to obtaining employment during the period January 1998 to December 1998 is as follows:-

January 1998	of the	103 employed	52 were unemployed
February 1998	of the	134 employed	59 were unemployed
March 1998	of the	205 employed	100 were unemployed
April 1998	of the	162 employed	65 were unemployed
May 1998	of the	143 employed	63 were unemployed
June 1998	of the	263 employed	61 were unemployed
July 1998	of the	293 employed	63 were unemployed
August 1998	of the	182 employed	59 were unemployed
September 1998	of the	197 employed	76 were unemployed
October 1998	of the	204 employed	83 were unemployed
November 1998	of the	186 employed	60 were unemployed
December 1998	of the	91 employed	28 were unemployed

NO. 96 OF 1999

THE HON J L BALDACHINO

ETB - VACANCIES - HOTEL INDUSTRY

Can Government state whether the three Gibraltarians employed in vacancies in hotels in October 1997 were at the time registered as unemployed with the ETB?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Yes.

NO. 97 OF 1999

THE HON J L BALDACHINO

ETB - VACANCIES - HOTEL INDUSTRY

Can Government state how many vacancies have been opened with the ETB for employment by the hotel industry for each month since October 1997?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Answered together with Question No. 98 of 1999.

NO. 98 OF 1999

THE HON J L BALDACHINO

ETB - VACANCIES - HOTEL INDUSTRY

Can Government state in respect of each month since October 1997 how many vacancies were filled in the hotel industry giving nationalities and job titles?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Since October 1997 the number of vacancies filled in the hotel industry giving nationalities are as follows:-

	Gib	Brit	Span	Port	Mor	EEC	Other	Total	Vacancies open in the month
Oct 97	3	-	1	-	-	-	-	4	4
Nov 97	2	2	-	-	-	-	-	4	1
Dec 97	2	2	-	-	-	-	-	4	3
Jan 98	-	1	-	-	1	-	-	2	2
Feb 98	1	-	-	-	-	-	-	1	8
Mar 98	1	-	1	-	-	1	-	3	6
Apr 98	3	1	1	-	-	-	-	5	6
May 98	-	3	2	-	1	-	1	7	10
Jun 98	3	-	-	-	-	1	-	4	6
Jul 98	3	3	1	-	2	-	-	9	9
Aug 98	2	2	2	-	-	-	-	6	10
Sep 98	1	-	1	-	2	-	-	4	3
Oct 98	2	-	1	-	1	-	-	4	6
Nov 98	1	1	3	-	-	-	-	5	8
Dec 98	-	1	-	-	3	-	-	4	4

As regards to job title is concerned, this information will be passed to the hon Member as soon as it becomes available.

NO. 99 OF 1999

THE HON J L BALDACHINO**ETB - UNEMPLOYED GIBRALTARIANS**

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 years and over from the end of July 1998 to 31st January 1999, receiving –

- (a) Unemployment benefit
- (b) Social assistance
- (c) No payments?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

The breakdown of unemployed Gibraltarians, 18 years or over, males and females receiving Unemployment benefit, Social assistance or not receiving payment during the period July 1998 to December 1998 is as follows:

	<u>Unemployment benefit</u>	<u>Social assistance</u>	<u>No payment</u>
<u>July 1998</u>			
Males	32	102	97
Females	22	53	85
Total	54	155	182
<u>August 1998</u>			
Males	89	28	113
Females	45	15	84
Total	134	43	197
<u>September 1998</u>			
Males	82	37	116
Females	40	15	95
Total	122	52	211
<u>October 1998</u>			
Males	32	92	95
Females	15	48	77
Total	47	140	172
<u>November 1998</u>			
Males	25	87	92
Females	15	46	58
Total	40	133	150
<u>December 1998</u>			
Males	29	76	73
Females	12	44	49
Total	41	120	122

Figures for January will be available at the end of the first quarter.

SUPPLEMENTARY TO QUESTION NO. 99 OF 1999

HON J L BALDACHINO:

The Minister said that the figure for January will be provided at the end of the first quarter. I understand that this has been an on-going thing between the Minister and myself. The answer given in the past that the figures could not be given on a monthly basis was because they were going to be published quarterly. If that is not the case because they have not been published, what is the reason then that the Minister cannot give me the figures on a monthly basis?

HON J J NETTO:

This is something that has been debated on a number of occasions in the past. The answers are clearly stated in Hansard and as the hon Member knows, the employment, unemployment and that kind of data collection will be provided for in a quarterly basis.

MR SPEAKER:

It is not a question of debate, it is a question of questions and answers.

HON J L BALDACHINO:

I will ask the question again. Is it not correct that the Minister will not be passing the figures on the unemployment side because it would be published on a quarterly basis? These figures, I have a letter from him in which he was prepared, at one time, to give it to me monthly, at the end of a Question Time, is it not correct that he said that the figures would not be provided monthly because they were going to be provided quarterly like the unemployment figures and the indication was – and I can look at Hansard – that they were going to be published like everything else and therefore the Opposition were not going to get the information before everybody else. What I am asking is, seeing that this is not being published and not given to the public domain other than when I ask the question here, why is it that the Minister still insists that they cannot be provided to me on a monthly basis?

HON J J NETTO:

I have already answered the question but the hon Member does not seem to have understood what I have said. All the data collection, as far as employment, unemployment related questions are grouped together and provided to the hon Member, to the unions and the employer's association and the media in general in a far more ample and diverse manner than has ever been the case in the past and are given on a quarterly basis.

HON J L BALDACHINO:

I am not going to go back in the past. Can the Minister confirm that these figures are provided on a quarterly basis like the unemployment figure publicly?

HON J J NETTO:

I do not quite understand the question.

HON J L BALDACHINO:

The question is very simple. The unemployment figure he makes public, he just made reference to these figures and he said that they are given even to the media, can he tell me during the last six months when have these figures been published quarterly?

HON CHIEF MINISTER:

The hon Member is right, the question is simple and the answer is equally simple. It is the policy of the Government to publish statistics, whether by press statement, whether it is by publication of statistics formally or whether it is in answer to parliamentary questions relating to employment on a quarterly basis which is a good deal more frequently than the Opposition Members used to do when they were in Government.

HON J J BOSSANO:

Is it not the case that that was not the reason given when the information was first refused, irrespective of the fact that when the Chief Minister was on this side of the House he never chose to put any questions on this subject?

HON J J NETTO:

No, that is simply not true. When the GSD was in Opposition my hon Friend, Ernest Britto, used to ask the then Government to give information on a monthly basis. If he looks at Hansard he will see that the information was not being provided on a monthly basis, so it is not true what he has just said.

MR SPEAKER:

I am going to have a question and an answer and that is the end because these are not supplementaries any longer.

HON J J BOSSANO:

Is it not the case that on every occasion previously when a breakdown has been asked by the Opposition which was not previously information requested by anybody else in the Government then in Opposition but is now in Government, on unemployment benefit, social assistance and persons not getting any payment, as opposed to the figures produced by the ETB, indeed when they were not being answered by the Minister for Employment but by the Minister for Social Services, the policy then until very recently was that these figures continued to be provided when they were asked as opposed to being published and that in fact these figures in particular, which is the question my hon Colleague was asking, is not included in what he publishes every quarter? This information is being provided for the first time now because we are asking.

HON CHIEF MINISTER:

The policy applies equally.

NO. 100 OF 1999THE HON J L BALDACHINO**ETB - TERMINATIONS OF EMPLOYMENT**

Can Government state how many terminations of employment were received by the ETB for each month from 31st January 1998 to 31st December 1998?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND BUILDINGS AND WORKS

Terminations of employment from January 1998 to December 1998 were as follows:

January	198	February	223	March	218
April	922	May	199	June	345
July	282	August	311	September	319
October	225	November	192	December	222

The hon Member will have noticed that the April figure of 922 is quite high in comparison to the other ones and this is as a result that the registration unit within the employment service actually conducted out a number of companies which they had identified which had ceased trading and consequently came out of the register together with the employees and that is the explanation for that peak at that particular moment.

NO. 101 OF 1999

THE HON J L BALDACHINO

SOCIAL SECURITY - SOCIAL INSURANCE CARDS

Can Government state what was the total number of social insurance cards in issue to males and females under 18 years of age from 30th April 1998 to 31st January 1999 broken down as follows:

1. (a) Gibraltarians (b) UK nationals (c) Spanish nationals (d) Moroccan nationals (e) Others, giving nationalities?
2. Are Government now in a position to give the nationalities of the four males and one female given as others to Question No. 347 of 1998?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The information requested is not available.

As the hon Member is aware in my reply to Question Nos. 343 to 347 of 1998, I explained that no monthly statistics of the information requested has ever been kept in the Department of Social Services. We hope that the information requested will be readily available when our social security system is computerised.

The nationalities of the four males and one female mentioned in Question No. 347 of 1998 are as follows:

Male	1 Moroccan	Female	1 Spanish
	3 Spanish		

NO. 102 OF 1999

THE HON J L BALDACHINO**SOCIAL SECURITY - SOCIAL INSURANCE CARDS**

Can Government state what was the number of social insurance cards in issue to males and females not previously in employment from 30th September 1998 to 31st January 1999 for each month broken down as follows:

- (a) Gibraltarians
- (b) Non-Gibraltarians?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

The number of social insurance cards in issue to males and females not previously in employment from 1st September 1998 to 31st January 1999 is as follows:

		<u>Males</u>	<u>Females</u>	<u>Total</u>
September 1998	British/Gibraltarians	35	42	
	Non-British	30	12	119
October 1998	British/Gibraltarians	43	48	
	Non-British	39	22	152
November 1998	British/Gibraltarians	59	41	
	Non-British	26	23	149
December 1998	British/Gibraltarians	24	32	
	Non-British	22	9	87
January 1999	British/Gibraltarians	38	30	
	Non-British	21	23	<u>112</u>
	Total			<u>619</u>

NO. 103 OF 1999

THE HON J L BALDACHINO**SOCIAL SECURITY - SOCIAL INSURANCE CARDS**

Can Government state what was the number of social insurance cards in issue to male and female frontier workers classified as self-employed from 30th September 1998 for each month to 31st January 1999?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

The number of social insurance cards in issue to male and female frontier workers classified as self-employed for the period 30th September 1998 to 31st January 1999 is broken down as follows:

	<u>Sep 98</u>	<u>Oct 98</u>	<u>Nov 98</u>	<u>Dec 98</u>	<u>Jan 99</u>
(a) Gibraltarians	2	2	2	2	2
(b) UK nationals	24	24	24	25	25
(c) Spanish nationals	17	17	17	17	18
(d) Other EU nationals	1	1	1	1	1
(e) Non-EU nationals	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>1</u>
Total	45	45	45	46	47

SUPPLEMENTARY TO QUESTION NO. 103 OF 1999

HON J J BOSSANO:

The figures are for the insurance cards in issue which means effectively that we are saying there has been very little change over that period in the number of frontier workers as recorded by the social insurance, is that correct?

HON H CORBY:

That is correct.

HON J J BOSSANO:

How do the Government reconcile the fact that in answer to a previous question we were told by the Minister for Employment that there were 1,471 frontier workers with open contracts, 90 per cent of whom were supposedly Spanish and there are only 18 of them with insurance cards?

HON CHIEF MINISTER:

I think the answer to that question may lie in the fact that the question relates to self-employed persons.

HON J J BOSSANO:

Was the original figure inclusive of self-employed or was it people who are employees?

HON J J NETTO:

Yes, it is inclusive of both categories.

NO. 104 OF 1999

THE HON J L BALDACHINO

HOUSING - EDINBURGH HOUSE

Can Government state how many flats broken down by room composition there are in Edinburgh House?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There are a total of 208 flats at Edinburgh House. There are 110 of 3RKB; 94 of 4RKB and four of 5RKB.

SUPPLEMENTARY TO QUESTION NO. 104 OF 1999

HON J L BALDACHINO:

Are these flats going to be allocated as per the waiting list only?

HON H CORBY:

No, the greatest impact is going to be on the waiting list. As the hon Member might know there were no 5RKB at Edinburgh House but there are four very large flats which have been converted into 5RKB. We will have a large impact on the waiting list and some flats will be used for medical cases and the approximate figure is about 32 flats and six to eight flats or maybe more, will be used for decanting and that will maximise the list on housing.

HON J L BALDACHINO:

Is the Minister keeping to the tradition of the previous administration that 20 per cent, more or less, will go to medical cases?

HON H CORBY:

The thing is we have identified people on medical cases who require the flats that are available at Edinburgh House and we will put those people into Edinburgh House as such but it is the family composition that we are taking into account as far as Edinburgh House is concerned.

HON J L BALDACHINO:

I fully appreciate that he is going to do that and he is going to get the best out of them generally for the people in the waiting list. What I am asking is, traditionally in all past administrations whenever new housing became available to the Housing Department for allocation, 20 per cent have been for medical cases. He has mentioned that 32 of them will be used for people who are categorised on medical grounds. Therefore I am glad that he is keeping to the tradition.

MR SPEAKER:

This is not a question, is it? Next question.

NO. 105 OF 1999

THE HON J L BALDACHINO

HOUSING - PENSIONERS EXCHANGE LIST

Can Government state how many applicants are in the housing pensioner exchange list?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There are 377 persons who are on the pensioner exchange list.

NO. 106 OF 1999

THE HON J L BALDACHINO

HOUSING - MEDICALLY RECOMMENDED APPLICANTS

Can Government state how many housing applicants are medically recommended to date, broken down, for example, room requirements and their medical category recommendation?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There are 13 housing applicants that are also medically categorised.

Of these five are medically categorised B. Their housing requirements are: 2 – 1RKB; 1 – 2RKB; 2 – 3RKB.

The housing requirements of the eight that are medically categorised on C are: 1 – 1RKB; 1 – 2RKB; 4 - 3RKB; 1 – 4RKB; 1 – 6RKB.

NO. 107 OF 1999

THE HON J L BALDACHINO

HOUSING - MEDICALLY RECOMMENDED APPLICANTS

Can Government state how many of the 23 housing applicants medically recommended, stated in answer to Question No. 315 of 1998, have had an allocation and, if any, what was their medical category?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Of the 23 applicants that had been medically categorised, as stated in my answer to Question No. 315 of 1998, six have now been allocated flats. All these six were medically categorised A.

SUPPLEMENTARY TO QUESTION NO. 107 OF 1999

HON J L BALDACHINO:

It could not possibly be that there are six who are medically categorised A because there were only five. Can the Minister look and let me know?

HON H CORBY:

The six are medically categorised A.

HON J L BALDACHINO:

The Minister might not have the answer but in answer to Question No. 315 of 1998, there were five category A. There have been six allocations from those 23, one was either upgraded to category A from B or C. Will he let me know from which category?

HON H CORBY:

Yes, certainly.

NO. 108 OF 1999THE HON J L BALDACHINO**HOUSING - NUMBER OF ALLOCATED UNITS**

Can Government state how many housing units have been allocated since 1st September 1998 to date, broken down for each month and room composition? It should have read post-war.

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

For the period 1st September 1998 to 19th February 1999 a total of 52 have been allocated. The breakdown by month and room composition is as follows:

Month	No.	1RKB	2RKB	3RKB	3/4RKB	4RKB	4/5RKB	5RKB
September	12	2	2	4	1	2	1	-
October	13	1	4	4	-	1	2	1
November	7	1	2	2	2	-	-	-
December	8	-	1	4	1	2	-	-
January	6	-	3	1	-	2	-	-
February	6	-	-	5	1	-	-	-

SUPPLEMENTARY TO QUESTION NO. 108 OF 1999

HON J L BALDACHINO:

Can the Minister say how many were used for decanting? I know that six have been used for medical but for decanting purposes were any used?

HON H CORBY:

On decanting in September two; October four; November none; December three; January two and February three.

HON J L BALDACHINO:

How many of the allocations have been done on a do-it-yourself basis, has he got that information?

HON H CORBY:

No, I have not got that information here but I can give that to the hon Member if he wishes to have it.

NO. 109 OF 1999

THE HON J L BALDACHINO

HOUSING - PRE-WAR FLATS

Can Government state how many pre-war flats have been allocated since 1st September 1998 broken down for each month to date?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

A total of 13 pre-war flats have been allocated for the period 1st September 1998 to 19th February 1999. The breakdown by month is as follows:

September – 3; October – 2; November – 3; December – 3; January – 2; February – Nil.

SUPPLEMENTARY TO QUESTION NO. 109 OF 1999

HON J L BALDACHINO:

Can he tell me how many of those have been allocated on a do-it-yourself basis, if any?

HON H CORBY:

I have the information here, with materials seven; from the contractor we have had two and by Buildings and works refurbished four.

NO. 110 OF 1999

THE HON J L BALDACHINO

HOUSING - POST-WAR FLATS

Can Government state what is the room composition of the 24 post-war housing units allocated on the 24th April 1998 to the end of August 1998?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The breakdown by room composition of the 24 post-war flats allocated during the period 24th April 1998 to the end of August 1998, is as follows:

5 – 1RKB; 7 – 2RKB; 4 – 3RKB; 4 – 3/4 RKB; 4 – 4RKB.

NO. 111 OF 1999

THE HON J L BALDACHINO

HOUSING - POST-WAR FLATS

Can Government state how many post-war flats are at present vacant and in which areas?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There are currently 47 post-war flats that are vacant. These are in the following areas:

North – 15; Town – 22; West – 5; South – 5.

SUPPLEMENTARY TO QUESTION NO. 111 OF 1999

HON J L BALDACHINO:

Have they been vacant for more than three months?

HON H CORBY:

Yes, some of them have been vacant for more than three months. Those that are vacant are being fixed by Buildings and Works and Electricity. We are also having trouble in allocating flats which are empty because of the Edinburgh House complex. There are people who would rather wait for a house at Edinburgh House than have a house in Laguna Estate or Moorish Castle Estate. We are going down the list all the time but we have the problem of people who do not want the houses that are available because they would rather wait for Edinburgh House.

HON J L BALDACHINO:

Is the Government relaxing the Housing Allocation Scheme criteria?

HON H CORBY:

No, it is not relaxing it but I have got to take into consideration if it would be unfair for the person who wants to have Edinburgh House and who has been waiting six years or 10 years for a house that I should implement the system where I say, "You go to this House and that is it". I think it is unfair on the person and that is my criteria.

HON J L BALDACHINO:

I understand what the Minister is saying. Seeing that the Housing Allocation Scheme is rigid in that area in that the first person on the list takes the house that is offered, have Government decided to relax that particular clause of the Housing Allocation Scheme until Edinburgh House is allocated and then that relaxation will go back to normal?

HON H CORBY:

It will go back to normal, yes.

HON J L BALDACHINO:

Of the 44 flats offered on a do-it-yourself basis have people said, "I would rather wait"?

HON H CORBY:

We offer materials but they are reluctant to take it, they much prefer to wait for Edinburgh House.

HON J L BALDACHINO:

Therefore if I understood the Minister correctly, he has actually tried to go down the list, how far down the list has he gone that there are no takers for these 44?

HON H CORBY:

We are still going down the list and even on decanting we have tried to do it, we have tried to say, "There is a house here for you and you live in a very bad state" and they are reluctant to go but we are going down the list as far as we can go.

NO. 112 OF 1999

THE HON DR J J GARCIA

TOURISM PROMOTION - EXPENDITURE

Can the Government state how much money has been spent on tourism promotion in this financial year up to 31st January 1999?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The amount spent was £638,545.70.

SUPPLEMENTARY TO QUESTION NO. 112 OF 1999

HON DR J J GARCIA:

Can the Minister provide a breakdown of that figure?

HON J J HOLLIDAY:

The breakdown is as follows: Literature - £127,278.80; Promotional material - £30,378.32; UK consumer trade roadshows - £20,429.38; Press and Travel Agent familiarisation trips - £25,044.96; Advertising - £173,314.40; Travel Fairs - £141,640.70; Events - £54,197.43; Marketing and PR contracts - £46,973; Miscellaneous - £19,288.71. That totals £638,545.70.

HON DR J J GARCIA:

I thank the Minister for the figures. Can he perhaps clarify what is meant by events?

HON J J HOLLIDAY:

Events cover the Gibraltar Regatta, the Challenger of the Seas, the Trade Winds Rally, the Cacti Conference, a budget that we put aside for cruise visits when they come to Gibraltar for the first time, Calpe 98, the Millennium Odyssey Race, our participation at the ABTA Convention and various other local events.

HON DR J J GARCIA:

Could the Minister provide a breakdown of the PR contracts?

HON J J HOLLIDAY:

PR contract is a contract that we have with PGC in UK. It is a contract that we inherited from the previous administration and as at the 31st January 1999 the figure of expenditure was £25,806. This company has an annual contract on a monthly retainer and carries out various PR and assists us in a number of areas as far as marketing is concerned.

HON DR J J GARCIA:

The literature also seems to be particularly high, perhaps the Minister could give me a breakdown of the literature element?

HON J J HOLLIDAY:

The literature is composed of the UK/GTA brochure which accounted, to date, an expenditure of £60,000. This has a circulation of 150,000 but we are in the process of increasing that by another 100,000 due to the number of requests that we are getting from our advertising for the brochure. There is an element of brochure reprints at a cost of £39,096; Spanish brochures £1,797; the Quay £10,306.65; Conference and incentive folders £18; direct mail literature £200; and special interest literature £11,086.05. That should total £127,278.80 which I have listed.

HON DR J J GARCIA

The GTA brochure the Minister has given the figure of £60,00 to produce 150,000 copies. The reprints cost £39,000, how many copies were reprinted?

HON J J HOLLIDAY:

I think the figure is 100,000 reprinted. One must realise that the UK/GTA brochure is not just the element of the printing, there is a distribution cost and there is actually participation from the members of the UK/GTA which are local hotels and UK tour operators who participate in the cost of this as well so it is an expensive form of marketing but it is the only tool that we have really to sell Gibraltar short breaks to the UK market and it is something that was very closely analysed last year and the general consensus of tour operators was that we needed this to be able to promote Gibraltar.

HON DR J J GARCIA:

Can the Minister clarify whether the Government intend to spend the entire budget for promotion this year?

HON J J HOLLIDAY:

He means the marketing budget, yes. Our budget is £650,000 approved and we are working around that figure. If we can make any savings we obviously will do but it is not easy.

HON DR J J GARCIA:

Does the Minister intend to increase the budget for next year in the estimates or to decrease it?

HON J J HOLLIDAY:

I think the hon Member should wait till budget time and I will give him the news.

NO. 113 OF 1999

THE HON DR J J GARCIA

TOURISM - AVERAGE EXPENDITURE

Can Government state what is the estimated average expenditure per person per day excluding accommodation, for 1998 giving a breakdown in respect of UK flight departures, arrivals from Morocco, cruise ship excursionists, visitors from yachts and excursionists from Spain at the coach park and the frontier?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The 1998 Tourist Survey is currently being processed. It is not envisaged that the information requested will be available until at least four to six weeks from now.

NO. 114 OF 1999

THE HON DR J J GARCIA

TOURISM - COMMERCIAL FREIGHT

What was the value of commercial freight set down and picked up by air in 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

These figures are not yet available.

SUPPLEMENTARY TO QUESTION NO. 114 OF 1999

HON J J BOSSANO:

Is this not information that is provided through the computer system of the Customs on a monthly basis? The freight that is discharged in Gibraltar, surely is recorded by the Customs at the airport every month?

HON J J HOLLIDAY:

I assume that this may be the case. When I sought the information I was told by the Statistics Office that they were in the process of preparing the 1998 Air Traffic Survey Report which contains this information and that it was not available at the time of the question being asked. So that is basically the position.

HON J J BOSSANO:

Does the Minister have any information for any part of 1998?

HON P C MONTEGRIFFO:

The question asked was in respect of the whole of 1998. The Minister has not made enquiries, as far as I am aware, in respect to any particular part of 1998 but if the hon Member is desirous of asking that question notice can be given in the appropriate way or we are certainly happy to investigate whether there is information available for a part of the year. In response to the question as tabled, the figures are not currently available.

HON J J BOSSANO:

Obviously we did not anticipate the answer because we did not know in February how much freight had been landed in 1998 but presumably if it was not possible to do it for the whole year it ought to have been possible to have given some information. It does not necessarily follow, surely, the Government will agree, that because the Statistics Office may not have it sorted out the originating department in the Customs at the airport will have the information, surely, is this not the case? It is not addressed to the Minister for Tourism, it is addressed to the Government, somewhere in the civil service somebody must know what comes off a plane in 1998.

HON P C MONTEGRIFFO:

The information may or may not be available in the appropriate departments as raw data but the statistics that the Government make available in this House and generally in public go through a procedure which involves the analysis and production of those by the statisticians in the Statistics Office and, frankly, it is the view of the Government that the figures published and the statistics provided in response to questions should follow that assessment and that procedure and the figures will be made available when the Government are confident that we can publish figures that are accurate.

HON J J BOSSANO:

Can the Minister give us an indication of what it is that involves calculations, when what we are talking about is the value of commercial freight which is recorded as it comes off the plane and is simply added up? What is the nature of the exercise that the Statistics Office has to do with these particular statistics? I am not questioning that, for example, in the kind of information requested in the previous answer where it was an average there is a calculation but this is simply a straightforward figure of adding the value of the freight that is landed which has to be cleared through Customs, irrespective of whether it pays import duty or not there is a record. Can the Government confirm that the procedure is that there is a record with the Customs of all the freight that comes off a plane?

HON P C MONTEGRIFFO:

I cannot confirm that, I assume that to be the case, that would be the logical interpretation but if the hon Member is inviting me to debate with him the methodology used by the Customs Department or by the Statistics Department with regard to the compilation of figures, this is a debate that I am neither prepared to entertain now nor indeed justified by the question asked nor indeed permitted under Standing Orders relating to questions.

HON J J HOLLIDAY:

Can I suggest that I make further enquiries along the lines of what the Leader of the Opposition is saying and come back tomorrow. Although it will not be in the format of information supplied by the Government Statistician under the Air Traffic Survey, it may be in terms of raw data which will give an indication and may satisfy the hon Member's requirement but I will have to make the necessary enquiries and see what I can obtain.

HON J J BOSSANO:

I am grateful to the Minister for that reply.

HON J J HOLLIDAY:

Yesterday during Question and Answer session I undertook to obtain overnight the value of commercial freight as set down and picked up by air in 1998 and the information has been made available to me. I have not had the opportunity to analyse this in any way but I can give the hon Member the value he is seeking. The value of incoming freight, excluding bank notes, is £25,177,797 and the outgoing freight is £1,955,546.

NO. 115 OF 1999

THE HON DR J J GARCIA

TOURISM - PEDESTRIAN VISITORS

What was the number of pedestrian visitors to Gibraltar in each week of 1999 and the comparable figure for 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Visitor arrival statistics are provided to the Statistics Office on a monthly basis. The comparable figures for January 1998 and 1999 are therefore:-

January 1998 - 103,302

January 1999 - 134,679

I am further informed that the weekly numbers of pedestrians entering Gibraltar since the beginning of February 1999 shows an increase of about 75 per cent on the 1998 figures and this is attributed to a higher proportion of visitors leaving their vehicles in Spain and walking across the border consequent on the increased border restrictions experienced at present.

NO. 116 OF 1999

THE HON DR J J GARCIA

TOURISM - VISITOR ARRIVALS BY LAND

What was the number of visitor arrivals by land for each month of 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

January	438,868
February	420,165
March	493,062
April	556,630
May	556,601
June	523,495
July	595,969
August	692,247
September	610,899
October	601,672
November	499,779
December	<u>527,547</u>
Total	<u>6,516,934</u>

NO. 117 OF 1999

THE HON DR J J GARCIA

TOURISM - VISITOR ARRIVALS BY AIR

What was the number of tourist arrivals by air in transit for each month of 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

January	1,904
February	2,676
March	3,306
April	3,920
May	4,573
June	3,511
July	4,505
August	4,369
September	3,903
October	3,746
November	1,999
December	<u>2,251</u>
Total	<u>40,663</u>

NO. 118 OF 1999THE HON DR J J GARCIA**TOURISM - VISITOR ARRIVALS BY AIR**

What was the number of tourist arrivals by air staying in Gibraltar for each month of 1998?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

January	2,003
February	2,481
March	3,245
April	2,784
May	3,353
June	3,292
July	3,625
August	3,466
September	3,560
October	3,235
November	2,601
December	<u>2,245</u>
Total	<u>35,890</u>

NO. 119 OF 1999

THE HON DR J J GARCIA

TOURISM - SCHEDULED FLIGHTS

What was the number of seats used by arrivals on scheduled flights from UK in each month of 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 120 of 1999.

NO. 120 OF 1999

THE HON DR J J GARCIA

TOURISM - SCHEDULED FLIGHTS

What was the number of seats used in departures by scheduled flights to UK in each month of 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested by the Opposition Member is not yet available. I am informed by the Government Statistician that the figures will be available in about four weeks time.

NO. 121 OF 1999THE HON DR J J GARCIA**TOURISM - PRIVATE MOTOR VEHICLES ENTERING GIBRALTAR**

What was the number of private motor vehicles entering Gibraltar for each month of 1998?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information is as follows:

January	155,523
February	142,887
March	166,764
April	165,930
May	167,542
June	167,335
July	170,285
August	178,089
September	156,524
October	158,333
November	147,079
December	<u>161,285</u>
Total	<u>1,937,576</u>

NO. 122 OF 1999

THE HON DR J J GARCIA

TOURISM - PRIVATE MOTOR VEHICLES ENTERING GIBRALTAR

What was the number of private motor vehicles and the number of persons in such vehicles entering Gibraltar in each week of 1999 and the comparable figure for 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The statistics in respect of private motor vehicles entering Gibraltar is collected by the Government Statistician on a monthly basis. The comparable figures for January 1998 and January 1999 are as follows:

January 1998 - 155,523

January 1999 - 148,416

The figures for February will not be compiled until the end of the month.

Insofar as the number of persons in such vehicles is concerned, the numbers for January are as follows:

January 1998 - 414,773

January 1999 - 381,826

The figures for February will not be available until the end of the month, but the first half of the month will obviously show a sharp decline consequent on the recent spate of border delays.

NO. 123 OF 1999

THE HON DR J J GARCIA

TOURISM - NUMBER OF COACHES ENTERING GIBRALTAR

What was the number of coaches entering Gibraltar for each month of 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information is as follows:

January	551
February	758
March	1,035
April	1,480
May	1,753
June	1,178
July	1,040
August	1,007
September	1,327
October	1,293
November	835
December	<u>700</u>
Total	<u>12,957</u>

NO. 124 OF 1999

THE HON DR J J GARCIA

TOURISM - NUMBER OF COACHES ENTERING GIBRALTAR

What was the number of coaches which entered Gibraltar in January 1999?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were 521 coaches.

NO. 125 OF 1999THE HON DR J J GARCIA**TOURISM - VISITOR ARRIVALS BY COACH**

What was the number of visitors arriving by coach in Gibraltar in each month of 1998?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The number of visitors arriving by coach in Gibraltar in 1998 were:

January	19,872
February	27,009
March	34,992
April	52,141
May	63,649
June	40,918
July	39,507
August	36,868
September	48,011
October	44,976
November	28,651
December	<u>23,997</u>
Total	<u>460,591</u>

NO. 126 OF 1999

THE HON DR J J GARCIA

TOURISM - VISITOR ARRIVALS BY CRUISE LINER

What was the number of cruise liner visitor arrivals for each month since July 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The visitor arrivals were as follows:

1998	July	4,658
	August	8,193
	September	15,590
	October	12,031
	November	9,863
	December	4,626
1999	January	3,489

The total number of visitor arrivals in this period was therefore 58,450.

NO. 127 OF 1999

THE HON DR J J GARCIA

TOURISM - COMPLAINTS BY TRADERS

Are the Government aware of the complaints made by many traders that most visiting cruise liners do not stay in Gibraltar for long enough to have a real impact on the retail trade?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No such complaints have been brought to my notice. Indeed, no such complaints would be justified given the trend by cruise ships for longer port calls at Gibraltar.

NO. 128 OF 1999THE HON DR J J GARCIA**TOURISM - VISITOR ARRIVALS BY YACHT**

What was the number of yacht visitors for each month since June 1998?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The figures are as follows:

June	1,830
July	2,264
August	2,918
September	1,349
October	1,822
November	1,370
December	495

I am informed by the Government Statistician that the figures for January 1999 are not yet to hand.

NO. 129 OF 1999

THE HON DR J J GARCIA

TOURISM - ARRIVALS BY SEA

What was the number of other visitors by sea since July 1998?

ANSWER

THE HON THE CHIEF MINISTER

The number of other visitors by sea between July 1998 and December 1998 was as follows:-

July	185
August	247
September	156
October	127
November	130
December	<u>67</u>
<u>TOTAL</u>	<u>912</u>

I would like to take this opportunity to inform the House that the statistics for visitor arrivals by sea for 1996 and 1997 which were published in the Tourist Survey Reports for previous years were incorrect.

The Government Statistician has informed me that due to an oversight the figures for visitor arrivals from Morocco in 1996 and 1997 were not adjusted to exclude passengers who were resident in Gibraltar. This means that the corrected figures should now read as follows:-

1996	1,394 (previously 9,500)
1997	3,108 (previously 20,700)

When calculating tourist expenditure, visitor statistics are broken up into different categories because of the different expenditure patterns between those who arrive by land, sea or air, broken down further between those who stay in hotels and those who do not.

Most of the visitors who arrive from Morocco stay in hotels. The error which has now been identified largely affects the calculation of expenditure for that particular category. The figure for tourist expenditure by visitors staying in hotels is broken down into three groups, that is, those arriving from the UK, those arriving from Morocco and those arriving from Spain. In the case of arrivals from the UK and Morocco the immigration figures give a good indication of the numbers who will be staying in Gibraltar and together with the information derived from the tourist survey it is possible to estimate what percentage of visitors will in fact stay in hotels and what percentage make other arrangements. Similar information cannot reliably be obtained in respect of those visitors who arrive from Spain to determine how many stay in hotels. The immigration count for visitors arriving by land is not compiled on this basis and the tourist survey questionnaires have not covered for this either.

In order to estimate the number of visitors arriving from Spain and staying in hotels, the Statistician uses the actual total number of visitor arrivals as recorded by the hotels as the control total and deducts from that figure the number of visitors which, by extrapolation from immigration data and the tourist surveys, he estimates have arrived from the UK or Morocco. The difference between these two sets of figures is then the estimate for the number of visitors from Spain who stay in hotels. This means that if the figure for Morocco is reduced, as is now the case when correcting the errors to which I have referred, then the figure for visitors from Spain staying in hotels is increased correspondingly. Given that the level of expenditure by visitors from Spain is marginally higher than that by visitors from Morocco, the tourist expenditure figure for all hotel visitors is actually marginally increased notwithstanding the reduction in other visitor arrivals from Morocco. There is, of course, an offsetting fall in the expenditure of visitors arriving from Spain who do not stay in hotels as a result of the adjustment. The overall effect is basically neutral.

Finally, Mr Speaker, I have already arranged for revised tables to issue in respect of the 1996 and 1997 Tourist Surveys to account for these changes consequent on the errors which have now been identified by the Government Statistician in his own production of statistics in this respect.

SUPPLEMENTARY TO QUESTION NO.129 OF 1999

HON J J BOSSANO:

Obviously it is useful to hear that we are on the record putting right the information that was provided incorrectly. Can I just simply point out that we did in fact point out that there was an obvious discrepancy as long ago as April before we started questioning it much later. I think if they had looked at it initially instead of defending it on the basis that it could not be that wrong, they might have come up with this conclusion earlier. Can I just ask, is he saying then that they continue to take the view notwithstanding the errors that have been discovered that the number of guest nights sold in 1997 was 200,000 and not 140,000 which the hoteliers claim to have sold?

HON CHIEF MINISTER:

I do not know if that is consequentially in error as a result of this explanation. The minutes that have been sent to me do not address issues of any possible knock-on effect on the accuracy of the bed night sold statistic. What I am told and what I have just told the House is that the errors in the figures previously given for visitor arrivals from Morocco does not have the effect of reducing the overall tourism expenditure. It nevertheless has the effect of having a restating effect on that particular statistic that the hon Member has pointed out, I will find out and have that communicated to him.

HON J J BOSSANO:

I can in fact tell him that the implication of the answer that he has read out is in fact that the figure of 200,000 is not being changed and that what we are saying in the House notwithstanding the fact that the hoteliers who bill the visitors occupying the beds claim that they actually received payment for 140,000 bed nights in 1997, the expenditure figure of £17 million which is now going to be slightly increased, assumes that it was not true that they billed 140,000 but they billed for 207,000 and that the 67,000 beds for which the hotel owners claim they did not receive payment were now occupied by people from the frontier instead of by people from the ferry. Will the Chief Minister not agree that that needs further investigation?

HON CHIEF MINISTER:

I hear what the hon Member says. The Government Statistician that has been under intense pressure from me to get this right once and for all had better not overlooked something quite as simple as that but I will certainly invite him as I have done once before already to take another look at the matter and reflect that. I accept what the hon Member is saying that what the Government Statistician is now saying is that people that he had wrongly thought before were staying in beds having arrived from Morocco were actually in those beds but not having arrived from Morocco but they had arrived from Spain. That is the basis of this answer. It therefore does not suggest that the Statistician thinks that there has been any over estimation in the number of bodies lying in bed, simply the country from which they came. I will certainly invite him to look at that aspect as well again.

ORAL

NO. 130 OF 1999

THE HON DR J J GARCIA

TOURISM - ARRIVALS BY SEA - MOROCCO

Can Government state how many of the visitor arrivals by sea from Morocco in 1998 are estimated to have stayed in hotels?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 131 and 134 of 1999.

NO. 131 OF 1999

THE HON DR J J GARCIA

TOURISM - NUMBER OF HOTEL GUESTS INTERVIEWED

Can Government state how many interviews with persons staying at hotels have been carried out since 31st August 1998 giving the number of persons interviewed and the date of such interviews?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 130 and 134 of 1999.

NO. 132 OF 1999THE HON DR J J GARCIA

TOURISM - GUEST NIGHTS SOLD

Can Government give the hotel bed nights sold in each month of 1998 since 31st August?ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The number of guest nights sold over the period is as follows:

September	16,866
October	14,516
November	12,469
December	<u>9,197</u>
TOTAL	<u>53,048</u>

NO. 133 OF 1999

THE HON DR J J GARCIA

TOURISM - GUEST NIGHTS SOLD

Can Government give the hotel bed nights sold in January 1999?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The figure for January 1999 is not yet available.

NO. 134 OF 1999

THE HON DR J J GARCIA

TOURISM - NUMBER OF HOTEL GUESTS INTERVIEWED

Can Government state of the persons who have been interviewed since 31st August 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 answer to these questions will be available when the 1998 Tourist Survey, which is presently being compiled, is published. I would additionally like to point out that statistics in the Tourist Survey are published on a monthly basis.

SUPPLEMENTARY TO QUESTION NOS. 130, 131 AND 134 OF 1999

HON J J BOSSANO:

Why is it that the Minister was able to give the information, for example, on the number of interviews in the last House of Assembly in September and he is not able to give it now for the period after that without having to wait for the survey? This is not information that is contained in the survey results.

HON CHIEF MINISTER:

I hear what the hon Member asks. That is the information that has been provided to Ministers by the Government Statistician. It may be that he is less advanced in his work in that respect and that he has not analysed the questionnaires and has not totted them up, we really cannot say.

HON J J BOSSANO:

If we ask how many people were interviewed, it is a number of persons interviewed. How can that change by analysis and we were told prior to the 31st August, in September how many people had been interviewed up to August. In the last House of Assembly the Minister gave us very up-to-date information on what was taking place during the year. We have not asked what is the result of the analysis of the replies, we have asked how many people have they stopped and asked the question to.

HON CHIEF MINISTER:

It is implicit in my original answer that I agree entirely with the logic and thrust of the hon Member's question. I agree that this is information that ought logically to already exist. If the interviews have already taken place they must know how many people they interviewed and where. I cannot explain to the hon Member but I can assure him that I will personally enquire as to why this answer has been given to the Minister. The hon Member sounds to me as if he is absolutely right.

HON CM:

Mr Speaker, I would be obliged if I could return to Question No. 134 of yesterday. This was a question asked by the Hon Dr Joseph Garcia, but that in a supplementary asked by the Leader of the Opposition he recalled that I agreed with him that the original answer given appeared to be unsatisfactory because as the hon Member pointed out he felt that we should at least be able to give the number of interviews that have taken place even if the information in them had not been analysed. I have overnight had the matter looked into and I am now in a position to hand the hon Member, not just the number of interviews for visitors staying in hotels, broken down by point of interview, in respect of the period after the 31st of December, but indeed although he has not asked for it, in respect of the first six months of 1998 as well.

HON J J BOSSANO:

I am grateful for that information but I believe in fact that the information for the first period was actually provided in the September question.

NO. 135 OF 1999THE HON DR J J GARCIA

TOURISM - HOTEL ARREARS

What amounts are due and owing to Government by hotels broken down by items and in respect of which periods these monies become due as at the end of January 1999?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The arrears due by hotels currently stand at £966,000. These arrears are in respect of amounts due over a number of years dating as far back as 1991. It would be onerous to supply the hon Member with details of the billing periods when each payment in respect of each item became due. I presume that the hon Member primarily wishes to know the items in respect of which there are arrears.

These are as follows:

PAYE	£220,000
Social Insurance	£310,000
Electricity	£350,000
Municipal rates	£80,000
Corporation tax	£6,000

I would like to add that under the Hotel Assistance Scheme there are arrangements with these hotels totalling £868,397.56 under which a repayment schedule is in place for these arrears to be settled and forms part of the Hotel Assistance agreement. To date there have been payments in respect of these and they are being maintained.

NO. 136 OF 1999THE HON DR J J GARCIA

TOURISM - NEW AIRLINE

Can Government give details of the new airline that is interested in operating a scheduled service from Gibraltar?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

This information is commercially sensitive. I believe that it is not prudent to make a public statement on this matter until such time as an agreement with the airline is concluded. To do so prematurely could prejudice this matter materially.

SUPPLEMENTARY TO QUESTION NO. 136 OF 1999

HON DR J J GARCIA:

The reason the question was tabled was because the Minister himself made it public, I believe, in Madrid. Without giving details of the actual airline, can he give any other information?

HON J J HOLLIDAY:

There was no particular statement, I was at the FITUR stand when the Gibraltar Chronicle turned up and then found out that I was having a meeting there with a particular airline and I was asked and I said that I had had a meeting with an airline but that I could not make the name known. I think it is better if we leave it, for the best interest of Gibraltar, as it is.

HON DR J J GARCIA:

When the Minister attended the Routes 1998 Conference in London in September we heard that 17 airlines were interested in flying to Gibraltar. Is this one of those 17 or is it a new one?

HON J J HOLLIDAY:

Yes, it is one of those 17 but let me tell the hon Member that the Government are in contact and negotiation with more than one airline.

HON DR J J GARCIA:

Is this airline or perhaps any of the other ones which have expressed an interest, would that open a new Heathrow link once again which is something which many people in Gibraltar are concerned about?

HON J J HOLLIDAY:

No, I am afraid it would not.

NO. 137 OF 1999

THE HON DR J J GARCIA

TOURISM - MADRID OFFICE

Can Government advise what criteria was used to select staff for the office in Madrid and will Government confirm that those selected were amongst the original applicants?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Office Administrator and the Marketing Co-ordinator of the Madrid office were interviewed by a selection board. The applicants selected were those who, in the opinion of the board, were best suited to the job profile for the post.

I can indeed confirm that the persons selected were among the original applicants.

SUPPLEMENTARY TO QUESTION NO. 137 OF 1999

HON DR J J GARCIA:

In terms of the criteria, will the Minister perhaps elaborate whether any experience or degree of qualifications were necessary for the job?

HON J J HOLLIDAY:

There was a job profile for the Office Administrator and there was a job profile for the Marketing Co-ordinator and in the opinion of the selection board the two applicants that were finally selected were obviously, in their opinion, the people who were best suited for the sort of role that they had to undertake in the office in Madrid and based on that the persons concerned were selected. I am quite happy to let the hon Member have copies of the job profiles if he so wishes.

HON DR J J GARCIA:

I thank the hon Member for his reply and perhaps he can let me have a copy of the profiles.

NO. 138 OF 1999

THE HON DR J J GARCIA

TOURISM - MADRID OFFICE

Can Government provide a detailed breakdown of all the costs relating to the setting up of the office in Madrid and its annual running costs?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The costs incurred in setting up the office in Madrid came to £40,763 broken down as follows:

Decorating and furnishing the bare shell of the office	£28,576
Legal services	£7,591
Office equipment (fax, photocopier, computers, et cetera)	£4,596

With regard to the running costs of the office, it is difficult to gauge exactly what the total will be as the office has just been opened. However, it is believed that the running costs will total about £85,000 per annum inclusive of staff salaries.

SUPPLEMENTARY TO QUESTION NO. 138 OF 1999

HON DR J J GARCIA:

Can the Minister advise what rents the office pays?

HON J J HOLLIDAY:

The office rent and charges which I presume are community or service charges, is £1,165 a month, therefore totalling £13,980 a year.

HON DR J J GARCIA:

Could the Minister also advise what the terms of the lease is for the office?

HON J J HOLLIDAY:

I am afraid that I need prior notice for that question. I think the lease is for two or three years, I think it is a three year period with rent review at the end of the period. We did get a period of grace because of the problems we had with the actual opening which was basically as a result of not meeting certain fire regulations which was no fault of ours and we did get an interim period but the details of that I can make available to the hon Member if he so wishes. Would he like that information?

HON DR J J GARCIA:

I thank the Minister, I think that is sufficient for the time being.

NO. 139 OF 1999THE HON A J ISOLA

TOURISM - ARRIVAL TAX - MOROCCO

Can Government state on a month by month basis in respect of the years 1996, 1997 and 1998:

- (a) the amount received by Government in respect of arrival tax from persons arriving on ferry from Morocco
- (b) in respect of how many visitors the arrival tax in (a) was paid?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information I can supply covers the passenger arrival tax paid per month, in respect of all arrivals by ferry, as requested in part (a) of the question. In reply to part (b) of the question, there is no breakdown kept of the arrival tax paid by visitors and residents respectively.

The information is as follows:

<u>1996</u>	<u>£</u>	<u>Passengers</u>
January	1,667	1,167
February	340	340
March	306	306
April	727	727
May	1,518	1,518
June	627	627
July	70	140
August	546.50	1,093
September	672	1,344
October	513	1,026
November	269.50	539
December	357.50	715
<u>1997</u>	<u>£</u>	<u>Passengers</u>
January	646.50	1,293
February	775.50	1,551
March	904	1,808
April	664	1,328
May	661	1,322
June	728	1,456
July	646.50	1,293
August	776.50	1,553
September	692.50	1,385
October	625.50	1,251
November	666	1,332
December	523.50	1,047

<u>1998</u>	<u>£</u>	<u>Passengers</u>
January	364.50	729
February	327	654
March	653	1,306
April	601.50	1,203
May	515	1,030
June	890.50	1,781
July	616	1,232
August	713.50	1,427
September	520	1,040
October	422.50	845
November	466	932
December	174.50	349

NO. 140 OF 1999

THE HON A J ISOLA

TOURISM - DEPARTURE TAX

What amount of passenger departure tax was paid to Government and in respect of how many passengers in each month of:

- (a) 31st March 1997 to 1st April 1998
- (b) 1st April 1998 to 31st January 1999?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Departure tax is payable in respect of both air and sea departures. I will deal with each in turn.

(a) Air Departures

The amounts in question are as follows:

April 1997	£37,963.50
May 1997	£47,118.75
June 1997	£50,120.25
July 1997	£46,666.50
August 1997	£53,806.50
September 1997	£54,541.50
October 1997	£49,949.25

From November 1997 to March 1998 inclusive, no amounts were paid to Government in respect of air passenger departure tax. The total amount paid in this respect in the financial year ended 31st March 1998 was therefore £340,166.26.

The amounts paid since April 1998 are as follows:

April 1998	£32,988
May 1998	£32,196
June 1998	£32,400
July 1998	£30,992
August 1998	£39,784
September 1998	£36,984
October 1998	£35,624
November 1998	£30,892
December 1998	£20,360
January 1999	£25,240

The total for this financial year to 31st January 1999 in respect of air departure tax is therefore £317,460.

(b) Sea Departure Tax

The totals collected were as follows:

April 1997	£6,418.50
May 1997	£10,133.00
June 1997	£5,418.00
July 1997	£6,741.50
August 1997	£4,666.00
September 1997	£12,746.50
October 1997	£5,769.50
November 1997	£7,348.00
December 1997	£3,286.50
January 1998	£3,267.00
February 1998	£2,165.00
March 1998	£2,730.00

The total collected in the financial year 1997/98 in respect of sea departure tax was £70,419.50. the figures for the financial year 1998/99 are as follows:

April 1998	£8,298.00
May 1998	£17,640.00
June 1998	£6,760.00
July 1998	£5,218.50
August 1998	£7,990.45
September 1998	£11,850.85
October 1998	£11,483.85
November 1998	£7,875.70
December 1998	£2,904.70
January 1999	£1,977.00

The total sea departure tax collected to 31st January 1999 in respect of the financial year 1998/99 is £81,999.05.

NO. 141 OF 1999

THE HON J J GABAY

TOURISM - ELLIOTT'S MEMORIAL

Can Government state for how long the access to Elliott's Memorial from Alameda Parade has been fenced off?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The access steps to the Elliott Memorial have been closed to pedestrians since September 1998.

SUPPLEMENTARY TO QUESTION NO. 141 OF 1999

HON J J GABAY:

Is the Minister aware that this is causing a degree of public dissatisfaction because as a result of this long delay a considerable number of extra parking spaces are lost; secondly perhaps the most convenient and picturesque main entrance to the Alameda Gardens is blocked? Perhaps he might consider expediting the matter.

HON LT-COL E M BRITTO:

There are a number of technical reasons why the works have been delayed. The position is that the tenders for new work that the Government decided to do half-way through the project are due in tomorrow and the final works should start as soon as the tenders are allocated shortly after that. In the meantime because of the delay, it is expected that the existing fence will be realigned; the ground will be repaired and marked for parking in the very near future but unfortunately, for safety reasons, the steps will continue to have to remain closed.

HON J J GABAY:

I thank the Minister for the information he has given and I would add that as he knows the Grand Parade attracts a large number of local people as well as tourists in the Cable Car and so on and there is a great need going from the sublime to the ridiculous for toilet facilities in the area. Will the Government consider adapting the old school toilets for public use?

HON CHIEF MINISTER:

I think there are toilets there and they are being refurbished as part of this work. If the hon Member stands facing the staircase, which he obviously has not done for some time, there is a substation on one side and the building on the other side are the toilets and they are being refurbished and, indeed, he may be interested in knowing that the additional works that the Hon Col Britto said we had decided to do half-way through the contract is to clad both those structures on either side of the staircase which actually is underground the wall,

one has a beige wall and the other one has a white wall and it detracts from the aesthetic appearance of the stairs and they are going to be beautified, plants and things are going to be put over them and bricked up and the toilet refurbishment is precisely part of this project. I am not sure whether the toilets are big enough or whether there ought to be more toilets but there are toilets there.

HON J J GABAY:

I can assure the Chief Minister that I have not been using them but this is why the question is are they in public use at the moment since I have had representations, this is why I ask. I have not attempted to use them personally.

HON LT-COL E M BRITTO:

That is not part of the question.

NO. 142 OF 1999THE HON A J ISOLA

TOURISM - HOTEL BED NIGHTS

Can the Government now state whether the correct figure for hotel bed nights sold in the months of May and June 1997 was 4,824 and 4,665 respectively as stated in answer to Question No. 258 of 1997 or the figure of 14,335 for May 1997 and 13,484 for June 1997, as stated in answer to Question No. 395 of 1998?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

I can confirm that the number of bed nights sold in respect of May 1997 and June 1997 was indeed 14,335 and 13,484 respectively. The figure of 4,824 and 4,665, as stated in answer to Question No. 258 of 1997, should have referred to all arrivals at hotels. In error, in answer to this question I informed the House that the figure related to bed nights.

I would like to emphasise that the figures themselves were the true and correct figures. The 4,824 arrivals at hotels in May 1997 accounted for 14,335 bed nights and the 4,665 arrivals at hotels in June 1997 accounted for 13,484 bed nights.

The point I was trying to make in answer to Question No. 258 of 1997 was that there had been a marked increase in the take-up of hotel beds in May and June 1997 compared with May and June 1996. The fact that I referred to bed nights where I should have said visitor arrivals in no way alters this statement of fact.

I welcome the opportunity to set the record straight on this matter. In supplementaries arising from Question No. 395 of 1998, the Leader of the Opposition questioned the reply I provided because it did not seem to tally with the answer given to Question No. 258 of 1997. It is unhelpful to discuss minutiae of historical figures at Question Time. I believe that questions should refer to general matters of policy and of principle, rather than long catalogues of figures. It would be much more constructive if the Leader of the Opposition or indeed any other Opposition Member were to write to me if details were required in respect of hotel or any other kind of statistics. I will be pleased to provide the information required in writing provided that it is in respect of matters for which statistics are kept by the Government Statistician.

SUPPLEMENTARY TO QUESTION NO. 142 OF 1999

HON J J BOSSANO:

Is it not the case that the question of which notice is given asked for bed nights sold, we have no reason to doubt that the answer we are getting is the answer which we expect from the way the question has been drafted and if the Minister then says that there is a 14 per cent increase in bed nights sold and then when we see the survey we see that the increase does not tally with the original question, that there was no gap in between the first time it was answered and the subsequent time, would the Minister not agree that it is not unreasonable on our part to assume that the answer originally was correct and we work on that assumption until we get a different statistic?

HON CHIEF MINISTER:

Yes, I think that is entirely reasonable.

NO. 143 OF 1999THE HON A J ISOLA

TOURISM - PORT STUDY

Has the Committee commissioned to review the Port Study now concluded its recommendations to Government and, if so, will Government implement those recommendations?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were two committees appointed to advise me on the recommendations contained in the MDS Transmodal Port Strategic Study. One committee was tasked with advising me on commercial matters; the other on matters in relation to the changeover from the Port Department to the Port Authority. Both committees held a number of meetings between July and December 1998. Their deliberations have now been completed.

A report on the conclusions of the committees is in the process of completion and it will be considered by Ministers shortly. There will be changes introduced consequent on the report as soon as practicable after 1st April 1999. However, no changes affecting staff will be implemented without prior discussion and negotiation with the staff association of the employees concerned.

SUPPLEMENTARY TO QUESTION NO. 143 OF 1999

HON A J ISOLA:

In answer to Question No. 205 of 1998, which was last April, the Minister informed the House that there was one committee, in fact, it was a Steering Committee, there was not any reference to the other committee. May I ask which of the two committees is preparing the recommendations or concluding the recommendations for Government?

HON J J HOLLIDAY:

When the Government appointed the Steering Committee it was made clear that this Steering Committee would be working under two different groups; one group would be looking at the commercial aspects of the report whilst the other would be looking at the staffing and the transformation of the Port Department to the Gibraltar Port Authority but basically it has all been working under my chairmanship and both have been co-ordinating and have been liaising in terms of information flowing from one to the other so that now we have reached a consensus in the way forward covering both aspects. I felt that this was the best way forward considering that there were people who had more expertise on the commercial front whilst others had more expertise on the logistics of the structure of the Port Department and what needed to be achieved considering the requirements of today's commercial world within the Port.

HON A J ISOLA:

Is there then one Steering Committee which is divided into two groups?

HON J J HOLLIDAY:

That is correct. When I launched this at No. 6 Convent Place, I think it was some time in July last year, the press release clearly stated that there was one Steering Committee with two groups working within the same Steering Committee.

HON A J ISOLA:

Obviously under the chairmanship of the Minister, the Government must be aware of what those recommendations will be. Do Government envisage significant changes within the Port not just in the terms of the Port Authority or the transfer from Government to the Port Authority but in the commercial workings of the Port? There was mention in the MDS Report of a substantial reclamation, there were two, there was a big one and a small one. Are Government thinking along the lines of embarking on a small reclamation for that part?

HON J J HOLLIDAY:

The recommendations that have been put forward to me by the Steering Committee I think will probably be

HON A J ISOLA:

They have not been put to the Minister yet?

HON J J HOLLIDAY:

The Steering Committee has finished and basically I have the Principal Secretary of the Ministry at the moment co-ordinating it in the form of a report which basically covers all the recommendations that they have put forward. These recommendations, I think, will probably, if acceptable to the Government, be able to be taken forward because most of the recommendations in respect, for example, of commercial changes in practices have been recommended by a number of operators and this Steering Committee has not limited itself just to the workings of the few individuals that were selected there. We have actually asked the different operators to come in and give their own recommendations to the Steering Committee and I can give an example, we have M H Blands who have been asked to come in and give their own views as to the future of the stevedoring in the Port, et cetera in order to take into account what effects any changes could have on the viability of their operation. We have then reached recommendations and final suggestions and the recommendations by the Steering Committee and now these will be put to the Government as a whole for us to take forward.

NO. 144 OF 1999

THE HON J C PEREZ

TRANSPORT - NUMBER OF NEW REGISTRATIONS

What was the number of new registration of road vehicles in 1998, giving a breakdown of private, commercial and motorcycles?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were 2,904 new registrations as follows:

Private cars	1,913
Commercial vehicles	160
Motorcycles	780
Other categories	51

SUPPLEMENTARY TO QUESTION NO. 144 OF 1999

HON J C PEREZ:

Other categories I presume are vehicles for handicapped and things like that which do not fall in any of those three?

HON J J HOLLIDAY:

Other categories covers omnibuses, special cars for handicapped, taxis, self-drive, private hiring.

HON J C PEREZ:

They do not come under commercial then.

HON J J HOLLIDAY:

No.

NO. 145 OF 1999THE HON J C PEREZ

TRANSPORT - NUMBER OF LICENSED ROAD VEHICLES

What was the number of licensed road vehicles at the end of 1998, giving a breakdown of private, commercial and motorcycles?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The number of licensed road vehicles at the end of 1998 was 29,808 made up as follows:

Private cars	21,127
Commercial vehicles	1,527
Motorcycles	6,767
Other classes of vehicles	387

SUPPLEMENTARY TO QUESTION NO. 145 OF 1999

HON J C PEREZ:

I presume that the persons who have licences where they can drive the three categories are counted three times, is that so? If a person has a licence which allows him to drive a motorcycle, x number of good vehicles and private vehicle, is that counted three times or is that a different category?

HON J J HOLLIDAY:

I think this is a different issue altogether. What the Hon Gentleman has asked was for the number of licensed road vehicles not actual driving licences.

NO. 146 OF 1999

THE HON J C PEREZ

TRANSPORT - PUBLIC BUS SYSTEM

Have Government now received the conclusions of the study into the bus service in Gibraltar?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The report of the review team which has examined the public bus system in Gibraltar and made recommendations thereon has been submitted and is presently being considered by Government.

SUPPLEMENTARY TO QUESTION NO. 146 OF 1999

HON J C PEREZ:

Are the Government intending to make the recommendations public or are they intending to review it and make proposals public as a result of the recommendations?

HON J J HOLLIDAY:

The latter is the case.

HON J C PEREZ:

So we will not know whether the recommendations agree with the view of the Chief Minister or mine having debated the matter the last time?

HON J J HOLLIDAY:

I think the hon Member must understand that this study was basically on the public bus system. Government are looking at the whole of the transportation policy which obviously covers a number of other areas, therefore this will have an implication. The recommendations were based on the current position and we will need to review it as part of a far wider transport policy.

HON J C PEREZ:

Does the Minister know when he expects to make the Government's position known on this matter?

HON J J HOLLIDAY:

I think it will probably take two to three months but let me say that this is one of my priorities at the moment because I feel that transport is particularly an issue which needs some policy decisions being taken on a wide cross section of issues.

NO. 147 OF 1999

THE HON J C PEREZ

TRANSPORT - SIR HERBERT MILES ROAD

Given the "No Parking" zones that have been demarcated along the length of Sir Herbert Miles Road between the Caleta Palace Hotel and Both Worlds, can Government state whether they have plans for alternative parking arrangements for the users of Sandy Bay during the summer season?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

It is Government's intention that the road from the Caleta Palace Hotel to Both Worlds should be one way southbound during the official bathing season to allow motorists to park by the side of the road.

It will be a two way road for the remainder of the year.

NO. 148 OF 1999THE HON J C PEREZ

TRANSPORT - ENGINEER LANE

When do Government intend to reply to representations made to them on traffic, on the 5th May 1998, by shopkeepers of Engineer Lane?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

Government have carefully considered the representations made by shopkeepers in Engineer Lane and Governor's Street. I have met their representatives on a number of occasions. The Government's position in relation to their representations have been communicated to them on several occasions and are well known to them. No reply is pending.

SUPPLEMENTARY TO QUESTION NO. 148 OF 1999

HON J C PEREZ:

Perhaps we are talking about different representations. My information is that the shopkeepers concerned went to see the Chief Minister in May and were told that they would get a reply within two months and they claim that they are still waiting for a reply from the Minister. I presume that we are talking about the same representations.

HON CHIEF MINISTER:

The position is the first set of representations that were made related to traffic access along there and the Government have made it perfectly clear that we are not willing to allow traffic to exit along Engineer Lane because it means necessarily either channelling it down the very narrow Parliament Lane or otherwise sending it along Main Street through to Casemates. My hon Colleague, the Minister for Transport, has separately discussed the possibility of beautification schemes extending up there to try and make this street more attractive to pedestrian shoppers in that way and the Government are agreeable to doing that and I believe that that has been communicated to them but if it has not then there is some administrative defect there.

HON J C PEREZ:

Well, whatever it is the Government intend to do might it not be a good idea to try and carry that out as quickly as possible because two of the ones that were making representations has already closed his shop as a result of the Government's traffic policy in the area.

HON CHIEF MINISTER:

No, the Government do not accept that the problems facing those businesses are due to the Government's traffic policy in those areas. The Government do not accept that at all and the Government have made it clear to the shopkeepers concerned that the Government feel that they are mistaken in believing that the problems being suffered by their businesses are due to the fact that traffic does not flow out from the bottom of

Engineer Lane. We do not accept that and we do not accept that that is the reason why businesses in those areas are not flourishing. Businesses in those areas are not flourishing principally because there has been a massive transfer of population down to the westside reclamation areas and because Main Street, having now been beautified, there is much less feed-off to the side streets that have not been beautified. The Government do not accept that it has anything to do with passing traffic. As I recall one of the ladies sold wedding dresses. I do not know to what extent the demand for wedding dresses depends on the fact that one can drive down Engineer Lane or not.

NO. 149 OF 1999

THE HON J C PEREZ

TRANSPORT - CASEMATES SQUARE

Now that it has become evident that the closure of Casemates to vehicular traffic is causing chaos to the traffic flow in the lower town area and beyond, will Government consider adapting their development plan for the square to allow access by vehicular traffic?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government do not believe that the closure of Casemates Square to vehicular traffic is causing any chaos.

SUPPLEMENTARY TO QUESTION NO. 149 OF 1999

HON J C PEREZ:

Is the Minister waiting for comments, I thought we were in Questions and Answers. He knows very well what I think already.

HON J J HOLLIDAY:

So what, the hon Member has asked a question and I have answered it.

HON J C PEREZ:

No, I am talking to the Chief Minister who is staring at me.

HON CHIEF MINISTER:

It is most unusual for the hon Member to have no supplementary to ask on such a politically highly charged subject as this. I am most surprised he is losing his grip.

HON J C PEREZ:

He might take the matter as a joke but I can tell him that I have already made my position clear, the position of my Party clear. The two views are there for people to decide who they think is right or wrong and if the Government think that they are doing the right thing I disagree with them but that is it. I have given them an opportunity to correct what I think is a gross mistake but if they want to carry on from the Opposition I am afraid I cannot stop them, I can only point out to them where I think they are going wrong but it is up to them.

HON CHIEF MINISTER:

Government's position is perfectly clear. Casemates will remain pedestrianised. There is no traffic chaos that will result from it. What is happening, as I told the hon Member before, is that he is using the traffic disruption that is occurring due to road works in other places and he is attributing it to the Casemates project in a rather cynical attempt to get people to start feeling negatively about what is going to be one of the best redevelopment projects

that Gibraltar has known for a long time. When the traffic works in the other roads have finished and when the Casemates project is finished and when the resulting traffic flow arrangements are introduced, I am confident that at that time the people of Gibraltar will judge the balance between traffic at Casemates pedestrianisation to have been perfectly struck by the Government. In the meantime, as we are refurbishing, not just resurfacing but indeed rebuilding Winston Churchill Avenue, there is a necessary additional disruption which is causing delay at peak hours.

HON J C PEREZ:

The Chief Minister might recall that the first instance that we came out publicly on the matter of Casemates where chaos was already evident, was before Winston Churchill Avenue was being refurbished. The second time we came out, we came out criticising the Government for refurbishing it after it had been closed for a long time during the beautification works when the works of road construction would have been carried out at the same time and it would have avoided more traffic chaos. But to suggest that the closure of Casemates to vehicular traffic without making other alternative arrangements is an invention of mine is to live in cuckooland.

HON CHIEF MINISTER:

Two points. First of all, the hon Member who has been a Minister with responsibility for this area must know that the beautification of Winston Churchill Avenue resulted in the closure of the road for three or four days which was at a touristically and commercially sensitive period in the run-up to Christmas. The fact of the matter is that the rebuilding and resurfacing of the road is a four to six weeks project which the Government were advised to do at a touristically and commercially less sensitive period, namely, January and February. The hon Member thinks that the Government could have done what we have to Winston Churchill Avenue in the four days that Winston Churchill Avenue was closed to allow the bridge to be re-clad then he must know that one cannot squeeze a six weeks road building project into a four day road closure. And he is mistaken on the second point when he assumes that there are going to be no alternative arrangements made in connection with the closure of Casemates to vehicular traffic.

HON J C PEREZ:

I would ask the chief Minister to check his facts because it was not four days that it was closed, it was at least three weekends on the whole that the area was closed for beautification. *[HON CHIEF MINISTER: All right, six days.]* No, three weekends and the days in between. Be that as it may, if the Chief Minister has things to put in place to alleviate Casemates it is a very odd thing that the Government should not have introduced it already and should continue to create inconvenience to motorists unnecessarily because he seems to have an alternative to the chaos which he says is not being caused but the chaos that is being caused through traffic at the moment, but it is up to the Chief Minister.

HON CHIEF MINISTER:

It also depends on what one's definition of chaos is. Let me answer his question first. The plans that the Government have in that connection cannot be implemented until the resurfacing of Winston Churchill Avenue is complete. It also depends on what the hon Member means by chaos. There are many thousands of people in Gibraltar who will agree with the Government, the ones that do not allow themselves to be brainwashed by the Opposition Members, that the improved amenities for the whole of the community in Casemates project when it is finished more than justifies what the hon Member calls chaos which is at the moment because of the Winston Churchill Avenue works and the fact that

we cannot until that is finished implement our alternatives, means that for two periods of the day, that is to say, mornings and lunchtime in connection with school traffic, one might take three or five minutes longer to complete a journey than before. He may regard that as chaos, I do not regard that as chaos, I frankly think that it is a price worth paying but it will not have to be paid when both Casemates and Winston Churchill Avenue are finished. It is just a question of patience and allowing public opinion to judge for itself in due course who is right.

HON J C PEREZ:

The more he repeats it the more he believes it himself.

NO. 150 OF 1999

THE HON J C PEREZ

TRANSPORT - TRAFFIC FLOW

Is it still the intention of the Government to implement the third phase of the changes to the traffic flow announced in December 1997 in a Government Press Release No. 284/97?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The implementation of the proposed third phase of changes to traffic flows, as set out in Press Release No. 284/97, is still under consideration. There is, however, no intention to introduce these changes for the present until planned roadworks are completed.

The project to widen Lover's Lane continues. When this is finished, it will allow work to commence on the replacement of the sewer which runs under Main Street from the Convent to Ragged Staff. Once these major works are completed, then changes to traffic flows can be introduced.

SUPPLEMENTARY TO QUESTION NO. 150 OF 1999

HON J C PEREZ:

The Minister has said that the changes are still under consideration. The Press Release said that they would be implemented to check whether they work and I have been arguing from the Opposition that they ought not to be implemented. In fact to the extent that the intention was to implement them is that all the traffic signs were erected and are still there covered up awaiting the decision of Government to implement them. The Minister is now saying that they are not necessarily going to be implemented because they are now under consideration rather than awaiting to be implemented, is that the case?

HON CHIEF MINISTER:

There will be changes implemented.... [*HON J C PEREZ But not the ones announced.*] No, there will be changes implemented but not as quickly as we had hoped because the viability of the traffic flow change is interrupted by the fact that the whole of Main Street from the Convent to Referendum Gates has got to be dug up to rebuild the sewer that runs along that route. The intention of the Government is that when Lover's Lane is widened it will take all the southbound traffic and Main Street will be one way from King's Yard Lane to the Supreme Court and traffic will come the opposite way down Secretary's Lane. That will enable us to pedestrianise Main Street from the Supreme Court all the way up to the end of the present pedestrianisation by Baker's Passage and to do that we have to re-route the traffic coming down from the Upper Town. At the moment the traffic comes down from the Upper Town, down Library Street, along that bit of Main Street and through Cathedral Square. That has to be re-routed. There were two possibilities of doing that re-routing: one was to reverse Prince Edward's Road and that scheme, there is another scheme which the Government are considering which involves reversing the flow of traffic down Town Range. That is the aspect of it, that one aspect of it is the one that is under consideration.

HON J C PEREZ:

I am glad that my efforts in convincing the Government not to go ahead with the arrangements in the Upper Town have not fallen on deaf ears as I thought they had as a result of the insistence by the Government, the last time I raised it, that it would be implemented and I hope that they do not and that a more sensible decision is taken in relation to the traffic flow.

HON CHIEF MINISTER:

Yes, the most sensible plan will be implemented. It would be premature at this stage for the hon Member to assume that it will be the first one. It might be the first one or it might be the second.

HON J C PEREZ:

The last time he stood in the House he said it would be implemented for sure and that I was inventing all these things, at least at the moment he has got two plans and it might be that he might wash out the one that he announced in December 1997 that he was going to announce and which he insisted he was going to announce. So at least I think that we have got somewhere, given that even the signs were erected for the implementation of the plan announced by the Government. If at the moment they are looking at an alternative I am glad that they are doing it, this is the way constructive parliaments work, we suggest things and they take it on board. I think it is a breakthrough.

HON CHIEF MINISTER:

I hate to shatter the hon Member's illusions but the reasons why the plan is being reconsidered has got nothing whatsoever to do with the reasons that he advocates. Were the issues and the facts still as they were when I gave that answer the answer would still be the same. The reason why option two now becomes viable again has got nothing to do with any lack of confidence on the Government's part with the viability of option one, none whatsoever.

NO. 151 OF 1999

THE HON J C PEREZ

TRANSPORT INSPECTORS

Are the Government now in a position to state when they intend to appoint Transport Inspectors and what is the method they will use in selecting them?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This will be done shortly. Job descriptions for Transport Inspectors are currently being drawn up prior to advertising the posts.

The normal Gibraltar Development Corporation selection procedures will be followed.

SUPPLEMENTARY TO QUESTION NO. 151 OF 1999

HON J C PEREZ:

Can the Minister state what normal selection procedures are? Is there a board selected from the Development Corporation?

HON CHIEF MINISTER:

The procedure that is followed is the same as for civil servants. There is a selection board with the difference that the appointment does not need to go to His Excellency the Governor for ratification.

HON J C PEREZ:

Does it go to the Minister for ratification?

HON CHIEF MINISTER:

It goes to the Government to ensure that the Government's selection procedures have been followed and to ensure that it is operated properly but at the end of the day it goes to the Board of Directors of the Gibraltar Development Corporation which, as the hon Member knows, is four Ministers and they ratify this board's selection and ensure that they have applied the selection criteria which is established by the Government.

NO. 152 OF 1999

THE HON J C PEREZ

I&D FUND – HEAD 104, SUBHEAD 13

Can Government state how much of the £300,000 in this year's estimates in the Improvement and Development Fund, Head 104, Subhead 13, had been spent by 31st December 1998?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No funds had been spent from Head 104, subhead 13, as at 31st December 1998.

SUPPLEMENTARY TO QUESTION NO. 152 OF 1999

HON J C PEREZ:

Is it that no works have been carried out on the sewers this year or is it that the funds allotted to the recurrent expenditure were insufficient?

HON J J HOLLIDAY:

This Head of Expenditure basically covered two projects: the replacement of the old sewers at Main Street from the Convent to Referendum Gates and obviously with the Lover's Lane project being undertaken at present, those works have not been possible to be done. As soon as the Lover's Lane project is completed we hope to open up Main Street for the sewers to be laid. The other project under this Head is the new storm water drain which covers the junction from Main Street to Cooperage Lane to Landport Ditch. This will be done as part of the Casemates project and we could be incurring some expenditure for this before the end of the fiscal year, it all depends on the programme of works of the Casemates project but it is tied to the Casemates project itself.

NO. 153 OF 1999THE HON J J BOSSANO

TRANSPORT - EXCHANGES OF DRIVING LICENCES

Can Government state what is the number of persons exchanging their unexpired "GBZ" driving licence for "EU/UK" format, each week since 1st January and the comparable number for the same period last year?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

In 1998, no person exchanged their unexpired GBZ driving licence for the new format introduced in January 1997.

As regards 1999, such exchanges only occurred on the week commencing 8th February 1999 when 31 licences were so exchanged; and in the week commencing 15th February 1999 when 315 licences were so exchanged. I understand that there continues to be exchanges on a daily basis.

SUPPLEMENTARY TO QUESTION NO. 153 OF 1999

HON J J BOSSANO:

Do the Government agree that the sudden upsurge is related to the figure that the licence will not be accepted in our neighbouring state?

HON CHIEF MINISTER:

Yes, obviously so but it is a curious thing this. The new format of driving licences simply repeats the passport formula of United Kingdom/Gibraltar and that the Spaniards object to that as well in relation to the passport. It is not clear why anybody thinks that the Spaniards should find the new driving licence format anymore or less acceptable than they find the passport format. The answer is that they are capricious as to both. There is no difference between the GBZ and the original format, they are still issued by the Government of Gibraltar which is what the Spanish Government fundamentally object to. They still refer to Gibraltar and they are in the same form as the passport which was the last document that they challenged. This is a personal decision that people have to make. The Government would prefer that people do not change their driving licences under this pressure and in these circumstances but, of course, the Government understand that people are intimidated not so much by being denied access into Spain at the border but on the highway. There are people that have gone into Spain with no problem and then three kilometres up the road they get stopped by a patrol car and get fined 20,000 pesetas on the spot. I suppose for people who have to go there regularly this is a form of intimidation to which they succumb and that is a matter of personal choice. Obviously the Government do not consider it appropriate to prevent people from exercising that choice if they wish to.

HON J J BOSSANO:

But, in fact, there is no evidence to show that people are any safer with the new one than with the old one, that is what we are being told, is that right?

HON CHIEF MINISTER:

That is my view. The Spanish Government have never said either to the United Kingdom Government or to the Gibraltar Government, "We object the licence that says GBZ but we do not object to the licence that says United Kingdom/Gibraltar". We have no official or even unofficial formal or informal view that that is the basis of their objection to the driving licence. I do not think there is a basis for objection to the driving licences except another pretext upon which to have an act of harassment to innocent Gibraltarians going about their business.

HON J J BOSSANO:

Would the Government not agree, given the fact that the people who are doing this obviously have a need to go across and feel that it is worth spending the £20 which I think is being charged because that will ensure that they will not have a problem. Should they not be made aware that, in fact, there is no such assurance? Given the fact that they obviously are spending the £20 because they think that is what the issue is about, whether it is the old one or the new one? Obviously the answers that are being given here should help to clarify it for people but would the Government not agree that it is worth letting people know who are spending the £20 a lot of whom think they should not be charged £20, that in fact their old licence is as good as their new one and that since it is capricious there is no more guarantee they will not be stopped with the new one than with the old one?

HON CHIEF MINISTER:

Exactly. The Government have done nothing to encourage people to change their licence, we have not said to anybody that these licences are more or less acceptable to the Spaniards. When the British Government have protested to the Spanish Government in respect of these or have raised – I do not think protested may not be the right word to describe it – when this issue has been raised, when there have been two or three incidents recently in the last fortnight the response from Madrid has been that this is an over-exuberant patrolman on some highway. Presumably over-exuberant patrolmen are just as capable as being over-exuberant with one form of licence as the other. Spain has never said we will not accept the old and indeed they are still accepting it. Most of the people going to Spain today are using the original form of driving licence. There is no policy on the part of the Spanish Government to withhold recognition from them and that really is the position but people feel safer just as many people rushed contrary to the Government's advice to change their passports.

NO. 154 OF 1999

THE HON J L BALDACHINO

CONSOLIDATED FUND - REIMBURSEMENT OF TRAINING EXPENSES

Can Government state how much has been spent since 1st September 1998 to date 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

From the £250,000 provided from the reimbursement of training expenses funded by the Consolidated Fund, £201,498.64 has been spent to date.

NO. 155 OF 1999

THE HON J J GABAY

EDUCATION - SCHOOL HOURS

Have Government come to a decision on changes to the pattern of school hours?

ANSWER

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

The Government have not come to a decision on changes to the pattern of school hours.

SUPPLEMENTARY TO QUESTION NO. 155 OF 1999

HON J J GABAY:

Would the Minister not agree that over a year has gone by since he set up the Working Group, does he not consider this sufficient time for recommendations to have been made and put on his desk?

HON DR B A LINARES:

The delay is not of our making. The Teachers' Association has not been able to make to us definite formal specific proposals until two weeks ago, that is the 3rd February this year. It appears that there are wide differences of opinion among teachers and the GTA has had to hold numerous consultations and meetings in order to be able to arrive at some definite specific proposals and even now, let me say, what they propose actually results in different patterns of school hours for different schools, for First Schools, Middle Schools and Secondary Schools which may be a good thing or not. Yet again, the headteachers and the deputy headteachers have a favoured pattern which is different from that proposed by the other teachers. Let me say that I think the social and the sociological repercussions in our community of any major change of this sort in school hours could be quite serious, could ripple out into serious implications and I am sure this is an issue on which the hon Member would not want to score any political points. I think we should all want to make sure that we get it right and that everybody is clear and as far as possible consentient about it all. Above all I think it is important that parents themselves know exactly what is being proposed and feel that what is being proposed will actually facilitate rather than disrupt any further their own style and pattern of working life and for this purpose we intend to put the teachers' proposals as they have been made to us to the parents in a comprehensive survey of parental views and, of course, whatever the outcome the Government, in any case, will have to also consider the logistical and financial implications in terms of staff and physical resources that any new pattern of school hours may necessarily entail.

HON J J GABAY:

I appreciate the complexity of the subject and I agree with the Minister that this is not a question of scoring political points. However, because it is a very complex problem which can have serious repercussions if the wrong decision is taken, has the Minister in any way in facilitating an easier arrival at a decision by actually providing guidelines through the Director of Education?

HON DR B A LINARES:

I am not too sure exactly what the hon Member means in terms of guidelines. Obviously the Director of Education has been chairing the Committee representing the parents, representing the teachers and a number of other entities and in the process of analysis and discussion within that Committee, of course all the pros and cons and all the factors involved have been discussed. The Director of Education has indeed made his mind clear also on the educational and academic merits of whatever proposal comes his way and there are very definite educational aspects which can also be disrupted by the change of school hours and they are quite sensitive and delicate and they have to be attended to and that, of course, I know that the Director of Education and his advisers have been putting before the Committee, not in any biased way but so that they are weighed accordingly when anything else is being proposed in a practical sense.

HON J J GABAY:

If I may simplify the question. Do the Government themselves have a policy on this matter? Obviously I welcome the degree of consultation but have the Government particularly when the Minister explains quite articulately all the various ramifications of the change, might it not be helpful for the Government to suggest their own policy and their own views on prospective changes?

HON DR B A LINARES:

No, it is not my style of working. I think the consultation has to be absolutely genuine. I think I should hold a tabula rasa on this, a completely open mind. Let the persons involved, as I say, parents, teachers, headteachers, come up with their experience and how they live this problem and what they suggest and then after that I think it is for the Government obviously and the hon Member is right in that respect, the Government should not sit on the fence as he put it last time but actually make decisions on this matter, whatever the outcome.

HON J L BALDACHINO:

Can the Minister clarify, am I right that there was certain consultation by the GTA with the parents? I believe that a leaflet was given and they had to return it, is that the case?

HON DR B A LINARES:

I believe so. I think the teachers carried out a survey of their own but they have been reviewing this once they had to confront this evidence which was not entirely comprehensive in the survey. The sample was not as informative as it should have been and I know that they have had to put to the teachers themselves and they have had to go through a complicated and complex process before they have been able to arrive at the very definite proposals that I now have before me. One knows what it is like in union affairs and in union processes that to carry one's members in a consensus is not always an easy matter.

NO. 156 OF 1999

THE HON J J GABAY

EDUCATION - PLANS TO LINK PAY RISES TO EXAMINATION RESULTS

What is the policy of the Minister for Education in relation to the UK Government's plans to link pay rises to examination results?

ANSWER

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

The Gibraltar Government have no plans to link pay rises for teachers to examination results.

SUPPLEMENTARY TO QUESTION NO. 156 OF 1999

HON J J GABAY:

There is a considerable controversy going on in England in respect of Government proposals where pay rises are concerned and it is a two prong one. On the one hand there is a plan to reward teachers for the end result and there is another dimension to it that is to reward teachers for their performance. On the first level there is absolute rejection by the Teachers' Union that consider it absolutely out of the question and I think rightly so personally. I just simply wanted to know what the Minister's opinion was. With regard to the second dimension, there seems to be a great deal of support for actually.....*[Interruption]* Well, we know there is here locally too. The only difference is that the teachers would not be able to appoint their own salaries here. There is much merit probably in the second point where it would be a question of evaluating and assessing the performance of a teacher because of his skills, his knowledge and so on which the unions claim is easily assessable and done bureaucratically. So since there is a possibility of that line of action being taken up I would simply ask him what is the policy of the Government in respect of this possibility?

HON DR B A LINARES:

My only answer to that is that surely the hon Member knows that the thrust of the Government proposals in UK are relevant to conditions and situations, the great difficulty of recruiting and retaining good teachers and particularly headteachers, and that sort of scenario is very different from our situation here. We have no problem in recruiting or retaining teachers, as the hon Member is well aware so the factors that are conditioning the policy of the United Kingdom is so distant and irrelevant to our situation here that at the moment I can say we have no plans whatsoever to in any way follow the path of the United Kingdom Government.

HON J J GABAY:

Am I to accept that this refers to both dimensions?

HON DR B A LINARES:

Yes.

NO. 157 OF 1999THE HON J J GABAY

EDUCATION - EXCLUSIONS FROM COMPREHENSIVE SCHOOLS

Can Government state how many exclusions, temporary or permanent, have taken place in our comprehensive schools since the beginning of the current school year and, if so, on what grounds, for what length of time and what follow-up measures have been pursued?

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

During the course of the current school year no pupil has been excluded from school permanently. There have been 11 exclusions of a temporary nature ranging from one day to a maximum of one week and three of these exclusions actually relate to the same single boy. In five cases the reason for exclusion has been aggressive and violent behaviour. In all other cases the reason has been serious misconduct, which takes a variety of forms. In any exclusion of more than one day arrangements are made by the school for the child to receive work to do at home and have it marked.

SUPPLEMENTARY TO QUESTION NO. 157 OF 1999

HON J J GABAY:

When permanent exclusions are made, such as we have one it appears from the information given by the Minister on the last time I asked a similar question, on what grounds was that particular individual expelled, which is the traditional word and I think makes the position clearer? And generally, could the Minister comment on the type of offence that brings about the final punishment? Is it usually drugs related or related to violence or to what? Needless to say, I am not asking for names, I am asking for some sort of explanation for the interest of the House to know what it is that can cause permanent expulsion from school?

HON DR B A LINARES:

I think it is a question of degree. Normally one can define the misconduct as violent aggressive behaviour but it depends to what extent and how recurrent it is before the child is actually deemed to have no other remedy but to have a permanent exclusion and even then it is not permanent. Permanent is not the right word, the right word is indefinite. There is always a process, I think it is a very genuine approach, indefinite exclusion means that there is always the possibility of redemption, that the child is set an individualised programme of education outside the school ambience but pending on the progress made the pupil could always come back and hopefully that is the desire of everybody.

HON J L BALDACHINO:

Who makes the decision if it is permanent or indefinite, as the Minister has said? Is it up to the headmaster of the school or to the Director of Education?

HON DR B A LIINARES:

The headmaster or the headmistress and always with the approval of the Director of Education.

NO. 158 OF 1999

THE HON J J GABAY

EDUCATION - CULTURAL/EDUCATIONAL EVENTS

Will Government list the number of joint cultural and educational events that have taken place with the Spanish hinterland since May 1998?

ANSWER

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

Since May 1998 there have been 21 events of an educational and cultural nature involving institutions, students, educators, professionals and artists on both sides of the border. In some cases these events have taken place locally and in other cases in Spain.

I have a complete list of all these events with full details of their nature and their purpose and I would be pleased to pass this information to the Opposition Member as it would take considerable time to have it read out in the House, if that is acceptable to the hon Member. I thank him for that and I would take this opportunity of actually inviting the hon Member when he seeks factual data statistical information he is always welcome to write to me before, and I am not saying this just simply as a time-saving device, that would enable Opposition Members of analysing the data before they come to the House and then be much more incisive and focus on the issues of policy behind the data rather than just take up raw data put here to the House.

The following are details of cross border cultural events held as from May 1998 to the present –

CULTURAL

Saturday 30 May

Recital at the Piazza, Gibraltar, organised by the Orquesta Juvenil del Conservatorio 'Manuel Carra' of Malaga as part of the 1998 Gibraltar Spring Festival.

Friday 3 July

Concert by Gibraltarians students of music (Claire Hawkins, Andrew Martin, Aaron Monteverde and Christian Santos) at the Casa de la Cultura, La Linea de la Concepcion organised by the Minister for Culture.

Saturday 4 July

Official opening of the new theatre 'Teatro – La Velada' in La Linea de la Concepcion attended by the Minister for Education and Culture and the Director of Culture and other local musicians. This was followed by a concert by the Orquesta Ciudad de Malaga.

5-22 October

Participation by Spanish artists in the 26th Gibraltar Open Art Exhibition. Four of the five main prizes and half of the highly commended entries were awarded to Spaniards. Participation of local artists in the Open Art Competition of San Roque.

Saturday 28 November

Concert at the Cathedral of the Holy Trinity by La Banda de Liria, Valencia, organised by the Ministry of Culture.

Monday 14 December

Meeting at the John Mackintosh Hall between the Director of Culture and Pilar Mansilla, Juan Sandubete and Manuel Ramirez, municipal representatives from Los Barrios.

An exhibition by Spanish sculptors Hector Carnero and Ricardo Davila at the John Mackintosh Hall from 27 July to 8 August 1998 was cancelled due to the intransigence of the Spanish frontier authorities in not allowing their sculptures to be brought into Gibraltar.

Minister for Education and Culture and Director of Culture invited to a concert by the Sinfonietta 'Arthur Rubinstein' at El Teatro La Velada on Saturday 8 August but were unable to attend.

EDUCATIONAL

14 December 1998

Meeting between educators from Los Barrios with our own educational advisers to prepare programme of educational exchanges by pupils.

18 February 1999

Visit to Los Alcornocales by team of teachers led by our Senior Educational Adviser to prepare programme of exchanges by pupils.

30 April 1998

Visit by 50 pupils and teachers from Marques de Lucerna, Cordoba, to Westside and Bayside Schools.

28 May 1998

Biology Field Trip – Westside School – 38 pupils to El Picacho, Alcala de los gazules.

3 June 1998

RE Course – Bayside School – 47 (12 to 15 year olds) to Augustinian Convent, Medina Sidonia.

8 – 10 June 1998

Adventure Camp/Outdoor Activities – Bayside School – 31 (12 to 13 year olds) to Cortijo de la Jarandilla, Castellar.

9 June 1998

Spanish Department (Cultural) – Bayside School – 40 (Year 10) to Granada.

20 – 24 October 1998

Sports Tournament – Westside School – 10 (12 to 13 year olds) to Madrid.

27 – 28 November 1998

Field Work – Sacred Heart School – 37 (11 to 12 year olds) to La Jarandilla, San Roque.

9 – 11 December 1998

Adventure holiday organised in conjunction with DFL behaviour strategy – Bayside School – 23 (13 year olds) to La Jarandilla, San Roque.

5 – 7 February 1999

Sports (Cultural) – Gibraltar College of Further Education – 22 (17 to 20 year olds) to Granada.

May 1998

Following a Scout Regional Conference held in Algeciras a party of 200 Scouts visited Gibraltar as guests of the Gibraltar Association. The Bugle and Drum Corp of the 1st/4th MMHD Gibraltar Scout Group returned to Algeciras with the Spanish contingent and played for them as part of the closing ceremony of the regional conference.

May 1998

A party of 40 Cub Scouts from Gibraltar camped in the forest of Cujar Sierra, near Granada, with Cub Scouts of the Granada Region during the long weekend at the end of May 1998.

SUPPLEMENTARY TO QUESTION NO. 158 OF 1999

HON J J GABAY:

I thank the Minister for the list that he is going to provide me with. At the same time I am sure he will recall our previous difference of opinion as to what constitutes joint cultural and education events. Since the previous list was mainly really ordinary routine excursions and trips of very superficial cultural and educational value but, of course, extremely welcome on grounds of leisure activities. May I say that when I look at the list I will be trying to identify occasions where one sees what is usually considered meaningful educational exchange, that is joint research projects, exchange of teachers, swapping classes, sort of integrated activities and not simply the sort of trip or excursion that we debated last time. Secondly, on the previous occasion reference was made to the co-operation on educational matters with the Mancomunidad de Municipios and the Minister stated that the Working Commission had met eight times since April 1997. Can the Minister inform the House how many other meetings have taken place since and at what level and, hopefully, with what positive results?

HON DR B A LINARES:

I can tell the hon Member that we have gone well beyond the format of the Mancomunidad, I have to confess. We have now gone very much to the grass roots, to people involved, practitioners in the field both over the border and locally. We feel that the Mancomunidad Working Commission agreed that this would be the best and most

effective way of processing the philosophy and the thinking of co-operation. Referring to the first part of the supplementary question, I would say yes, I agree with the hon Member that there are different levels at which one can evaluate educational and cultural exchanges but I would say that as far as we are concerned, it is the interaction between peoples, especially young people, students and educators and professionals getting to know each other, co-operating sometimes in very simple activities like an exhibition or a competition but anyway, for the hon Member's information, that list he has got there I have actually excluded, I knew he would bring that up, all the purely leisure, all the trips to Mijas Aquapark and all that have been left out.

HON J J GABAY:

I will enjoy reading that list and perhaps with the same insistence as usually shown by the Chief Minister, I shall come back on that point. But let me take up one point. The hon Member said that we had gone down from the Mancomunidad level to the grass roots, on the previous occasion the hon Member mentioned El Calendario of events provided by the Department of Education in La Linea and he made the comment, which I quote "it has not found much response in our schools". I was wondering whether this is still the case?

HON DR B A LINARES:

Not entirely, there have been some responses, particularly in the field of music. The hon Member will see in that list that there have been a number of very exciting and interesting concerts, since El Conservatorio de Musica in La Linea came into existence there is a very close contact between the Musical Directors there with our own musical people here and there have been some very exciting encounters. There have been concerts here in Gibraltar and some of our young musical students have gone to the Conservatorio in La Linea and performed quite brilliantly.

HON J J GABAY:

Would the Minister not agree that we are simply skimming the surface or do we tend to elate ourselves with the idea of regional co-operation?

HON DR B A LINARES:

That is a very wide valued judgement to which I would not dare to trespass.

NO. 159 of 1999

THE HON J J GABAY

EDUCATION – CONSTRUCTION TRAINING CENTRE

Will Government state how many students have completed their training in the Construction Training Centre in the last two year course period, giving breakdown by trade and how many students have enrolled for the course which started in November 1998?

ANSWER

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

Mr Speaker, 16 students will have completed their two-year training course by March this year. (seven actually completed the course in December 1998 and three others have completed the course earlier this month).

The breakdown by trades is as follows:-

- 5 Carpenters
- 3 Painter/Decorators
- 2 Plasterers
- 4 Plumbers
- 2 Bricklayers

Twenty students have enrolled for the course which started in November 1998.

SUPPLEMENTARY TO QUESTION NO.159 OF 1999

HON J J GABAY

What was the failure rate, if any, in the last batch of those students who completed the course?

HON DR B A LINARES:

I have not quite got the statistics for the failure rate. The total intake was 35, 16 have succeeded and completed. The others have not all failed the course but simply either left, because they find employment or in some cases they have actually been asked to leave for disciplinary reasons. If the hon Member, by failure, means how many have not completed the course, then it is 35 less 16, that is 19.

HON J J GABAY:

Would you not consider that to be quite a high rate of failure?

HON DR B A LINARES:

Not quite a very high failure because there have been other options recently developing and opening up opportunities for these students who have then diverted their career prospects from the industrial trade to, perhaps, in the field of tourism, or catering, or whatever. Certainly I can tell the hon Member that the failure is not due to any intrinsic deficiency in the courses that are being offered. They are young people who go into a particular career with enthusiasm and then they change their minds for a whole variety of factors that come into their lives.

HON J J BOSSANO:

Can the Minister confirm whether the people that have completed the course are now qualified to take up employment in the trades that he has listed?

HON DR B A LINARES:

They are not craftsmen, they are qualified, they have Vocational Qualifications at Levels 1 and 2. Many of them have now qualified to take on, and they have been indeed employed now by a number of construction firms as apprentices aiming at level 3 which would actually then be the qualification that compares with the traditional concept of a craftsman.

HON J J BOSSANO:

So the apprenticeship that they take up after their two years will take how long?

HON DR B A LINARES:

Normally one year, but it is very often open-ended if it is on-the-job training there is usually a certain flexibility in enabling the young man to master the different skills involved in whatever the trade is but normally it should be one year.

HON J J BOSSANO:

Given that the Vocational Qualifications that have been done under Government supervision in the Construction Training Centre, if there are private sector employers taking on these youngsters who come out after three years, what is the nature of the monitoring of the training that they get in the private sector that is carried out? Is it carried out by the Construction Training Centre?

HON DR B A LINARES:

There are a number of facets to that training, on the job, part of it is a release element which enables them to seek underpinning knowledge in the College of Further Education, no longer in the Centre because the Centre provides very practical training rather than the theoretical aspects that many employers will still want from their trainees and the supervision, in the Training Unit now, we have a Training Officer who has supervisory responsibility for all the training schemes and he is assisted by two Monitors whose job it is to be in the front line, actually going to the places of work ensuring that each trainee has an individualised programme of training and ensuring that there is someone in the firm who takes responsibility for them as the master craftsman with supervisory and monitoring ability of the programme.

HON J J NETTO:

If the hon Member will give way, I think the original question as posed by the Leader of the Opposition was to say how long should it take to be an NVQ Level 2 and how long should it take, approximately, to an NVQ Level 3? There are no specific dates on how much it should last but if we apply the UK situation, an NVQ Level 2 should be about two years and an NVQ Level 3 should be about three years. The problem with the Construction Training Centre, as the hon Member knows, when it was opened in January 1996 there were certain aspects of the Training Centre that were not available and actually created a delay towards the completion that we are now seeing here. The other part of the question that the Leader of the Opposition said was that what seems to be borne out now from experience in the private sector is that a person coming out on an NVQ Level 2 does not have the traditional skills that one assumes under the old apprenticeship scheme and hence the reason why the Department of Education and Training are now providing NVQ Level 3. It is just simply a bridge too big from the finishing of the NVQ Level 2 to NVQ Level 3 and hence the reasons why now they are actually moving on from the original NVQ Level 2, I believe there are quite a number of trainees who are now coming

under the GJBS in order to obtain the NVQ Level 3 in order to give them that further amount of skill which is demanded particularly in the private sector.

HON J J BOSSANO:

Is there then a system in place which places the people that come out with Level 2 with employers so that they can carry on to Level 3 or is it just a question of the individual having to fend for himself?

HON DR B A LINARES:

There is very much of a systematic approach. Precisely, as I said, the Training Unit is now taking responsibility for this and systematically following up, ensuring that all the trainees coming out of the Training Centre with their Level 2 qualification will find outlets into possibilities. There are 16 now in GJBS, there are 20 others in Cammell Laird, there are about nine others placed in particular firms, and in all these cases the Training Unit will keep tabs on their training programmes.

HON J J BOSSANO:

That seems to be more than the 16 that have completed. What I am asking is the people who completed the NVQ Level 2, for example, have the seven that finished in December all gone on to be employed by somebody who will give them the necessary additional training so that they finish up at Level 3 and therefore are able to compete for work as craftsmen, is that the case with all the seven in December?

HON DR B A LINARES:

I am pretty sure that most of them have now followed on their training in work placement. I cannot tell the hon Member all the seven because others may have actually chosen a different path. They may have decided to take a different type of job and not wish to go into a Level 3 qualification. There were 16 altogether who will qualify by the end of March, as I explained. I am pretty sure that GJBS is drawing on many of these 16.

HON J J BOSSANO:

It is very welcome that GJBS which is a Government-owned company should be setting the example but if there are 16 altogether, and there are 16 in GJBS, it does not leave a lot of surplus for the rest of the construction industry to have absorbed, it seems to me.

HON DR B A LINARES:

The hon Member is right. It is one of the areas that in the Training Advisory Council the representative of CATTa is actually working together with the Training Officer precisely to systemise the bridge between the private construction industry and the Construction Training Centre.

HON J J BOSSANO:

At the moment the bulk of those that are finishing this year will continue their training with GJBS, is that the position?

HON DR B A LINARES:

I am not sure about GJBS specifically but certainly the bulk will find opportunities for carrying on their training into Level 3 in work places and most of them in GJBS.

HON J L BALDACHINO:

In the United Kingdom, the NVQ is set up by the construction industry and when somebody finishes the NVQ 2, in UK, do construction companies only employ as craftsmen people who have NVQ 3 and not NVQ 2? Is the person accepted as having passed a craftsmanship?

HON DR B A LINARES:

The NVQ system in UK, I would say, is even more flexible than ours. It is very varied, it is very often addressed to the individual trainee and particularly whatever training and ability and potential that he demonstrates the NVQ system is very much intended to be able to draw on the individual potential of each trainee and my understanding and my knowledge of the NVQ system in Britain is that it is very, very flexible because the idea is to make sure that skills are developed by each individual in a realistic context.

HON J L BALDACHINO:

What I am asking is, in UK, if somebody finishes with an NVQ 2, is it acceptable as a craftsman or is it that the same condition of NVQ 3 applies or is it that it is a local condition put here by the construction industry, that is what I am asking.

HON DR B A LINARES:

The traditional craft qualification is an NVQ 3 in UK.

No.160 of 1999

THE HON J J GABAY

EDUCATION – UNIVERSITY GRADUATES

Can Government provide the latest statistical information on the last batch of University graduates who completed their studies in the academic year 97-98, stating how many have stayed abroad and how many have returned to work in Gibraltar?

ANSWER

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

In January 116 letters were sent to students requesting official proof of having completed their studies together with questionnaires seeking information about their intentions.

A total of 34 questionnaires have been returned up to Friday 19 February 1999. Of these:

- seven intend to seek employment in Gibraltar, out of which two also intend to further their studies in the near future;
- 15 have already secured employment in Gibraltar and three of these wish to further their studies in the near future;
- one does not intend to return to Gibraltar;
- nine have already secured employment in the United Kingdom but two of these wish to further their studies in the near future and another two wish to return to Gibraltar to seek employment;
- two students have indicated that they wish to further their studies in the near future;
- three students have returned official proof of their qualifications but have failed to enclose the questionnaire.

The reason why we sent the questionnaire in January is because by the terms of the contract 115 days actually have to be given to each particular student after graduation to the time that the release of the contract can be effected. We are now in the process of gathering the information that the hon Member seeks.

SUPPLEMENTARY TO QUESTION NO.160/99

HON J J GABAY:

Yes, I think that this is a very useful exercise, gathering these statistics, particularly if we are able to complete more fully the ones we received last year and pursue the latest lot so that we can build this up through the years and maybe there are some interesting facts about trends and what is happening to the people that we educate, whether we are educating them for import or for export, for that matter. It could be a very interesting and useful exercise.

NO. 161 OF 1999

THE HON J J GABAY

EDUCATION – SCHOOL OF TOURISM

Can Government state how many students there are on the waiting list for the next intake at the School of Tourism and how many places will be offered?

ANSWER

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

There is no waiting list for the next intake due to commence the course at the School of Tourism at the end of May this year. Applications will be invited around the end of April and we target up to 20 new trainees per intake.

SUPPLEMENTARY TO QUESTION NO. 161 OF 1999

HON J J GABAY:

If I remember the figure correctly, I think last time we had something like 36 applicants for the 20 places available, were they left on the waiting list or were they told to reapply on the next opportunity?

HON DR B A LINARES:

Many of them reapplied again for the next batch.

HON J J GABAY:

They are on the waiting list then?

HON DR B A LINARES:

In that sense they are yes, but we do not have an official waiting list, it is just that they are there, they have been rejected this time and of course they can apply again a second time. There is no formal waiting list.

NO. 162 OF 1999

THE HON J J GABAY

EDUCATION – SCHOOL OF TOURISM

Can Government state whether there have been any withdrawals from the first intake of students at the School of Tourism?

ANSWER

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

Yes. Out of the original 20 in the first intake at the School of Tourism, eight trainees withdrew from the course and two found permanent jobs in their work placements.

SUPPLEMENTARY TO QUESTION NO.162 of 1999

HON J J GABAY:

So, in some ways it is a very unsatisfactory situation where we are left with only half of the intake in some exercise which of course has been rather costly and which we warned at the time might have some serious consequences. It was precisely with that in mind that I asked earlier on whether a waiting list was being built up.

HON CHIEF MINISTER:

If I could just interject here, the Government do not consider that it is too expensive simply because we have only trained 10 people. The fact of the matter is, that rather like the construction industry, this is experimental for the youngsters involved. There is no tradition in Gibraltar of young people training up for this line of work and it is inevitable, I would have thought, in the first intake that there would be a high rate of drop outs. We would be very happy indeed with our investment if eight trainees completed. If after two or three intakes we ended up with 30 people qualified in Gibraltar to move up from the lowest jobs in hotels right up to hotel management and reception work, I think that that would have been a very worthwhile achievement but, of course, we would be happier still if they were still 20 left. We would have done this for an intake of 10 originally. We think that that is worthwhile.

HON J J GABAY:

Is it perhaps that the students were not properly motivated and prepared for the courses that they were to take? On an educational ground would he not agree that 50 per cent withdrawal is unreasonable and surprising anywhere in the education field?

HON CHIEF MINISTER:

This is not the education field. This is the vocational training field and these students were not motivated or educated at all for this. The Government make available a training facility in Gibraltar and people ask to be allowed to undergo that training and the Government do not say "hang on, I am going to run you past a motivation test to see if you are properly motivated". This is a facility that is made available which people subscribe to and then decide to drop out of. If the question is whether the failure rate, the drop out rate, is higher or lower than it would be in equivalent facilities elsewhere, the answer is

that it is probably lower in other countries in which there is a tradition in this sort of work and therefore a more established culture of people working in this sort of business than there has been historically in Gibraltar. I would expect the drop out rate to fall with each intake that takes place.

HON J J GABAY:

I find that interpretation rather surprising. To begin with I was actually talking about the motivation of the pupil in respect of the quality of the set up to inspire them to pursue this sort of work as indeed the Government were doing in promoting this. Perhaps it has not been handled properly. I still think that 50 per cent of withdrawal is very surprising.

HON DR B A LINARES:

I cannot agree with that. I think the reason for the drop out, to put it that way, is based on factors which the Chief Minister has expressed. It is a question of an experimental approach by the students themselves. They want to try it out, it is a trade style and pattern of work very different from other patterns of work in other trades, shifts and the atmosphere and the style of work and therefore they try it out and some of them feel that it is not for them. They are experimenting. That really in our experience in the field, having interviewed and talked and counselled the trainees themselves, have discovered that in most cases it is due to that. In no way does it reflect the intrinsic lack of merit or the deficiencies of the course itself which is greatly appreciated.

HON J C PEREZ:

Can the hon Member perhaps state at what stage of the eight that dropped out, because two were in employment, at what stage in the course did that happen? The first week? The third week? Before or after the Treasure Hunt?

HON DR B A LINARES:

I have not got notice of that, I will find out for him.

HON J J NETTO:

As to the comments by the Leader of the Opposite that he was highly surprised of the drop out rate, I have to say that there is no surprise at all. The Vocational Cadet Training Scheme introduced by the previous GSLP Government in 1989 had the tremendous drop out rate as much as this one or even worse. So it is no surprise at all.

HON A J ISOLA:

Is Government in contact with the hotels who have been carrying on the on-the-job training for the School of Tourism, has there been contact with the hotels to see how many of the remaining 10, given the possibility of employing four, and if so, do Government know how many potential jobs there could be at the end of the course which is only two or three months away for those people when they finish this period of training.

HON DR B A LINARES:

There is very close monitoring of the trainees in their places of work and very close contact between our monitors and the industry and the people in the hotels actually implementing the scheme is carried out all the time. Then the hon Member went on to say about outcome and projections and I am afraid I have not got the figures but I do not know whether the Tourist Board has worked out some projections in that respect.

No.163 OF 1999

THE HON J J GABAY

EDUCATION – TRAINING AND DEVELOPMENT COURSES

Can Government state how much has been spent from the £811,000 provided for Training and Development Courses since the 31st August 1998 to the 31st January 1999?

ANSWER

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

From the £811,000 estimated for Training and Development Courses , £445,376.80 were spent up to the 31st January 1999. Since then £58,406.35 have been spent up to last Friday 19th February. That gives a total of £503,783.15 and some more bills are expected to be paid before the end of the financial year.

SUPPLEMENTARY TO QUESTION NO.163 OF 1998

HON J J GABAY:

Can the Minister give us a breakdown as to how these £503,783 have been used?

HON DR B A LINARES:

That vote is intended for funding all the new training schemes which have been initiated by the Government over the last financial year. There is a very useful account of that which has been published but of course taken from our own documents in the Training Advisory Council in the latest report of the Chamber of Commerce, giving examples of new schemes like the School of Tourism, the Maritime initiative, University of Durham Business Management Courses, short courses under the auspices of the Chamber of Commerce, Civil Service Long Term Training Strategy, Fabrication and Welders Apprenticeships in Cammell Laired, the GJBS on-the-job Apprenticeship Scheme that we spoke about yesterday and, of course, schemes which are still in continuation. Vocational Training in our Lady of Europa Training Centre, placements of young people with learning disabilities in sheltered training, individualised programmes with separate firms. I can provide the hon Member with details of all the new schemes which have been initiated and of which, of course, we are rather proud.

HON J J GABAY:

I think I have misplaced the little note with regard to the previous question asked by the Hon Mr Baldachino as to how much was actually spent up to the 31st August 1998. I was wondering whether the Minister has this detail?

HON DR B A LINARES:

I have not got that detail but I can find out.

HON J J BOSSANO:

Can the Minister say, the payments are made to whom? To the people who are providing training for individuals that are placed with them?

HON DR B A LINARES:

Mostly to the trainees.

HON J J BOSSANO:

So this in fact is what, the payment that is made to vocational cadets?

HON DR B A LINARES:

No, the remnants of the vocational cadets scheme are still being paid from another vote in the Estimates and paid by the ETB if the hon Member refers to Appendix E in the Estimates, he will see that there is a separate vote for Vocational Cadets and then the £811,000 is for Training and Development Courses which actually fund all the trainees, wages and various other running costs of these schemes, also the fees to the training providers as well as the trainees.

HON J J BOSSANO:

In answer to a previous question we were told that the figures for the young people who were either employed directly by the ETB or placed through the Education Department, is this a third category which is not in those two others that were given in an answer to a previous question yesterday?

HON DR B A LINARES:

Yes, it is a separate category, skills development schemes that we have initiated over this financial year.

HON J J BOSSANO:

So the questions that have been answered on the number of Vocational Cadets and the payments do not include those in this Scheme?

HON DR B A LINARES:

No, it does not. The Vocational Cadets is divided between the remnants of the Vocational Cadets Scheme that was in existence before and also covers the trainees in the Construction Training Centre and I think also in Our Lady of Europa. Perhaps I was wrong in Our Lady of Europa Training Centre before, I think they are still covered by the vote on Vocational Cadets which is controlled by the ETB.

HON J J BOSSANO:

But the Minister in his list also mentioned GJBS. Is this in addition to the 16 that he mentioned in an earlier answer were in GJBS or are we talking about the same people being shown here?

HON DR B A LINARES:

The reference I made to the GJBS on the job training scheme up to NVQ Level 3 is also paid from this vote.

HON J J NETTO:

For the sake of clarity basically what we need to do is pass the information to Opposition Members distinguishing between the payment which has been made for Vocational Cadets in the employment service and some of which is also the second category of the Education Training Department to distinguish those two from the third category which is the one that he referred. That is what needs to be done and passed over to the hon Member for him to know what falls within the third category which is, I believe, the £800,000 under the Training subhead in Appendix E.

HON J J BOSSANO:

Can the Member say how many trainees benefited from the expenditure of £500,000 between the 1st September and the 31st January?

HON DR B A LINARES:

I can say that, Mr Speaker, but I would have to be given time to look it up.

HON J L BALDACHINO:

The courses run by the College of Further Education and now some of them are in Bleak House, those fall under that same amount of money, is that being paid from there?

HON DR B A LINARES:

Yes, Mr Speaker.

HON J L BALDACHINO:

And how many of those are new courses?

HON DR B A LINARES:

Quite a few, Mr Speaker. I mentioned some before. I can give the hon Member the whole list I mentioned before. Quite a number of new schemes have been initiated throughout this financial year.

HON J J BOSSANO:

I think the Minister will be able to provide a breakdown of what payments have been made, to whom and how many people are involved, is that correct?

HON DR B A LINARES:

Yes, Mr Speaker, that is correct and I apologise for not having the information available.

NO.164 OF 1999

THE HON J J GABAY

THEATRE ROYAL

Can Government report any progress on the possible refurbishment and use of the Theatre Royal?

ANSWER

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

Yes, Mr Speaker. The Government have carried out a structural survey of the Theatre Royal and a detailed costing of its possible restoration and refurbishment. The Government are considering adopting the restoration and reopening of the Theatre Royal as a Millennium Project and to this effect we will be seeking a contribution from European funds and funds from other interested trusts and institutions.

SUPPLEMENTARY TO QUESTION NO.164 OF 1999

HON J J GABAY:

I would like to thank the Minister for that information which seems encouraging and I hope that every attempt will be made to press on this issue which is a long-standing one.

NO. 165 OF 1999

THE HON J C PEREZ

NYNEX/GIBTEL - MERGER

Having announced that the proposed merger between Gibraltar Nynex and Gibtel will now not proceed, does the Minister now envisage that both companies will be competing with each other for international traffic once the EU directive on liberalisation is introduced?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The Minister has not announced that the proposed merger between Gibraltar Nynex and Gibtel will now not proceed.

SUPPLEMENTARY TO QUESTION NO. 165 OF 1999

HON J C PEREZ:

Has it been misinterpreted in the press because the last press report I heard was about a leaflet issued by Gibtel and GBC saying that the proposed merger which was supposed to have been signed last July was now not taking place. Is the Minister saying that there is a possibility that two companies should now merge?

HON LT-COL E M BRITTO:

I cannot at this moment recall the press report the hon Member is referring to but if it did say that the merger was not taking place then obviously I have been misquoted.

HON J C PEREZ:

Will the Minister state at what stage of the merger situation the matter is now given that there were expectations that by July last year there would be a possibility of signing agreements and that no such agreements were signed as a result of parties having gone cold on the matter?

HON LT-COL E M BRITTO:

If I recall there was a similar question on the Order Paper of a recent meeting of the House where we gave an indication on the lines of the one that the hon Member is seeking now but I have no difficulty in saying it again, that the merger has been put on hold at the request of Bell Atlantic. There is no definite date for the merger talks to resume but equally there is an indication that they may resume at a future date. The hon Member mentioned a leaflet that I distributed with Gibtel and he will see that is not quite correct either. [HON J C PEREZ: That is what GBC said.] Well, if it did then it was wrong. What I did was I wrote a personal letter to every single employee in Gibtel and in Gibraltar Nynex spelling out the position. It would be far too lengthy to read the letter but if the hon Member has not already had a copy of it and knowing his style I presume he already has, but if he has not I would be quite willing to give him a copy later on today. I will read the relevant paragraph, for the record, to be absolutely right and the relevant paragraph says, "Bell Atlantic have told the Government that their wish to avoid any restructuring activities of GNC at this time is driven by the facts and circumstances that they face. They have stated to the Government

that they see no reason why Bell Atlantic should be precluded from revisiting the merger at some point in the future once the current uncertainties they face become resolved. The Government remains supportive of discussions between the shareholders resuming at the earliest practicable opportunity”.

HON J C PEREZ:

I would appreciate a copy of the letter. It is obvious that if I had had a copy the question would have been rephrased in a different way. I was guiding myself by the report made in the press. Although there will be a delay in the implementation of some of those directives which affect primarily the competition of international carriers, at what stage will the Government consider whether the possibility of the merger taking place or not at all? There must be a point where the shareholders have already taken a decision of the future of their own companies and might have written it off completely or there must be a stage where Bell Atlantic or British Telecom or the Gibraltar Government will come to a point where they will say either, “It is not possible to proceed further” or “We will have to start to act now”. Can the Minister state, in his own opinion, what that point is in the future?

HON LT-COL E M BRITTO:

Obviously I cannot speak for the other shareholders but as far as the government are concerned, our wish would be to see the merger talks resuming. We are not applying particular pressure because the other party, Bell Atlantic, have indicated that they want the matter put on hold until they think they are in a position to resume.

HON J J BOSSANO:

Given that the position seems to be that the merger may not proceed as opposed to will not proceed, what is the answer to the second part of the question, as to whether both companies will be competing each other for international traffic?

HON CHIEF MINISTER:

The Government's preference is for a properly structured merger, let us be clear about that, we have been saying that for some time, that is our preference, we have been working to bring that about but, of course, there are three shareholders that would need to agree to that. One of them has asked for it to be put on hold and therefore we cannot proceed in those circumstances, but that is our preference. But we have made it equally clear to our fellow shareholders in both companies that if the merger does not proceed, the Government are determined to use our influence as a shareholder in both companies to ensure that commercial interests and therefore the employment prospects of the employees of both companies are fully protected in any future liberalised telecommunications market which the Government may have to implement in connection with the liberalisation directives. Our preference is merger but if the merger cannot proceed then the Government is certainly fully seized of the issues that that throws up in the context of the present structure of telecommunications, the share out of business between the two companies and we are determined that we will do the necessary to ensure that one does not abuse its position over the other at the expense, not just of the employment interest of the employees of the other, but indeed of the Government's interest as a shareholder of that other.

HON J J BOSSANO:

That is all very interesting but that is not the question. The question is does the Minister now envisage that both companies will be competing with each other for international traffic, what is the answer to that question?

HON CHIEF MINISTER:

Well, the answer to that question is that when the liberalisation of a market takes place the boards of directors of both companies will consider what they wish to do commercially and no doubt apply for the appropriate licences. The Government have an opportunity to influence those decisions at both board levels, not as Government, not as regulator, not as licensor but as shareholder and that is the first place where the Government will deploy and pursue our interests just as Bell Atlantic and BT pursue their interests on that level. In addition to that, although of course very clearly separated by a Chinese wall, what the Government are not allowed to do and will not do because it would be an illegality for which it could be pursued in the courts, is use our powers as a regulator and as a licensor to pursue our interests as a shareholder. But the Government are cognisant of both our rights, powers and interests separately in both those areas and will pursue, if we get an application from the board of, logically speaking, Nynex to take part in international traffic, that will require a decision of the board of directors and of the shareholders of Nynex which the Government are in a position to block as a commercial decision of Nynex if it considered it necessary in order to protect other shareholder interests of the Government.

HON J C PEREZ:

The Minister is aware, I presume, that a situation could arise where Government, as a shareholder of both companies, would be involved in investing in a duplication of infrastructure for the purposes of competition where the result of the liberalisation would instead of being like in the rest of the European Union lower international telephone charges could result in actually higher international telephone charges as a result of higher cost in infrastructure?

HON CHIEF MINISTER:

Well, hence the Government's preference for a merger. The Government's preference for a merger is not whimsical or capricious. The Government have a preference for a merger precisely for those and other reasons but principally that one.

HON J J BOSSANO:

Has there been any indication in fact that Bell Atlantic is looking at this possibility as an alternative to proceeding with the merger or not?

HON CHIEF MINISTER:

I believe that the position that Bell Atlantic is presently adopting is not driven primarily by a consideration of its commercial interests and position in the Gibraltar market. It is engaged in massive and very complicated, from a regulatory point of view, mergers and acquisitions in the USA, I think it is merging with something called GTE, one of these mega mergers, that raises issues of potential interest by European Union regulators as well as American regulators and Bell Atlantic does not wish to do anything by way of merger within Europe, which ours would be, such as might give European regulators, primarily the Commission, an opportunity to complicate what is a much more commercially significant merger. There is also the question of the diversion of management time and focus onto that much larger American merger so there are issues of not wanting to raise European scrutiny requirements, there are issues of management attention being diverted to the American merger, that is what they are telling us is the reason for this hence why it is only on hold and not off.

HON J J BOSSANO:

So the answer is that there has been no indication that they are looking at this as an alternative to the merger?

HON CHIEF MINISTER:

I cannot say what motivates Bell Atlantic in particular as a shareholder. Certainly I am aware that Gibraltar Nynex, as a company internally, without attributing the sentiment necessarily to one of its shareholders, as a company is confident that it could prosper commercially with or without a merger because of their dominance of the domestic network. The international link is, as the hon Member knows, relatively easy to procure on the wholesale market place. So certainly Nynex, as a company, is more confident than Gibtel, as a company, of its ability to compete successfully in a liberalised market place and I am sure that this thought is not completely absent from their minds but I do not believe that it is what is behind the fact that this merger is temporarily on hold.

NO.166 OF 1999

THE HON J C PEREZ

NYNEX/GIBTEL – COMPLAINTS

Can Government state what the latest position is with regard to the two complaints made to the European Commission by Gibraltar Nynex and Gibtel respectively?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

In January this year the Spanish Government has responded by letter to DGIV, the EU Department dealing with the complaints. A copy of this letter has not been made available to the Government, to Gibtel or to GNC. The Government nevertheless have some indication as to the content of this letter which I am willing to share with the hon Member in confidence.

SUPPLEMENTARY TO QUESTION NO.166 OF 1999

HON J C PEREZ:

The Minister will probably meet at his convenience after the House?

HON LT COL E M BRITTO:

Yes, indeed Mr Speaker. We will arrange a meeting and I will give him a briefing of what I have.

HON J J BOSSANO:

Can the Minister confirm that in fact the Commission has to give a reply to the two complainants at some stage, a formal reply, as a result of receiving a reply from Spain? Is that the procedure?

HON LT COL E M BRITTO:

Not necessarily. The position at the moment, as I understand it, is that the Commission is studying Spain's reply and will probably go back to Spain as the next step in the process.

HON J J BOSSANO:

But eventually there has to be a formal response from the Commission to the complaint?

HON CHIEF MINISTER:

To the complaint yes, but let us not lose sight of what this letter is in relation to. This letter is in relation to the application for interim relief and the position is that the official in DGIV dealing with this is trying to broker a solution to this matter acceptable to both the commercial complainants, the two companies, and acceptable politically to the Spanish Government and to the United Kingdom Government and indeed to the Gibraltar Government. It is in that context that the Commission speaks to one party and to the other, formulates proposals which it then puts to one party, we reply, then it gets put to the Spanish party, it replies. That is the reply that we are talking about and therefore the question is at what stage will the Commission form the view, which is the one that we would like it to form, that Spain's position in relation to the efforts being made are so demonstrably unhelpful and so obviously tainted by extraneous political considerations

that the DGIV will come down heavily on the side of the complainants rather than Spain. I would not like to be drawn too much. I am sure that when the Minister says that he is going to brief the hon Member in confidence I think he means in confidence, in a way that he can share with his colleagues on the other side and that will give him a better indication of the issues and how the matter is inching forward in a way which is potentially acceptable to Gibraltar but which is not at present as the correspondence now stands.

HON J C PEREZ:

Just to clarify, this case is about the Gibtel case only not the Nynex one? Is that the position? Or are both companies applying for relief?

HON CHIEF MINISTER:

I cannot answer from memory whether both companies have applied for interim relief. My understanding is that they might have but in any case I can tell the hon Member that that is certainly the approach of the Commission. They are seeking to broker a solution on both the numbering issue and the roving issue. Certainly the Government's position is, as I think I have said before, that we will not accept a compromise solution to one that does not adequately resolve the other. I would not want the hon Member to misinterpret my answer to a previous question when I said that Nynex were confident that they could prosper in a liberalised environment. I was simply recounting to the hon Member what Nynex's view is of its own prospects. He should not assume from that that Gibtel's position is not the same. Indeed, Gibtel also believes that they can prosper commercially in a liberalised market. The Government have its own views which may reflect the fact that our interests are slightly different to the company's but I just want, for the record, to make it clear that Gibtel's confidence did not reflect commensurate lack of confidence. They are both equally confident which seems a pretty strange state of affairs.

NO.167 OF 1999THE HON J C PEREZ:

GBC - RELAUNCH

Can Government state what relaunch plans it agreed in principle with GBC last September and whether it is true that the Corporation is awaiting the green light from the Government to put these into effect?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Last September, the Government agreed principle to the Relaunch Plans submitted by GBC. Since then various meetings have been held with GBC Management to discuss in detail various aspects of the business plan. The discussions are at the final stages and Government expect them to reach a successful conclusion in the near future.

SUPPLEMENTARY TO QUESTION NO.167 OF 1999

HON J C PEREZ:

When is the Minister going to be in a position to state the details of that plan and the added cost to the Government as a result? Obviously if the Government are involved it is not involved in saying what GBC ought to show but it would be involved in implications of the cost year plan given that it is the provider of a heavy annual subsidy to the Corporation?

HON LT COL E M BRITTO:

The Government are concerned not just on the aspects of the cost year plan but also in the overall new picture being proposed by GBC. In answer to when I will be able to disclose those details, as soon as possible after the present contracts are concluded.

NO.168 OF 1999

THE HON J C PEREZ

GBC - LICENCES

Have Government received representations from the Board of GBC for the annual TV licences to be increased and, if so, can it state its position on the matter?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Answered together with Question No.169 of 1999.

NO.169 OF 1999

THE HON J C PEREZ

GBC – LICENCED PREMISES

What was the number of premises licenced for a television receiver at the end of 1998?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The number of premises licensed under the provisions of the Wireless Telegraphy Ordinance for operating a television receiver as at 31st December 1998 was 7,204. The Board of GBC has not made representations to the Government for an immediate increase in the cost of the annual television licence. As part of its Relaunch Plan the Board has proposed that the licence fee be reviewed in the year 2001/2002.

SUPPLEMENTARY TO QUESTIONS NO.168 & 169 OF 1999

HON J C PEREZ:

What is the position of the Government on that? They have a proposal that the licence should be increased in the year 2000/2001? Are the Government agreeable to it or is it against it?

HON LT COL E M BRITTO:

The easy answer would have been to say wait for 2001 but in principle the Government is not accepting that part of the plan.

HON CHIEF MINISTER:

Could I just add to that, the Government are not willing to agree to a plan today which deals in an automatic increase in television licences at any stage in the future. Which is not to say that in a completely different environment the Government may not at some stage in the future review the television licences but it has no plans to do that either. I would not want the hon Member to misinterpret my Colleagues answer to mean that the Government are committing itself never ever again to increase the television licences. We are certainly not willing to build in automatic increases in television licences for the benefit of GBC and in a way which we cannot be sure is justified by improvements in the service that GBC is giving to the people who are paying those licences.

HON J C PEREZ:

I can only presume that in their business plan they were expecting an increase in income in the year 2001 and 2002 and given that in principle and in practice that is now not going to happen through the increase in licences, the Government must be looking at footing that bill either within the context of the business plan that GBC is proposing or by further subsidising the Corporation?

HON CHIEF MINISTER:

The essence of the Government's position is that GBC should be looking to finance its new business plan through a more commercial approach to the raising of commercial revenue. Although Government wish GBC to continue to provide a broadcasting service

and it wishes to see it providing more local broadcasting, rather than less, we are not willing to make a bed which is financially so comfortable that it acts as a dis-incentive to GBC to adopt a more commercial approach to raising its own revenue. The position that the Government are adopting with GBC is designed to enable it to go forward but at the same time not to provide a feather bed which will in effect convert GBC into a Government Department with no notion of the need to make its own way in a commercial environment. Yes, the hon Member is right fundamentally when he says that to the extent that this does not work, to the extent that whatever we are going to do now to try and maximise the pressure on GBC to raise their own revenue commercially, to the extent that that fails, then obviously the Government will have to continue doing what governments have been doing for a long time now, which is to pick up the bill by subvention because the alternative is either large scale redundancies or, indeed, the discontinuation of something which I think successive governments have agreed cannot be allowed to happen.

NO.170 OF 1999

THE HON J C PEREZ

MOBILE TELEPHONES

What restrictions, if any, exist on the marketing in Gibraltar of Spanish based mobile telephones?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

No restrictions exist on the marketing in Gibraltar of Spanish based mobile telephones.

SUPPLEMENTARY TO QUESTION NO.170 OF 1999

HON J J BOSSANO:

Is it permissible to require any system of licences, or anything like that, for market mobile telephones?

HON CHIEF MINISTER:

The sentiment which I suspect underlies the hon Member's question on this is one that we have been considering of late. Our understanding is that the retailing in Gibraltar, which is what happens, not of telephones but of the chip is not in itself a licensable activity. The Government, in the context of the Gibtel dispute, the roaming dispute, do not discount the possibility at some stage in the future of albeit imposing some reciprocal impediment to the availability and use in Gibraltar of those chips. We do not consider that it is appropriate to do so at the moment when we are still recruiting the support of the European Commission to eliminate what we regard as an uncompetitive practice. I would not want the hon Member to run away with the idea that the Government are actively considering that for imminent implementation but certainly the Government do not discount the possibility that if the matter is not resolved satisfactorily for Gibraltar, that it is really commercially unsustainable to continue to allow the Spanish telephone operator to penetrate our market and preventing us from penetrating their market whilst giving them a free field in which to penetrate ours. Certainly, one of the ways that would be open to the Government to achieve that is in effect declaring Spanish telephone chips some sort of prohibited import or something of that sort. It would be terribly difficult to police. The possibility of walking up to people and saying "let me look inside your mobile telephone to see which chip is in the back of it"..... it is terribly difficult to police and that is one of the reasons why it is very much on the backburner as an idea.

NO.171 OF 1999THE HON J C PEREZ

MOBILE TELEPHONES

What was the number of Gibtel mobile telephones in use at the end of 1996, 1997 and 1998?

ANSWERTHE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The number of Gibtel mobile phones in use in Gibraltar as at the 31st December in the last three years has been as follows:-

31 Dec 1996	1,035
31 Dec 1997	1,620
31 Dec 1998	2,445

SUPPLEMENTARY TO QUESTION NO.171 OF 1999

HON J C PEREZ:

Certainly it gives the lie to those that did not want the introduction of the mobile telephones when I was in Government because they thought that it would not work.

HON LT COL E M BRITTO:

I take it that the hon Member is referring to commercial opinions within, presumably, Gibtel and not to any Government Member?

HON J C PEREZ:

Let me put it this way, there were those people that were trying to stop the Government at the time of introducing mobile telephony because they thought that even without the competition from Spain it was not a good business proposition. The figures tell a different story and I am glad that that is the case because I initiated the process and fought hard for the introduction of mobile telephony.

HON LT COL E M BRITTO:

I want to take the opportunity to give the hon Member a little bit of more information.

Apart from what my Colleague has already said, it is also the obvious position that this growth in mobile telephony within Gibtel would be even greater, I am sure the hon Member understands, if we had a roaming agreement. In the continuing absence of a roaming agreement and running in parallel with the complaints and legal solutions being sought in that direction, Gibtel is also exploring technical solutions to achieve roaming without needing a roaming agreement. I will not give any more details than that except to say that it is being explored.

NO.172 OF 1999THE HON J C PEREZ

NO OF TELEPHONE STATIONS

What was the number of telephone stations and the number of exchange lines at the end of 1998?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The number of telephone stations and the number of exchange lines at the end of 1998 was as follows:-

	<u>1998</u>
Exchange lines	20,380
Telephone Stations	27,178

NO.173 OF 1999

THE HON J C PEREZ

LOCAL TELEPHONE CALLS – BILLINGS

What was the total value of billings of local telephone calls in 1995, 1996, 1997 and 1998, with a breakdown for commercial and domestic users?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Answered together with Question No.174 of 1999

NO.174 OF 1999

THE HON J C PEREZ

INTERNATIONAL TELEPHONE CALLS – BILLINGS

What was the value of billings of international telephone calls in 1995, 1996, 1997 and 1998 for commercial and domestic users?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The information requested is of a commercial nature and it is considered contrary to the Company's interests for it to be divulged publicly.

SUPPLEMENTARY TO QUESTION NOS.173 AND 174 OF 1999

HON J J BOSSANO:

Is this not information that will become public when the requirement of the publication of accounts under the Company's Directive of the EC..... we are talking about the turnover of the company?

HON CHIEF MINISTER:

There is a difference between the figure for the statement of turnover and the breakdown in that turnover between commercial and domestic users, for example. This information is given to us by the company and therefore we have got to respect the basis upon which the companies give it to us. I, for my part, see no reason why this information should not be more openly available and I am certain that as an interim measure and before we can double check the extent to which this answer is really the one that should be given to this question, I am sure the Hon Mr Britto will make the information available to the hon Member, initially on a confidential basis whilst we can see the extent to which it cannot be made available more openly.

NO.175 OF 1999THE HON J C PEREZ

NON-PAYMENT OF TELEPHONE BILLS

Are Government aware that some telephone subscribers are being disconnected by Gibraltar Nynex for non-payment before a bill is received?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Subscribers whose telephone lines are disconnected for non-payment of accounts have previously been issued with three telephone bills and a reminder letter to this effect. Bills are issued at the beginning of the month and disconnections made around the middle of the month. Even if a customer has not received the current month's bill, he would have to be in arrears for two months and have previously received two bills and a reminder letter if he is being disconnected.

SUPPLEMENTARY TO QUESTION NO.175 OF 1999

HON J C PEREZ:

That might be what the practice ought to be but that is not the situation that one hears is occurring. We are talking about the same bill for which the person is to be disconnected for non-payment being received after the disconnection takes place. Since the Minister is going to meet with me, I will take proof of this for him. Could the Minister perhaps not ensure that given that the company has removed the Billing Office in Main Street and there are very many senior citizens that find it difficult now to go to Europort to pay their bills and they have no banking facilities and they are therefore not able to pay by cheque and by post, could they not ensure that the old practice of ringing people up and actually talking to them before any disconnection takes place, is reinstated in Gibraltar Nynex so that there is no repetition of this. I remember that initially although the letter threatening disconnection might have been sent the customer was told beforehand and told "look, we sent you a letter, have you received that letter?" If they confirmed that they received it or they did not confirm that they had received it, if within two days of that telephone conversation the money was not forthcoming then the disconnection took place but at least there was a contact with the customer before a disconnection took place. I am really worried about senior citizens who because of the difficulties they now encounter in getting to Europort to pay whereas before the water and electricity was in the same area they used to do all in the same area.

HON LT COL E M BRITTO:

The hon Member makes various points. Let me start with his last question, the Minister is equally concerned about those senior citizens and is monitoring the situation closely in respect of any possible difficulties of these senior citizens by the move of the Customer Consumer Centre down to Europort. Let me say that at the moment no serious problems have been identified but that where there have been problems identified the company has taken action directly in specific cases to alleviate those problems. Similarly, and I am not too sure of my ground here but my understanding is that in the case of senior citizens, special consideration is given to individual cases before disconnection is considered or actually made. Thirdly, the company is actively pursuing at this moment a

number of possibilities for providing collection facilities more centrally to accommodate people who may have difficulty in going down to Europort. I repeat that at the moment there is no indication of any serious problems of a large scale. The practice of the telephone call has been discussed more than once at management level, I understand, and certainly it has been discussed at Board level, but the preference of decision has been for the present system. I go back to what the hon Member said at the beginning of his question, that he has evidence of someone being disconnected. I would certainly welcome the information from him so that I can ask the company to look into the individual case but let me repeat what I said before, it is not possible unless there is a misinterpretation or a massive breakdown in the system, it is not possible for it to happen because take for example the month of February, for a person to be disconnected in February he has to be still in arrears on his December bill. If he has paid his December bill but is in arrears of his January bill, he is not disconnected. He is disconnected in the third month, for arrears in the third month. During the February disconnection exercise those still owing December were disconnected but those owing January or February were not. So even if they had not received the February bill and even if they had not received the January bill they would not have been disconnected unless they had not paid the December bill.

HON J C PEREZ:

I know how the system ought to work. I am telling the Minister that somewhere down the line it does not seem to be working the way it ought to be and added to that I think there have been recent delays in the postal services as a result of the backlog of Christmas and everything else, which could account for letters arriving late to the customer. Needless to say, I will try and get the evidence and when I meet the Minister I will put it to him. I would be obliged if the Minister would take back the suggestion of re-introducing the system of calling the customer. It is more work for the company but I think when we are trying to give the best service possible to customers, that they should try and contact the individual that is going to be disconnected by telephone before the disconnection takes place ought not to create a big hurdle in the workings of the company as such. If the Minister could take it back to the management for consideration, I would be obliged.

HON LT COL E M BRITTO:

I am willing to give the hon Member that undertaking. However, I will say that I have done that before in the past and I find value in the management's assessment of the current position unless it can be proved that there is wholesale problems being caused. I repeat, there is no evidence of that from the company's point of view. The present system, where everybody knows quite clearly what the situation is, has been found, in practice, to work. People know that if they are in arrears in the third month then they are cut off. If one starts making calls then what happens in fact is that the person says "no, I have not received the letter" and he enters into a discussion and then the disconnection does not take place and it does not take place and the next thing that happens is the arrears start building up again. Since this practice was put into place arrears have decreased considerably and only those people who are in arrears as far as I am concerned and on the evidence presented to me are being disconnected but I am quite prepared to take this suggestion back and to hear what the hon Member has to say in those particular cases and take that back as well.

HON DR J GARCIA:

Can I just say that I have also received several complaints on this situation. My hon Friend is right to suggest that we investigate the mechanism by which the bill gets from the company to the client or the consumer.

HON LT COL E M BRITTO:

Either Opposition Members opposite do not understand what I am saying or the customer is not explaining it properly to the hon Member or the hon Member, when it is explained to him, is not checking what he is being told. I have no doubt whatsoever that what he is being told is "I have been disconnected in February and my February bill has not arrived", I have no doubt that that can happen. What I am saying to the Opposition Members is that if that happens the client is not being disconnected because he has not paid his February bill, he is being disconnected because he has not paid his December bill, that is what I am saying. When one gets those complaints ask to see the bill and ask why it is that they are being disconnected. If I am wrong, and I am quite prepared to accept that I could be wrong, show me the evidence and I will take it up with the company, but I cannot do it on hearsay.

HON J J BOSSANO:

In the example that the Minister keeps on giving, presumably it is not impossible that the December bill might not have been received and the company thinks it has.

HON LT COL E M BRITTO:

Mr Speaker, that will imply that the mail is in delay by three months. I think, even allowing that in December it gets delayed and that there are delays in the postal service, I think to be asked to believe that three bills can have gone astray, and the warning letter? Remember in January, a person being disconnected in February, in January would have got a warning, would have got a letter saying "unless you pay by a certain date in February you will be disconnected". There would have to be so much delay for X bills and the letter going astray, but everything is possible, but I find it difficult.

NO.176 OF 1999

THE HON J C PEREZ

ELECTRICITY DEPARTMENT

Can Government confirm that it has engaged a consultant from UK to look at the salary structure of the Electricity Department, and, if so, can it say what the consultant will cost and what are the terms of reference of the consultancy?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

No, sir. Government have not engaged any consultants to look at the salary structure of the Electricity Department.

Government have, however, engaged the services of Manx Energy to carry out a comprehensive top-down strategy review of the functional activities of the Electricity Department in accordance with the following terms of reference:

1. investigate, study and make recommendations on the following aspects as they affect the Electricity department; organisation and function of sections; staffing levels and gradings; scope and volume of work; working practices; logistics resources.
2. allow staff grievances to be heard and, where appropriate, consideration given when implementing the recommendations resulting from the above.
3. to indicate the extent of possible savings that may arise from any changes which are proposed;
4. take into account any special circumstances which may arise from operating as a small island undertaking.

The fees to be paid to the consultants for the review are £33,750.

SUPPLEMENTARY TO QUESTION NO.176 OF 1999

HON J C PEREZ:

Was this agreed beforehand with the Trade Union or has it been a Government initiative without consultation with the Trade Union? And have the Terms of Reference been agreed with the Union as well?

HON LT COL E M BRITTO:

Yes, there was discussion and agreement with the Union and obviously through the Union with workforce and I would say that the idea of the consultancy was welcomed from all sides.

HON J C PEREZ:

Could the Minister state at what stage the situation is? When is this expected to be completed and when will the Government receive the recommendations of the Manx Energy Review, or whatever?

HON LT COL E M BRITTO:

At what stage we are at I think there have been two, maybe three, visits by the consultants so far. They are working down the salaries as it were. They have consulted with the management and at the last stage they were at middle management and now the next visit will be coming further down the workforce itself. As to when the reports are expected, I cannot remember exactly the date offhand. I think that we have asked for the report by not later than June this year and I think I am almost right in saying that. For the avoidance of doubt let me make it quite clear to the hon Member that when I say that there has been consultation with the Unions, that this has been on what was going to be done, on the Terms of Reference, et cetera. Let me be quite clear that what is being done here is that the Government have contracted people to provide a report to the Government on the situation in the Electricity Department for us to take the policy decision and management decisions following that. I was not implying that this was a joint consultation with the Union, it will end up being a Government report.

HON J C PEREZ:

I take it that the £33,750 is only the fees and that the extra cost of visits, air tickets, accommodation and so on, are ancillary to that figure? Or are they all covered in the same figure?

HON LT COL E M BRITTO:

Yes, Mr Speaker, the hon Member is right. There is an estimated cost of about £8,500 in travelling, accommodation and subsistence, but obviously I did not include it in the previous figure as it cannot be quantified until after the event rather than before.

HON J J BOSSANO:

The two or three visits that have taken place, are the people conducting this study technical people on the running of generating stations, or are they looking at the financial side of the operation as opposed to the technical side of producing electricity?

HON LT COL E M BRITTO:

Manx Energy is a consultancy firm, wholly owned by Manx Electricity Authority, in other words the Isle of Man. The people who have been coming are people from senior posts within the Manx Electricity Authority and are people with expertise right across the board. The reason why the Isle of Man was chosen by the Government is that they are obviously comparable in size, although obviously bigger and also they have had experience of a situation similar to the one that we have had in Gibraltar and that we thought their expertise would serve in that direction. The people coming so far have been two but others will be coming to address different areas. In answer to the hon Member's question, those who have come have not had expertise in all areas but others will be coming so that all areas can be covered once the report is completed.

HON J J BOSSANO:

Are the ones who have come, people with engineering backgrounds on the technical side? I presume that in Manx Energy there are people who look at these kind of things from a business plan point of view and the financing of the thing and there are people who look at the actual physical work of producing electricity.

HON CHIEF MINISTER:

The principal object of this exercise is not to point out to the Government what the cost to the Government is of running the electricity service, which we know, nor ways of reducing that. This is not a financially-driven exercise. This is a structural organisational and what I think the hon Member classified generally and under the umbrella "technical" as opposed to financial exercise. They have indicated that they wish to express views to us on the financial aspects as well but that is not why they were engaged. If they want to make gratuitous comment in that area as well, Government are not going to stop them doing so and we will see what they have to say but that is not the purpose for which they have been commissioned. They have been commissioned for the technical, structural, organisational, gradings, functional aspect of the matter rather than for the financial aspect of this matter which in any case are pretty self-evident.

NO.177 OF 1999

THE HON J C PEREZ

I & D Fund – Head 105 – Subhead 1.

How much of the vote allocated to Head 105, Subhead 1 of the Improvement and Development Fund, in this year's Estimates, had been spent by 31st December 1998?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The sum of £63,060.93 had been spent by the 31st December 1998.

SUPPLEMENTARY TO QUESTION NO.177 OF 1999

HON J C PEREZ

Is this an indication of the work in progress, or is it that there are things that need to be aid for which have already been done but are still owed to other parties? Does the sum expended by the 31st of December, reflect the work that has been carried out on the project?

HON LT COL E M BRITTO:

Yes, Mr Speaker. The work, as the hon Member knows, is paid in stages. In fact, as at January this year a further payment amounting to another £124,455 had been made during January. The forecast total expenditure in this financial year is £199,200 by the end of this financial year. The hon Member will no doubt recollect that this is less than the forecast expenditure and this is because the project has slowed down because when the last visit that our engineers made to the UK to assess it, it was found not to be performing to the standards that we wanted and therefore they have had to basically change the software at no cost to the Government but it has implied a delay in the final completion of the project. Obviously, as the equipment is not ready, then we are not paying for it and we do not expect to be paying for it before the end of the financial year.

NO.178 OF 1999

THE HON J C PEREZ

SUPPLY OF PORTABLE WATER

What was the supply and billing of potable water, in cubic metres, during 1998?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

During 1998 Lyonnaise des Eaux supplied a total of 1,114,282 cubic metres of water to its customers either directly using its own distribution system or indirectly via the MOD distribution system. During this same period 980,311 cubic metres were billed. This represents a network efficiency of 88 per cent.

This 12 per cent difference between the supply and billing figures represents water loss as a result of leakage or meter inefficiency.

The figure of 12 per cent loss is well below the current UK average of 20 per cent. Within the Lyonnaise des Eaux Group itself, the Gibraltar figure is the best reported and well below average group figures.

SUPPLEMENTARY TO QUESTION NO.178 OF 1999

HON J C PEREZ:

Mr Speaker 124,000 cubic meters is still a lot of water and perhaps the comparisons ought not to be the same given that water in Gibraltar is much more precious than would otherwise be the case in utilities in other places. Is the company intending to give more resources to the search for leakages?

HON LT COL E M BRITTO:

The company obviously is always conscious of improving its bottom line. It makes every effort to trace any amount of water that is being supplied and not billed, but I will refer the hon Member to a couple of points in my main answer. Firstly, that the loss is not only due to leakage but also to meter inefficiency. That is not lost water, that is water that is supplied but is not billed and that is because meters as they get older tend to read less efficiently. It is a proven fact that when people complain about the size of the water bill and they insist on a meter change, that when that happens usually the bill goes up.

HON J C PEREZ:

That is one for the Ombudsman.

HON LT COL E M BRITTO:

But in terms of this being a large figure, again I go back to the original answer. It is far better than the UK average and of all the Lyonnaise Group it is the best figure. However big it is we are doing better than anybody else. In fact, in Gibraltar we should give it more priority because it is more precious, from that point of view, yes, but the fact that it is Gibraltar and because it is a smaller territory, and because the total volume of supply is

less than comparable figure territories in UK which we are directly comparing to and yet performing better, because the turnover is smaller, the percentage is larger. If the volume of water supplied were to be bigger that percentage loss would be less because one does not lose water by the amount that one supplies but lose water from the pipe and therefore the pipe would leak because it is full all the time and if one supplies more or less, the amount of leakage would still be the same.

NO.179 of 1999

THE HON DR J J GARCIA

DTI APPLICATIONS FOR EU FUNDING

Can Government say since the 1st October 1998 how many companies have applied for EU funding and how many have been successful?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Since the 1st October 1998 a total of 14 companies have applied for EU funding. Five have been successful. Four have been approved by the Government and are awaiting endorsement. Five are under consideration.

NO.180 OF 1999

THE HON DR J J GARCIA

DTI – APPLICATIONS FOR EU FUNDING

Can Government advise how long it takes to process an application for EU funding from the moment the completed application is made to when the company is informed whether it has been successful or not?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

On average it has taken 17 weeks to process an application for EU funding from the completed application stage to a formal response being given.

SUPPLEMENTARY TO QUESTION NO.180 OF 1999

HON DR J J GARCIA

Are the Government aware of the complaints voiced by the Federation of Small Businesses and by members of the Chamber in general that it takes too long to process applications and that perhaps the procedure should be simplified or made easier and more accessible to businesses.

HON P C MONTEGRIFFO:

The Government are very aware of those representations and do their best to expedite applications but what we are talking about here is public funds, both with regard to Gibraltar Government monies when Gibraltar Government matching funds are requested and, of course, EU funds that are closely scrutinised by auditors when the programmes are subsequently revised. The time scale in Gibraltar does not compare badly with the time scales in the United Kingdom but we are conscious of the fact that we are keen to have the private sector access as many of these Funds as possible and we try to endeavour to keep the time scale to a minimum. It must be said that in some cases the complaints on delays have to do more with the stage prior to the application being completed and submitted, the original business plans may be defective and there is help required in that rather than the process of procedure involved in approval itself.

HON DR J J GARCIA:

Perhaps the Minister could elaborate on the actual procedure in terms of what happens before the application is made, once it is formalised and the various stages it has to go through.

HON P C MONTEGRIFFO:

The procedure is a five-stage procedure as from the point that the submission of the application is made. Before the application is made applicants have access to the Business Advisory Unit at the DTI and explain how long it is necessary to structure a business plan which would be necessary but once that happens there are five steps: Submission of the application, discussion and recommendation and what is known as JLAG that consist of Government officers and the so-called partners, decision then by the Government, formal endorsement by the Deputy Governor and the European Commission and then communication to the applicant.

HON J J BOSSANO:

How is the 17 week average arrived at?

HON P C MONTEGRIFFO:

It is arrived at by taking all the applications in question and dividing that by the number of applicants there have been. Of course, clearly, as with every average, some of the constituent elements that make up the average will be below and above the average, some will have taken longer, some will have taken less.

HON J J BOSSANO:

Can the Minister say which have been done quickest and which have been done longest?

HON P C MONTEGRIFFO:

I could not give the hon Member that information. What I can say is that we actually did initiate a small grant scheme for schemes under £3,000 which certainly is being processed more quickly because it was felt that particularly for small grants for computer equipment and that sort of thing, the more fully blown procedure was unnecessary and that is, generally, much quicker. But I could not, from the figures I have here, tell which was the quickest and which was the longest.

HON J J BOSSANO:

But presumably the Minister is able to obtain that information and provide it?

HON P C MONTEGRIFFO:

Absolutely, yes.

HON J J BOSSANO:

Will you do that?

HON P C MONTEGRIFFO:

In theory it is possible, yes.

HON A J ISOLA:

There is a feeling among the business community that the availability of funds seems very much more limited in Gibraltar than in other European countries. Obviously there are the subheads from which funds are available in Gibraltar, are Government satisfied that there are not other ways of accessing funds. It seems to me that in other EU states the business start ups, even businesses that are operating and require capital assistance have a whole series of funds which they can tap into and it seems that in Gibraltar we seem to be very restricted in what we can tap into. Are the Government reviewing this or are they satisfied that it is being done as it should?

HON P C MONTEGRIFFO:

It must be said that it was this Government that decided to make EU funds more freely available to the private sector than before. The last Government, with regard to the previous Programme, used the vast majority of these funds for public sector projects and it was this Government that said "look, we would really like to see the private sector engage these funds more substantively". There is no suggestion or evidence made to the Government that we are any slower with the application of these funds than anywhere else. But as far as eligibility is concerned, we do suffer from one problem which is that we are an Objective 2 area and comparisons tend to be made with Objective 1 areas in particular, for example, an area like Andalucia. That means that under Objective 1, eligibility guidelines are much broader than under Objective 2 and this is just one of the consequences of not meeting the degree of impoverishment, effectively, than an Objective 1 designation requires. Many of the Community schemes generally in certain areas, such as Financial Services, such as the Retail Trade which of course constitute big elements towards the economy, are just not allowed to benefit from these funds, it necessarily makes access to these funds by the private sector difficult to bring about. Those applications therefore tend to fall outside the usual type of training that this community has been used to which is really retail, wholesaling type of activities.

NO.181 OF 1999

THE HON J J GABAY

MOD PROPERTY

Can Government state whether the former army Married Quarters in Naval Hospital Road are still MOD property?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

If the property being referred to is the "E" Block, this is still an MOD property which they classify as freehold.

SUPPLEMENTARY TO QUESTION NO.181/99 OF 1999

HON J J GABAY

The main point with regard to this question was one of cleanliness. There is an accumulation of dirt, it seems to be used as a dumping ground, certainly behind the verandah that looks on to the main road and the back yard and I have received some complaints. I was wondering whether this can be referred to the appropriate Government Department so that something is done about it.

HON P C MONTEGRIFFO:

I am grateful for that advice. I can certainly take it up with the MOD directly as well in our regular contacts. Much more serious, of course, is the issue of freehold itself and the fact that transfers of this type are being held back because of the on-going disagreement in respect of the whole freehold issue.

HON K AZOPARDI:

I would only add to that, having responsibility for that particular Government Department, that I am quite happy to deal with the matter of accumulations subject to access being provided. If the question is that the accumulation is behind a particular railing which the MOD will not give us access to, that is a matter which is beyond my control. I hope the hon Member appreciates that.

HON J J GABAY:

Actually the building has been boarded up to prevent vandals from coming in, which is fine. But the neglect as it appears right round the front of it and in the back yard, if it is still in the hands of the MOD, the Minister just said, I think one should get on to the MOD to see to it. Thank you very much.

HON J J BOSSANO:

Can the Minister confirm in fact that the nuisances under the Public Health Ordinance which occur on MOD property is something that can be pursued by the Department? Presumably, the MOD is subject to being served with a Nuisance Notice, or is it that it does not apply to MOD property?

HON CHIEF MINISTER:

My understanding is that the MOD is not exempt from the application of the ordinary law of the land. I really, from memory, cannot give the hon Member reliable legal advice on that. Certainly, whether they are subject to the law or not, it would not be acceptable to the Government of Gibraltar if the MOD were the source of a nuisance of this sort and I believe that it would not be acceptable to the MOD either. I think it is really a question of bringing these facts to the attention of the MOD and I believe that they would remove the nuisance without the need to contemplate legal proceedings against them.

NO.182 OF 1999

THE HON J J GABAY

OLD NAVAL HOSPITAL – TENDERS

Can Government state how many tenders have been received for the redevelopment of the Old Naval Hospital?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The closing date for the submission of tenders is the 9th April 1999.

SUPPLEMENTARY TO QUESTION NO.182 OF 1999

HON J J GABAY:

Although I believe that I have asked this question before, to what extent will weight be given to the heritage aspect as opposed to the monetary aspect of the developers? If the Minister is to achieve the right blend, what guidelines have been given and what direction has been taken?

HON P C MONTEGRIFFO:

The hon Member is right, he has asked this question and we have sought to reassure him in the past. The guidelines have been included as part of the tender documentation. The Old Naval Hospital is a very important heritage building and any development on the site would have to take account of that and be totally in accordance with the importance of preserving that Heritage. The tenderers that we know have expressed an interest are extremely focused on that issue and I think understand that the Government will give that matter priority.

HON J J GABAY:

To what extent have these guidelines been the result of consultation with the Gibraltar Heritage Trust?

HON P C MONTEGRIFFO:

I cannot tell the hon Member whether the guidelines were drawn up in consultation with the Heritage Trust but the Heritage Trust certainly has been in contact with the Government with regard to this and other buildings and the tender guidelines, in general terms, obviously identify the importance of the preservation of the building, of the maintenance of the heritage and I have no reason to believe that the Heritage Trust is anything but entirely happy with that arrangement. That must be the case, in view of the fact that the tender documents are available to the public and I assume that the Heritage Trust would have made itself knowledgeable of all the conditions and would have raised any matter if they had any reservation or query.

NO.183 OF 1999

THE HON A J ISOLA

COMMERCIAL BANKS – TOTAL ASSETS

What was the level of total assets of Commercial Banks at the end of 1998, giving a breakdown of cash, balances due by other banks, loans and advances, investments and other assets?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker:

Total assets	£6,281,070,000
Cash	£5,463,000
Balances with and loans and Advances to Banks	£2,702,289,000
Loans and Advances	£1,107,771,000
Investments	£2,355,018,000
Other Assets	£110,528,000

NO.184 OF 1999

THE HON A J ISOLA

COMMERCIAL BANKS - LIABILITIES

What was the level of total liabilities of Commercial Banks at the end of 1998, giving a breakdown of total deposits, balances due to other banks and other liabilities?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker:

Total liabilities	£6,281,070,000
Total deposits	£2,667,420,000
Balances from Banks	£1,872,241
Other liabilities	£1,741,409,000

NO.185 OF 1999

THE HON A J ISOLA

GIBRALTAR BANKS – DEPOSITS

What was the level of deposits in Gibraltar Banks from (a) residents, and (b) non-residents, as at 31st January 1999?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

A breakdown of deposits between residents and non-residents is no longer required from the banks.

SUPPLEMENTARY TO QUESTION NO.185 OF 1999

HON J J BOSSANO:

When was the last time it was provided?

HON P C MONTEGRIFFO:

From memory, I think it would have been the end of 1997. This question was raised by the hon Member a couple of months' ago. I advised the House at that stage, that as a result of changes in regulation the Financial Services Commission no longer took results from banks on the basis of resident and non-resident deposits. I expressed the view at the time that the Government thought it was a statistically useful one and that we would see what we could do to try to obtain it. Because of the changes in the Commission, we have had a new Banking Supervisor, we have had a new Financial Services Commissioner, that agenda has not been taken up by them at this stage. It is not an issue, that is required any longer for regulatory purposes. It was the case before but it is a matter that we think is worth reactivating since statistics are worth having and it is one of the issues that I will take up with the new Banking Supervisor during the course of my deliberations with him.

NO.186 OF 1999

THE HON A J ISOLA

FSC – INSURANCE COMPANIES

How many Insurance Companies or Insurance Company Managers have applied to be licenced by the Financial Services Commission since the 31st January 1998?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Since 31st January 1998, six insurance companies and six insurance company managers have made an application to the Financial Services Commission for a licence.

SUPPLEMENTARY TO QUESTION NO.186 OF 1999

HON A J ISOLA:

Would the Minister know at this stage how many have been approved and how many have been rejected?

HON P C MONTEGRIFFO:

This information is always difficult to give accurately because it does not take into account applications that have been pending before the date of the question but which may have been granted during the year. I have available information with regard to applications that have been approved in that same period and those are, two insurance companies and three insurance company managers.

HON A J ISOLA:

Is the Minister aware if any of these have actually set up yet or are in the process of setting up?

HON P C MONTEGRIFFO:

If a licence has been granted, I assume that they will have set up, although the term "set up" is rather a vague expression. If by set up one means that they undertake business then that must be the case because a licence is not issued unless it is pursuant to a business plan which is then undertaken. Licences are not issued on a prospective basis. So they have all set up in the sense of commencing operations. Most of these will have been established under the wing of an existing company manager or insurance company that provides services for them. Then it is quite normal in a growing centre which initially will not attract a full bricks and mortar presence from these operators but will come in on a smaller scale and then see how the business develops.

HON A J ISOLA:

So as far as the Minister is aware, of the ones that have been approved, these are linked in with current operators? They are not newly set up, independently set up, or established?

HON P C MONTEGRIFFO:

What do you mean by newly set up or established? They are not, as far as I am aware, companies that have separate premises with separate staff but it is quite common for management firms of this type to set up with a service agreement with another operator to move their business and activities through that body. That does not detract from the value of these licences. It does not mean that international business has been put in Gibraltar with important names that are coming to establish a base in Gibraltar, although of course the Government's preference is that as many of those establish their own bricks and mortar presence.

HON A J ISOLA:

Are Government aware of any employment being created by the five new licenced companies?

HON P C MONTEGRIFFO:

I have not got the details with me but I have no doubt that it would have created employment because activity of this type requires employment. There has got to be people dedicated to the facility in Gibraltar and although those might be people already in Gibraltar I have no doubt that this would have generated employment at different levels. I can certainly make enquiries if the hon Member wishes, specifically on that matter but the recent survey of the financial services industry that we undertook did ask questions of that type and if my memory serves me correctly, it showed a growth in the capital insurance area although a slight retraction in the domestic insurance market provision.

NO.187 OF 1999

THE HON A J ISOLA

QUALIFYING COMPANIES

How many qualifying companies have been registered since the 1st October, 1997 to the 31st January 1999?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Thirty three companies were registered as qualifying companies for the period 1st October 1997 to 31st January 1999.

NO.188 OF 1999

THE HON A J ISOLA

HIGH NET WORTH INDIVIDUALS

What changes are proposed by Government to the rules governing high net worth individuals?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

There has been an extensive review of the current rules. Many practitioners have informed the Government that the current rules require amendment in various matters. These views have been taken into account in preparation of the draft of the proposed new regulations.

Various changes are proposed. The draft contains the following principal modifications:-

1. Removing the 30 day minimum residency requirement. The rules are now silent on this point leaving it up to HNWI to ensure that tax residency is established for the purposes of an overseas tax jurisdiction (ie. much more flexibility).
2. The seven-month exclusive occupation of a property is to be removed. The exclusive occupation requirement is now throughout the year. It was not a practical rule, no obvious advantage, difficult to monitor and open to abuse.
3. It seeks to clarify the circumstances in which such an individual can do business or undertake a commercial activity from Gibraltar.
4. It includes a provision allowing the income of a spouse and children to be deemed to be that of the individual in question.
5. It clarifies the categories of income which are to be taken into account in determining assessable income.
6. The name of the individuals in question will change from the previous label of "High Net Worth Individual" to the less descriptive term of "Category 2 Qualifying Individual".

The new rules will help to substantially improve a programme for the retiree market which has enjoyed reasonable success in the past.

I am happy to make available to the hon Member a copy of the draft regulations as they currently stand.

SUPPLEMENTARY TO QUESTION NO.188 OF 1999

HON A J ISOLA:

On one of those categories, the question of the individual being able to do business, is the intention of the Government that HNWI's or Category 2 applicants will actually be able to carry out or transact business in Gibraltar?

HON P C MONTEGRIFFO:

This is a problem that faced us and which was a real difficulty. Many of these individuals, although they are retirees are actually fairly young and tend to be entrepreneurial and full of energy and therefore the lack of clarity in the rules as to whether they could undertake business activities was a dis-incentive to their accessing the scheme and indeed using Gibraltar more extensively as a base from which to do their business activities. The proposals will still disallow such individuals from undertaking business in Gibraltar. We will ring fence the domestic economy out of the area within which such an individual can operate. With regard to international business, with regard to directorships of exempt or qualifying companies for example, that are all required to do international business, the rule is made clear that he is able to undertake that activity. The effect of the previous rules was really to dissuade him using Gibraltar and actually seek to use other centres for business that had nothing to do with Gibraltar and which could more conveniently, if we are interested in centralising activity here, be undertaken from Gibraltar. In simple terms, an individual will be allowed to undertake international business but not business in Gibraltar, within the domestic economy.

NO.189 OF 1999

THE HON A J ISOLA

MINISTERIAL VISITS

What ministerial visits promoting Gibraltar's Finance Centre were carried out in 1997 and 1998?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The following trips took place during 1997 and 1998 for the purpose of promoting Gibraltar's Finance Centre. These are as follows:

1997

16 th -18 th February	Jersey
12 th -18 th April	South Africa
23 rd -26 th April	London - Captive Insurance
11 th -14 th June	Cologne Conference
18 th -23 rd June	London - Sinser Conference

1998

20 th -21 st January	London - Willis Corroon
9 th -14 th March	Washington/New York
2 nd -5 th June	Luxembourg/London - Sinser
27 th -29 th September	Brussels Conference

NO.190 OF 1999

THE HON A J ISOLA

MINISTERIAL VISITS

What ministerial visits promoting Gibraltar's Finance Centre are programmed or planned for 1999?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Several visits abroad have been planned for the current year. Of these, two have already taken place:

1. Royal Bank of Scotland - 3rd-5th February
2. Norwich Union - 10th-12th February

The other proposed visits abroad include the following:

1. Jersey
2. Portugal
3. Switzerland
4. UK Road Shows
5. Guildhall Conference

Insurance

Specifically on insurance the proposed visits comprise the following:

1. Willis Corroon - three-day Conference - Latin America - March
2. Captive Insurance - two-day Conference - Panama
3. Risk Management and Risk Financing in Europe - Koln - June

NO.191 OF 1999

THE HON A J ISOLA

LOWE BELL FIRST FINANCIAL

Have Government any plans for the contracting of a Financial Services Public Relations Company following the termination of the contract with Lowe Bell First Financial?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The contract with Lowe Bell has not been terminated. A new contract has been entered into from 1st August 1998 to 31st July 1999. The position will be reviewed again at that stage.

SUPPLEMENTARY TO QUESTION NO.191 OF 1999

HON A J ISOLA:

Mr Speaker, my recollection from the last question in the House on this matter was that the Government indicated that it would not be renewing the contract with Lowe Bell when it expired and they would be looking at other options. I am surprised to learn that it has actually been renewed. Has it been renewed, may I ask, on the same terms as it was previously?

HON P C MONTEGRIFFO:

Firstly dealing with the initial point, my recollection is that the Government indicated that the matter was under consideration, not that we had decided to terminate it, but Hansard will prove that position one way or the other. The contract has been extended on the same terms, except that it now includes various other aspects primarily the targetting of specific ventures which we wish Lowe Bell First Financial, a subsidiary of Lowe Bell, to help us. It is essentially a marketing public relations contract but there are specific events, for example, the Guildhall Conference that I mentioned a moment ago where we will be seeking their help in organising the arrangements for that.

HON A J ISOLA:

Has there been an increased cost, or is it the same cost as previously?

HON P C MONTEGRIFFO

The same cost.

NO.192 OF 1999

THE HON A J ISOLA

FINANCE CENTRE DEVELOPMENT DIRECTOR

What arrangements are in place, if any, for the appointment of a new Financial Services Managing Director when the position becomes vacant at the end of the contract of the current Director?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The contract with the current Finance Centre Development Director expires at the end of June this year. It is probable that advertisements for the next term will be published next month. The current incumbent has confirmed he is prepared to extend his term for a few months if this becomes necessary prior to appointing a successor.

SUPPLEMENTARY TO QUESTION NO.192 OF 1999

HON A J ISOLA:

Is the extension for a few months simply to help Government in finding a replacement?

HON P C MONTEGRIFFO:

Yes, that is the case. The position is one that is not going to be easy to fill. It is an important position and we have an assurance from the current post-holder that he will show flexibility if it takes us more than four months to find a suitable replacement

HON A J ISOLA:

Are Government considering the possibility of recruiting for it locally or from outside Gibraltar?

HON P C MONTEGRIFFO:

Government have no difficulty with a local recruit. The difficulty, is that the type of skills that we are talking about and the type of individual we are talking about, whilst they exist in Gibraltar, I have no doubt about that, would I think not easily be persuaded to move out from what is probably private practice into a public sector contract position. The advert will be made available to both people in Gibraltar and externally. Indeed, there would be great value, let me say, in having somebody locally not just for the obvious political benefit of securing a job for a resident but because it would provide stability and continuity which is something that we are keen to see in that post. We would like somebody there that would be able to develop his own career on a long-term basis in that position rather than on short-term contracts.

HON A J ISOLA:

Are Government considering the advertising of that position on the same terms and conditions as are held by the current holder of the post?

HON P C MONTEGRIFFO:

The terms will be personal to holder. This is a post where, depending on the circumstances of the individual, the Government will take a view on the appropriate package. It may be the case that a successor can be attracted at less cost to the Government and the Government obviously will do everything in its power to reduce the amount of expenditure on the public purse. But it is an important role. I think the industry over the last two years has come to benefit and appreciate the value of having a person of calibre in that position and the Government want to make sure that the momentum is not lost. As in the case of the original advertisement, remuneration will be a matter of negotiation with the individual in question.

NO.193 OF 1999

THE HON A J ISOLA

POWDERED DRINKS FACTORY

When does Government anticipate that the proposals made in early 1996 for the setting up of a powdered drinks factory will be proceeded with?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The proposals for the setting up of a powdered drinks factory have been the subject of extensive work over the last two years. Contractual arrangements have now been finalised. We are expecting that the operation will start up on the 15th March this year.

NO. 194 OF 1999

THE HON J C PEREZ

TELECOMMUNICATIONS ORDINANCE

When do Government envisage that the new legislation on telecommunications, implementing EU Directives on liberalisation, will come before the House?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government hopes to bring the Telecommunications Ordinance to the House some time in April. The Bill will set up a Telecommunications National Regulatory Authority for Gibraltar and provide powers to the Minister to make regulations to transpose the relevant EU Directives on competition and harmonisation. Once the House passes the Bill, actual implementation of the directives will depend on a number of issues, for example, the acute shortage of numbers, which require a solution. Therefore, the Government cannot, at this stage, say when liberalisation will take place.

SUPPLEMENTARY TO QUESTION NO. 194 OF 1999

HON J C PEREZ:

Can the Minister state, although I have not given notice of this question, how much has been expended up to now in drawing up the legislation? Perhaps he has got an idea?

HON P C MONTEGRIFFO:

I can tell the hon Member it has been substantial. I can tell him, which might give the hon Member a feel for the work in question, that a total of 12 directives will be implemented by the Ordinance. They include competition directives in services; satellite cable TV networks; mobile and personal communications; full competition and licensing and another set of directives on what is called the Open Network Provision Directives; framework directives; lease lines, interconnection; an ONP amendment; voice telephony; and numbering. So there is a large number of directives that this Ordinance and the underlying regulations will seek to implement and the legal drafting exercise has been significant and is on-going and we hope and, indeed, pressurise the draftsmen to ensure that the document is ready for bringing to the House as soon as possible. Let me make the point as well that the House must focus on, that we are transposing the directives because we are required to do so but there is the real difficult issue of practical implementation on which the Government are simply not able to give assurances for the reasons that I have indicated.

HON J C PEREZ:

I understand that and there are other questions in the Order Paper that refer to those problems. I know certainly that some of the directives that are to be implemented by the Bill are already in force per se and they are being adhered to although the Bill has not been passed yet and there are others where there is going to be difficulty in implementation, as the hon Member has described. Is it still the intention of the Government, I presume, to do away with all the provisions on telephony and

telecommunications in the Public Utilities Ordinance and transpose those into the new legislation. Is it also the intention of the Government to transpose the GBC Ordinance or will that remain separate?

HON P C MONTEGRIFFO:

The Public Utilities Ordinance will have to change and it will be a consolidation. GBC is a different matter, it will not fall to be considered as part of this exercise although there may be implications in the longer term but it is not part of the exercise on which we are currently embarked.

HON CHIEF MINISTER:

Well, there is pending transposition, one EU directive which has amended the Broadcasting Directive that the hon Member transposed, in 1994 or in 1995; there is an amendment to that which has to be brought to the House soon but it is pretty inconsequential for us.

HON J C PEREZ:

Would the Minister commit himself, given that he expects the legislation to be ready in April and given the complicated nature of the legislation for laymen without technical background, to give us a good advance copy of the Bill before it is brought to the House so that we can work on it extensively and be able to make a good contribution when it comes to the House?

HON P C MONTEGRIFFO:

I do not think we have any problem with that but I should say that a lot of the technical matters will be dealt with in the regulations and I think that the Government would be happy to make available to the hon Member, as early as possible, even a draft of the regulations when we think they are really in the virtual final form if that would help the hon Member.

HON J J BOSSANO:

Are all these directives that are going to be implemented in the telecommunications field part of the 66 that Spain says are pending?

HON CHIEF MINISTER:

No, they are not even able to do that homework to their own advantage, they are not.

HON J J BOSSANO:

Can the Government confirm that this is, in fact, work that has been briefed out and what has been the cost to date?

HON CHIEF MINISTER:

The legislation is in the hands of the same private sector draftsman as they were placed by the Opposition Member before he left office. They are being done by a law firm in Gibraltar. It is very expensive but there is little alternative. The Government, although we have created an internal legislation drafting unit by the fact recruiting directly into the Government the draftsman that a particular law firm used to employ and then use to do

drafting for Government, we have now a much larger drafting capacity internally than used to be the case and therefore much more drafting is being done for much less cost to the taxpayer but this area was simply too complicated to transfer into the Legislation Support Unit without bogging it down and doing nothing else. I do not want to be held to this figure but I am quite happy to give the hon Member my over the top impression of the figure that is involved here. I believe that in respect of drafting on telecommunications directives we have already spent a figure of the order of £200,000.

HON J J BOSSANO:

Is this then the only part of the EEC directive transposition that is being done privately? Are all the rest being done by Government?

HON CHIEF MINISTER:

Again, I hope the hon Member will not hold me too strictly to the detail of this answer. I believe that to be the case. There may be one or two other small bits left over but the policy of the Government is that drafting is now done internally and this is the only area where it is still being done in the private sector.

QUESTION NO. 195 OF 1999THE HON J C PEREZ

SATELLITE PROJECT – ELCO

Can Government state whether it has now finalised its contractual arrangements with ELCO for its satellite project?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

The satellite company ELCOR was renamed ACTEL (African Continental Telecommunications) in October 1997 after a merger with another company, AFRICOM. The Government signed Heads of Agreement with ELCOR and is now finalising supplemental Heads of Agreement with ACTEL to reflect the new company structure. The Government have sent ACTEL a draft building licence and lease for a site at Lathbury Barracks and is awaiting comments from the company. ACTEL have applied for a Teleport Facility Licence and, having met their “due diligence” requirements, are expected to be issued with a licence by the Wireless Officer. ACTEL have also applied for a licence under the UK’s Outer Space Act, as extended to Gibraltar, and the assessment of the application is in its final stages.

I met with the Directors of ACTEL in New York on 6th October 1998 and was able to stress that the Government give a lot of importance to these satellite projects which are important for the diversification of the Gibraltar economy. I was able to progress the project and highlighted that the main areas of interest to the Government were processing all the necessary documentation, the provision by the company of clear time-scales for the project and the financing arrangements. ACTEL have informed the Government that they have obtained operating licences in several African countries.

NO.196 OF 1999

THE HON J C PEREZ

SATELLITE PROJECT – GE CAPITAL SATELLITES

Have all the contractual arrangements between GE Capital Satellites and the Government now been completed?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government are still to finalise the real estate documentation with GE Capital Satellites. This is expected to be completed during the second quarter of this year. The Government have signed Heads of Agreement with the company which has been granted a Teleport Facilities Licence and a licence under the Outer Space Act for the launch of its satellite during the first quarter of next year.

SUPPLEMENTARY TO QUESTION O.196 OF 1999

HON J C PEREZ:

The last time I raised this matter the Minister did confirm that the licensing arrangement had not been finalised yet. Have those been finalised now?

HON P C MONTEGRIFFO:

Yes, they have been finalised and GE Capital has effected payment of the first licence fee, both in respect of the telephone facility and in respect of the separate licence under the Outer Space Act.

HON J C PEREZ:

Can the Minister confirm, because this was something which had not been finalised by the time that we left office, whether we have followed the pattern of Hong Kong in the licensing regime for the transponders?

HON P C MONTEGRIFFO:

If what the hon Member is asking is how have we chosen to establish the cost of these licences, how we are going to regulate the national asset of frequencies, there have been various options considered and the Government selected the option of allocating certain fees to certain bands of frequencies. The fees are quite significant and they are public information. I can tell the hon Member that in the case of GE the fee is £90,000 a year. These are published fees in the regulations and are entirely transparent.

HON J C PEREZ:

Does the Minister perhaps recall whether there is a sliding scale where the fee increases per annum? If I recall, in the Hong Kong system of licensing there was a sliding scale, where there was an increase in licence fees per annum.

HON P C MONTEGRIFFO:

I could not confirm that. I do believe they may be indexed-linked but I would not be able to say that is gospel truth without having it checked.

HON J C PEREZ:

When the Minister talks about the real estate we are actually talking about the land site because I believe that this project was not taking over much of the building. They had to themselves direct the building, or are we talking about particular buildings?

HON P C MONTEGRIFFO:

We are talking about the Lathbury Barrack site where they will construct the satellite dishes themselves. GE have elected to actually also pay accommodation in town. They have already entered into a lease in a certain office block in town from which some of the staff will work. Essentially, what they will have at Lathbury Barracks will be the technical equipment and the dishes rather than a lot of the personnel who will be in town. Of course, some of the other projects are different in that respect.

NO.197 OF 1999

THE HON J C PEREZ

SATELLITE PROJECT – AFRO-ASIAN SATELLITE COMMUNICATIONS

Have Government had recent indications from Afro-Asian Satellite Communications Limited on whether they still intend to proceed with their project in Gibraltar?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Afro-Asian Satellite Communications Ltd (ASC) have informed the Government that they intend to proceed with their project in Gibraltar. ASC have had a restructure and last year appointed a new Chief Executive Officer, with wide experience in the satellite field, who has confirmed that the company remain committed to fulfilling their part of the terms of cooperation with Gibraltar, regarding real estate for the satellite control facility and gateway, as well as in providing local employment. ASC have told the Government that there will be movement on both counts in this year.

ASC have also informed the Government that they remain committed to maximum possible local employment from Gibraltar which they envisage to be carried out in phases, starting in the second half of this year and consistent with the schedule of work on the Satellite Control Facility at the gateway.

In June last year, ASC applied for and were granted a Teleport Facility Licence in Gibraltar and are paying an annual licence fee to the Government.

The Government are very conscious of the long time this project is taking in coming to fruition and is doing everything possible to ensure that tangible evidence of progress is achieved as quickly as possible.

SUPPLEMENTARY TO QUESTION NO.197 OF 1999

HON J C PEREZ:

Two things, if I may, one is without divulging any issue that might be confidential, the project still foresees that there would be two gateways linking the satellite system to the fixed earth network and that one of the gateways will be Gibraltar? The other thing is, are Afro-Asian Satellite Communications still allocated the land site that they initially identified or as a result that they have been late in coming forward with their proposals they will now have to look at other land sites within the area of Lathbury Barracks?

HON P C MONTEGRIFFO:

As far as the second issue is concerned, I will deal with that one first. There has been some change to the real estate arrangements. Originally ASC were going to construct a facility which would include the housing of staff at the site. Because the tender process the Government went through with regard to the remaining parts of Lathbury Barracks demonstrated the development of Lathbury Barracks the remaining part of it for touristic purposes was problematic in view of the satellite operations, the main retrenchment block in Lathbury Barracks became available. We have persuaded ASC to rent the entirety of that so we are expecting a significant commercial rent from ASC in that respect. That is not originally what was envisaged. The basic proposition is that there will be two gateways still. As I think I have mentioned before with regard to this project, there is a strong inclination to base more of the facilities through India itself. Bear in mind the consortium involves the Indian fixed carrier. There is strong political desire to give the project a strong Indian bias. Gibraltar gateway is really a backup gateway but still envisages a fair amount of activity and in employment terms we are quite confident this will be one of the bigger of the three projects.

HON J C PEREZ:

With respect to the Gateway, does the Minister know whether there are negotiations going on with Gibtel and Nynex?

HON P C MONTEGRIFFO:

Yes, Mr Speaker, very much so. Various of these projects require traffic routed out of Gibraltar and that requires discussions with the operators in Gibraltar and requires discussion of routes out of Gibraltar and fees and the alternative contingency plan in the event of current channels of traffic being interrupted or being compromised. This is a matter under discussion and we have an indication that they are satisfied with the discussions they have had.

HON J C PEREZ:

Mr Speaker, this is a question which might not be relevant because it affects all satellite projects, but could the Minister perhaps tell me if he knows, if not I will give him due notice of the question, whether the supplies of electricity to the projects, I remember that it was important at one stage that there were two distinct supplies going to the project because of the sensitivity of it, whether the two supplies are going to originate one from Waterport and one from the OESCO or whether the Ministry of Defence is providing a backup electricity to the projects?

HON P C MONTEGRIFFO:

I cannot help the hon Member on that degree of detail on the technicality. I can certainly enquire and I am happy to provide him with the information. I assume that some progress on that must have been made because in respect of a couple of the projects they do want to start on construction fairly soon. I can certainly enquire and pass on the information.

NO.198 OF 1999

THE HON J C PEREZ

I & D FUND – HEAD 106 SUBHEAD 6

Can Government state how much of the £1 million pounds allocated in this year's Estimates to the Improvement and Development Fund, Head 106 Subhead 6, have been spent by the 31st December 1998.

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The amount of funds allocated in this year's Estimates to the Improvement and Development Fund Head 106 Subhead 6, was £5,000 and not £1million. The expenditure as at 31st December 1998 was £4,805.81.

I can help the hon Member by saying that within Head 106 there is no estimate of £1million.

SUPPLEMENTARY TO QUESTION NO.198 OF 1999

HON J C PEREZ

I must have made a mistake on the Head, it might have been Head 104. I will redirect the question. I found it strange that the Minister was answering it because it was directed at the Minister for Transport.

NO.199 OF 1999

THE HON DR J J GARCIA

VALUE OF BUILDING MATERIALS

What was the value of building materials imported in the period April to September 1998 and the amount of import duty paid?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Questions 210 and 211 of 1999.

NO.200 OF 1999

THE HON DR J J GARCIA

IMPORT DUTY RESTRUCTURE

When do the Government intend to review the application and effect of its import duty restructure?

ANSWER

THE HON THE CHIEF MINISTER

The Government do not intend to review the application of the changes that have been introduced to import duty.

SUPPLEMENTARY TO QUESTION NO.200 OF 1999

HON DR J J GARCIA

Are the Government therefore satisfied that the import duty restructure has achieved what it was intended to do?

HON CHIEF MINISTER:

The Government are satisfied that the changes that have so far been introduced have had the effect that they were intended to have and/or an equally valuable benefit to trade and businesses that benefit from it in the present economic climate and the reason why the Government can take that view is that its import duties generally are very highly increased this year over last year and therefore we are not in a position where we have to look at what we have given away to see that it was worth giving away and is not clawing it back, because import duties generally are running much higher this year than they were last year. Therefore, whether or not they have had the desired effect, given they have been a help to business to the extent that they lower one item of cost to the businesses affected, the Government are willing to leave them in place regardless of review. However, the fact that we are not reviewing the existing changes does not mean that we are not considering other changes to other things that were not dealt with in the first review. I think I have explained in the House before, obviously the hon Member would not have been here to hear it, but other sectors of the economy, retail and wholesale, have invited the Government to do for them what we did for the motor trade, in other words, to have this split level of import duty to protect local businesses a little bit from people going off and sourcing their goods in Spain. The Government are considering that in relation to one or two particularly badly affected sectors. The Government are not at the moment looking at any further wholesale review or restructure of the import duties tariffs as such.

HON DR J J GARCIA:

I asked the question because as the Minister probably is aware there is a fair amount of criticism levelled at the import duty review that there was at the time and there still is particularly amongst members both of the Chamber of Commerce, the Federation of Small Businesses, in its annual report, in the sense that it is something which benefits some traders and not others and that there are many people who do not sell cameras, or do not sell the items that were lowered, and it has no effect at all in those cases. That was why the question was tabled whether Government intend to look at it again and see what can be done.

HON CHIEF MINISTER:

If I could just say that the majority of the criticism that has been levelled at the restructure has emanated from his own political party and from almost nowhere else. Certainly, the Chamber of Commerce has never said to the Government that they did not welcome what we did because it did not go far enough. The Federation of Small Businesses does not criticise what the Government do, it simply has expressed the wish that the Government should go further. There is a difference between criticising what the Government did, namely suggesting that it was of no value, on the one hand, and expressing the view that it ought to go further. By implication the suggestion that what we did should be extended is a recognition that so far as we went it has been of benefit. The other point that I would make is that this which the hon Member called a criticism, the import duty review only benefits certain traders dealing in certain goods and not others is not a criticism at all. That is exactly what the Government set out to do. We explained, at length, at the time that we did it, who we were trying to benefit and why. That this was not a scheme to generally lower import duties in Gibraltar. That this was a scheme aimed at trying to make more price competitive by reducing the incidence of import duty on them, certain items which the Government felt were in demand by tourists and that whilst that was our exercise, on to that we tagged on two special sectors that came to us to make particular representations, namely the supermarkets on the one hand in respect of detergents and soaps which is why they feature on the Hon Mr Isola's list this morning, and the motor trade and now basically the furniture and the white goods people have come to us and said "look, we are in the same sort of problem as the car trade because people go over there and buy their washing machines and their furniture, can you do the same to us?" and that is what I meant in answer to the previous question, that the Government were looking at but I do not regard it as a criticism of what we did. It is targetted at certain goods. It was intended to be targetted at certain goods because it was intended to benefit only those goods that the Government judged were relevant to tourism. The principal purpose of the review was to try and make Gibraltar's shopping centre more attractive to visiting tourists. It may be that the Government's judgement of what goods are relevant to tourism may be a matter of opinion. For example, I think we excluded shoes. I do not know who told the Government that tourists did not come to buy shoes. There is, I suppose, scope for discussion as to what the list is of goods that tourists seem to come to Gibraltar to buy or not. There might be some scope for discussion there but the principle was not to apply to everybody in the same way. It was to find a list of tourist relevant goods.

HON DR J J GARCIA:

Just a couple of points, first if I remember correctly the intention was to make these prices more competitive to the consumer and to the tourist as the hon Chief Minister has just said. The first question to ask would be whether that has actually happened and whether the Government have monitored that so he can measure the success of the measure or not. The second one would be, if we do not have the actual level of imports as the question my hon Friend Mr Isola asked, how would one judge if the measure has been successful or not if one does not know what the level of import has been?

HON CHIEF MINISTER:

To answer the first part first, it is almost impossible for the Government to monitor the extent to which the objective for which it did this is actually being met. The Government did this in order to make shops in Gibraltar more competitive. If instead of making their prices more competitive by putting that duty reduction, deducting it from the price of the goods, the shopkeepers prefer to increase their profit margin by that amount, on the existing volume of trade that they have, the Government have no way of going round every shop or even any shops in Gibraltar and monitoring the extent to which prices after the import duty fall have been lowered to reflect the import duty fall. I am told that on some products this is clearly being done but I am told, on a hearsay basis, by people who tell me

in the street, I would not rely on that information, I am equally clear in my mind that in many goods I am sure it has not been done. But that is a matter for the trade. The Government does this in order to make a particular sector of retail trade more competitive with our neighbour and if businessmen want to use that aid for some other purpose which perhaps increases their profit margins on existing volume that does not help them increase the volume of sales, that is a matter of judgement for them. But certainly the Government did not do it for the second reason. The Government did it for the first. We would never have lowered duty simply to increase the profit margins of existing businesses. The idea of lowering import duty was so that it would be passed on to the prices so that it would make Gibraltar more attractive as a shopping centre and therefore attract more shoppers to Gibraltar, not just for the benefit of the retail outlets themselves, but for all the other things that the extra number of shoppers would do when they came to Gibraltar, like restaurants and things of that sort. On the statistics that the hon Member referred, it is the same answer. On motor vehicles, for example, we are able to tell simply by the amount of revenue, which is an easy item, motor vehicles is a category that although..... we halved import duty so that to keep the same level of revenue, one would have to double volume. We have not quite kept the same level of import duty so volume of sales have not quite doubled but we are a fair amount of the way there. There the trade was right, the effect of lowering import duty has seen a very significant increase in volume of sales because they have passed those prices on to the purchaser and therefore more people are now willing to buy cars. The net loss revenue to the Government, notwithstanding that we have lowered import duty by half on motor cars, is much less than half. I think we are down 20 per cent, from memory. Lowering of import duty on motor cars has had a significant boost on sales, but I could not be able to tell him that for every other item, for the same reason that he himself identified, that we have not got the detailed statistics.

HON A J ISOLA:

Bearing in mind what he has just said which is in effect that some businesses may have chosen to simply increase their profit margin instead of increasing their competitive nature of the product, by reducing the duty, does that not give credibility to the principle my Colleague was mentioning before of other people who have not had an opportunity, there are other businesses who have not had an opportunity to increase their profit margins by virtue of the import duty restructure. Is that not the point really in those cases?

HON CHIEF MINISTER:

Yes, it is always the Government's policy as he knows from the fact that we increased personal allowances on income tax every year, it is the Government's policy not to tax more highly than is necessary. Once the Government are satisfied that the increase in import duties generally is sustainable, that it is sustainable in terms of quality of income increase in import duty, it may well be that the Government will take the view "we are now raising more money from import duty than we need and therefore we should lower the rate of import duty for everybody", but it is something that the Government would have to think long and hard about because a lot of the Government's import duty comes from items the sustainability and reliability of which cannot be guaranteed and once one has given away the import duty yield from stable commodities, if I could call them that, one could very quickly find oneself with a hole in ones revenue. I do not say that there will not be a time when the Government can look generally at the import duty tariffs across the board, regardless of its tourism policies. I do not believe that we are at that position yet, notwithstanding that this year's import duty yield is much higher than last year, significantly higher than last year, I do not think one can make decisions of the sort that the hon Member is suggesting on the basis of 12 months figures.

HON J J BOSSANO:

Was it not the intention of the Government to monitor the effect on volumes of sales of the reductions of import duty? And was that not indicated at the time?

HON CHIEF MINISTER:

I do not know if it was indicated and I do not know it was the intention. I can certainly tell him that it has not been done. I suppose that it can be done in due course when we get the appropriate statistics. I suppose it would be interesting to see to what extent there has been a rise and fall but of course there are so many other factors that affect rising and falling volumes of sales - the exchange rate, the frontier regime. The fact that there may have been a rise or a fall in the demand for commodities which have been subject to import duty reductions is not necessarily a reflection of the import duty reduction or of its effectiveness. There is an import duty reduction and goods may indeed be more competitive but if, for example, now, because we have got the sort of the problems that we have at the border, people are not coming, or the exchange rate is moving in the wrong direction, basically everything that is gained in import duty reductions is lost because the value of the pound has soared by a similar amount against the peseta.

HON J J BOSSANO:

It is true, Mr Speaker, that all those things can have an effect, but of course that applies equally to cars where he says because he is able to obtain the information, presumably if the pounds goes up it goes up for cars or for anything else in the price that we pay for these things in Gibraltar, not that many people might come in and buy a car but then we do not even know, based on the information we are getting now, how scientific was the original choice of items?

HON CHIEF MINISTER:

There was not a great deal of science in the choice of the items. Drawing up a list of what one thinks are the goods that tourists come into Gibraltar to buy is a layman's job, not an economist's job. Most people tend to know just by asking which are the sorts of goods which tourists come into Gibraltar to buy. But how much revenue the Government obtained from that source and what the cost would be of removing or halving as happened in some cases, the import duty, was the subject of a very detailed study because each of the items which the Government were going to consider putting on that list of goods that would benefit was subject to a code by code study by the auditors over several months. So the sort of information that the hon Member was asking for this morning was done for that list over many, many weeks by the firm of accountants from whom we commissioned that report, on the basis of raw data that was provided to them by the Customs Department.

HON J J BOSSANO:

And there was no attempt to continue to monitor those specific things which have already been identified for which there is a code?

HON CHIEF MINISTER:

The Government, although it would be interested in knowing that, is not particularly concerned about whether it has had the desired effect or not because this is not revenue that we have given away, that we might regret having given away, because in effect it has been replaced by rising duties elsewhere. But that does not mean that it would not be interesting, all of the Member's questions suggest a preoccupation with monitoring the effectiveness of the review and the Government do not have the same degree of preoccupation to monitor the scheme to see to what extent the Government's objectives have been achieved.

HON J J BOSSANO:

Surely, as a matter of economic policy, if the purpose of having as an instrument of economic policy a variable rate of import duty on the premise that it can generate activity perhaps the Chief Minister will remember that when he announced it at the dinner of the Chamber of Commerce he actually went as far as to say that unless the measures which he now gives so little importance resulted in price drops, and were not absorbed by the private industry, and resulted in economic activity and in jobs for the Gibraltarians, it would be a waste of time. Perhaps he can recall having used those words in the annual dinner of the Chamber. It seems to me that if the measure is either a waste of time or a success depending on certain potential results, they will want to know what the results are.

HON CHIEF MINISTER:

It would be a waste of time in achieving the purposes for which the Government did it. It would be a waste of time in the objective of making Gibraltar's shopping centre more competitive and therefore hopefully attracting more shoppers. But it is not a waste of time in so far as even if it did not achieve that it would still be of a profit and loss account value to the businesses affected. The point that the Hon Mr Isola is now making is that if were it to be the case that the value of this is only for benefit to the profit and loss account in terms of increased margins, it is fair that that advantage is delivered only to that sector of trade and not to every sector of trade. The Government have not done this in order to monitor it and withdraw it if it was not having the desired effect. That might have been a conclusion to which the Government could have come if this was revenue that the Government were giving away which it could not afford to give away and then say "I am prepared to give it away if it is being effective but I am not prepared to give it away if it is not being effective". The fact of the matter is that as the general retail climate has not improved dramatically, as the Government have replaced that revenue with other revenue, there has been no real requirement on the Government's part to consider taking away what it has already given to a sector of taxpayers whether it has been effective in achieving the objective of making the shopping centre more competitive or not.

HON J J BOSSANO:

But is it not reasonable to expect that if the new initiative is taken in order to achieve certain results, one should monitor the effectiveness of that instrument in order to know whether it is something that is worth doing, given that the intention was not simply to make the businesses more profitable. Since the Chief Minister keeps on repeating that it is being replaced by other revenue, without going into the other revenue, is it not the case that the whole of the other revenue to which he keeps on referring, is not more than the whole, that is to say, if we take the import duty minus one particular commodity which we will not mention, the balance is less than it was before excluding that one particular commodity. I suggest to the Chief Minister he gets the Statistics Department to do that little subtraction sum for him.

HON CHIEF MINISTER:

That is not something that the Statistics Department would have to do because as he knows I get the information monthly from which I can do the subtraction myself. I do not believe that that is quite the situation but certainly there is one commodity that is a significant contributor to increases of revenue. There are others, for example, it is common knowledge that petroleum is falling. The volume of sales in petrol stations is falling and therefore other things must be rising and remember also that we increased the duty on that particular commodity, the one that we are obliquely referring to by allusion. There will be an increase in revenue even from existing volumes regardless of an increase in volume. Mr Speaker, I think we should round this debate up by saying "look, it might be of interest to see to what extent import duty reductions on soaps, or on perfumes, has

had on....." we can look to see whether imports of perfumes are up or down since we have lowered the duty. The only point that I would make again to them is that there are so many other variables. Imports could have fallen notwithstanding the lowering of duty and indeed they might have risen even if we had not lowered the duty and therefore simply measuring the volume of imports since we introduced the duty cuts and comparing them to the volume of imports before we introduced the duty cuts, would actually not answer the questions that the hon Member is opposing which is "have they been effective for the intended purpose?".

HON J J BOSSANO:

One final question, has in fact the Government considered getting the Statistics Office to look at some of these particular commodities in the context of the Index of Retail Prices? These commodities must be reflected in the shopping basket so therefore whilst not having to send somebody down to a shop to see if there has been a change in prices, if over the relevant period the cut in import duty was reflected in cuts in prices given that, of course, not every other variable is served. I accept the argument that in order to have a 100 per cent accurate exercise one would need to have two still pictures of the economy with nothing else changing except the import duty and that is impossible except in a laboratory situation but given that that is how one measures things in the real world, would it not be possible to take an example of a few of these things and check them at two dates to see whether there is a reflection, for example, if the other items in the basket are moving in a particular direction, up or down, one would expect that the import duty one should show a difference if it is being reflected in prices without needing to go down to every shop.

HON CHIEF MINISTER:

I agree that it is both possible and indeed it would be interesting but, frankly, I am not inclined to further burden the Statistics Department until I am satisfied that they can more reliably deal with the work that they already have.

NO.201 OF 1999

THE HON DR J J GARCIA

IMPORTS – MOTOR VEHICLES

What was the value and the number of motor vehicles imported by licensed dealers in the period April to September 1998?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No.202 of 1999.

NO.202 OF 1999

THE HON DR J J GARCIA

IMPORTS – MOTOR VEHICLES

What was the value and the number of motor vehicles imported by individuals in the period April to September 1998?

ANSWER

THE HON THE CHIEF MINISTER

The value and number of motor vehicles imported by licenced dealers, including goods vehicles and motor cycles, were £24,727,000 and 5,773 respectively.

The number and the value of motor vehicles imported by individuals during this period were 79 and £340,576 respectively.

SUPPLEMENTARY TO QUESTIONS NOS.201 AND 202 OF 1999

HON J J BOSSANO:

Did I understand correctly, Mr Speaker, that the Government have said that motor cycles are included in the 5,773 vehicles?

HON CHIEF MINISTER:

Yes. The figure of 5,773 includes goods vehicles and motor cycles.

HON J J BOSSANO:

Am I correct in thinking that in fact the motor cycles were not included in the package on import duty, is that not the case?

HON CHIEF MINISTER:

Yes, that is the case. It is one of the items that the Government are now considering. It is not included in the original package.

HON J J BOSSANO:

Can the Government provide what is the figure for motor cycles in the 5,773? Because obviously since they were not included in the measure they could not have changed because of the measure which has nothing to do with it.

HON CHIEF MINISTER:

Yes, of course, the question does not identify the purpose for which the information is required. It is not our job to second guess why the hon Members want the information, but certainly I will be happy to provide that information quickly to the hon Member.

NO.203 OF 1999

THE HON A J ISOLA

LOCAL TAX STRUCTURES

Have Government received any recommendations from the Committee of local experts constituted for the purpose of reviewing the local tax structures?

ANSWER

THE HON THE CHIEF MINISTER

Government have not received any recommendations for implementation as yet.

SUPPLEMENTARY TO QUESTION NO.203 OF 1999

HON A J ISOLA:

Do Government have any idea as to when these recommendations, if any, will be forthcoming?

HON CHIEF MINISTER:

No, Mr Speaker and I think it would be wrong for the hon Member to think that they are imminent or to keep on asking at every meeting of the House when we think we might get them. To explain that, I would just like to describe a little bit of the process so that the hon Member can put it into context with dates. There is this group, who meet, toss about ideas, and they discuss them. Some of those ideas have been discussed with the Government to see to what extent they are politically viable or not politically viable. That is the stage at which we are. Earlier this week, we have had a meeting with the Committee and they have expressed the view that they would like the Government to commission the creation of economic models for the whole economy and for the individual sectors of it so that the effect of the ideas that they are suggesting can be measured in their application. They say that one of the problems they have, not unlike the Opposition Members, is that they have not got some of the information that they think they need to have in order to work out the effect of their ideas on Government revenue which in turn would determine whether they are willing to recommend them to the Government or not. So the Government have now agreed to the commissioning of the creation of economic models. The last economic model for Gibraltar was written in 1983, I think it was. There has been a massive change in the structure of the economy since then, as the hon Member knows and therefore the stage that we are at now is that whilst the brainstorming by the local Tax Reform Committee will continue, in parallel there will be the creation by economic academics in the United Kingdom. I think it is a Dr. Fletcher, but do not hold me to that, to create these economic models so that the impact on Government revenues and the benefit to the economy of whatever recommendations they make in due course to the Government can be run through these models and therefore we would all know the effect of what we were planning to do. I am told that that will take about six months plus so I think we are possibly a year and given the proximity from that date, a year now there are elections, in practice probably therefore more than a year away from having a set of proposals which have been made to the Government, tested through an economic model that is still to be created, considered by the Government for political and economic viability, draft legislation perhaps written and actually implemented, I think we are quite a

long time away. Let us not forget what the driving factor here is. the driving factor is making Gibraltar's tax regime compatible as near as possible, the EU tax code and the OECD equivalent, the OECD report on harmful tax measures. We are not under intense pressure there because even those codes, the OECD Report is on the basis of, we will stand a couple of years talking to all those terrible jurisdictions. The tax code version, the European Union version, is on the basis of two-year stand still and roll back agreement, or two year stand stills. We have got a year and a half. If we had signed up to the tax code today, which we have not, and we are doing this as an alternative, we would not be under pressure in the next 18 months to be doing anything to dismantle any regime that we have got at the moment. I hope the hon Member finds that general description helpful.

HON J J BOSSANO:

Mr Speaker, if you will allow me, can I just ask the Government to take a second look at the question we have just dealt with on the imports of motor vehicles and check the accuracy of the information. Given that in answer to Question No.133 of 1998, which was asked by me and I asked for the number and the value of motor vehicles imported since September, I was told 999 and just under £11 million, it seems to me that the average value per vehicle of £11 million for a 1000 cars, as opposed to £24 million for 5,773, means that either there has been a catastrophic collapse in car prices or we are not talking here of the same commodity notwithstanding that in both cases the question was about motor vehicles. Could he check that?

HON CHIEF MINISTER:

I will certainly check, or the other possibility is that whereas motor vehicles in this question includes motor cycles which are high in number and low in value, perhaps when the people put together the answer to the question to which he is referring, it did not include motor cycles. Certainly I will check that. Yes, it sounds as if that is the explanation, that the answer to 133 related only to motor cars as opposed to motor vehicles, but given that I have understood the hon Member to say that Question 133 also refers to motor vehicles, one would expect consistency in how Customs define motor vehicles.

HON J J BOSSANO:

The question was the number and value of motor vehicles imported by licenced dealers and the answer was the number of vehicles imported was 999 with a value of £10,968,000. We are talking about a thousand vehicles at an average of £11,000.

HON CHIEF MINISTER:

I will have that checked.

NO.204 OF 1999

THE HON A J ISOLA

IMPORTS

What was the value of goods imported overland, other than petroleum products, in 1995, 1996, 1997 and 1998?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question 205 of 1999.

NO.205 OF 1999THE HON A J ISOLA

IMPORTS

What was the value of goods imported by sea, other than petroleum products, in 1995, 1996, 1997 and 1998?

ANSWERTHE HON THE CHIEF MINISTER

Import figures for 1998 are not yet available. The figures in respect of 1995, 1996 and 1997 are as follows:-

(£million)

	1995	1996	1997
Land	155.1	172.2	158.0
Sea	65.1	51.3	32.1
TOTAL	220.2	223.5	190.1

SUPPLEMENTARY TO QUESTION NOS.204 AND 205 OF 1999

HON J J BOSSANO:

What this shows in fact is quite a dramatic drop in imports by sea which have gone down by half over a period of 24 months. Is that.....?

HON CHIEF MINISTER:

Mr Speaker, this is a very worrying trend which the Government are presently seized of and trying to consider ways of remedying. There is no doubt that container traffic to Gibraltar that used to come by the regular container lines that used to service the Port of Gibraltar, are now going to Algeciras where they are then transported into Gibraltar overland. This information has been brought to us by the Road Transport Contractors and the Road Hauliers. Their grievance is that they are not getting the work. At least if the stuff was coming to Algeciras but was being brought into Gibraltar by Gibraltar road hauliers, at least somebody in Gibraltar would be getting the benefit in effect and business would be shifted from Gibraltar's maritime economy to Gibraltar's road hauliers. But it is not. What is happening is that it is being unstuffed in Spain and is being delivered into Gibraltar by Spanish wholesale distributor vehicles so that the Gibraltar haulage trade is missing out on this business altogether. The Minister for Trade and Industry and the Minister for Tourism and Transport have had meetings in the last 10 days with the road transport industry and the Government are urgently seeking ways in which the effect of that can be remedied. To boot, when Gibraltar hauliers go to the Port of Algeciras to try and bring some of these containers in, they get told that they have not got the right bit of paper to go into the Port of Algeciras and if they do, the hook on the lorry is too big or too small, or too rusty or not painted in the right colour, or whatever and in effect there are these protective practices going on which in effect delivers the road haulage business appertaining to Gibraltar cargo to the Spanish road haulage industry at the expense of the Gibraltar road haulage industry. My understanding is that it is just a straightforward

matter of economics. The cost of bringing a container to Gibraltar by sea via Algeciras is less than the cost of bringing a container to Gibraltar on one of the ships that services the Port of Gibraltar directly. It is a worrying trend and the Government have been addressing it specifically for the last two or three weeks since we have become specifically aware of it.

HON J J BOSSANO:

In fact, since these figures are up to December 1997, if the Government have become aware of it in the last three or four weeks in 1999, does it mean that the indications from the persons that have been making representations are that the trend has in fact continued in 1998 and will be reflected when the figures will be available?

HON CHIEF MINISTER:

I think there is every possibility that that is the case. This business of it being lost to Spanish hauliers at the expense of Gibraltar hauliers is certainly on the increase. Even if there is no decline in volume, what volume there is is increasingly being lost by the Gibraltar road haulage trade to the Spanish road haulage trade.

HON J J BOSSANO:

The Chief Minister said in reply just now that the goods that come by land is recorded as land cargo, but that does not mean in fact that the goods are shown in the Abstract of Statistics as imports from Spain, does it? The imports must still be from the country of origin, I take it?

HON CHIEF MINISTER:

Indeed that is so. Algeciras is just a transient point in the importation route.

HON J J BOSSANO:

But is it not the case that in addition to that then what the breakdown of the imports for 1997 show is in fact Spanish originating goods obtaining a much bigger share of the Gibraltar market, is that not the case?

HON CHIEF MINISTER:

I do not think these figures show that because of course land means overland. It includes containers pulled on the back of lorries that have come all the way from England, that would be land. I do not know whether the trend that the hon Member is alluding to is happening or not. In other words, to what extent has Spain become an increasingly larger exporter to Gibraltar? It may be happening but I do not think it is revealed by these figures.

HON J J BOSSANO:

No I accept that it is not but in the previous answer that he has just given me, that the origin of the cargo is where the container is loaded and not where it is unloaded from the ship, but is it not the case that the Abstract of Statistics that have just been published by the Government show that for 1997 although the value of imports overland went down, the value of imports from Spain went up so that in fact Spain took a bigger share of a smaller market.

HON CHIEF MINISTER:

That may be possible. I do not share the hon Gentleman's insatiable appetite to number crunch and therefore I cannot say that I have analysed those Abstracts to that degree of detail yet. But if he says that that is what the Abstract shows, then it must be the case and I take him at his word. There is a natural tendency to increasingly source goods from the nearest and cheapest source which for Gibraltar has to be Spain.

HON J J BOSSANO:

In 1997, I do not know what the position is yet for 1998, but in 1997 there seems to have been an abnormal situation in that goods from Spain were replacing goods from elsewhere because in the past Spain's contribution to Gibraltar imports have been increasing at the same time as, for example, UK's was increasing but in fact in 1997 what was unusual was that UK exported £30 million less and Spain exported £7 million more. If that, which happened in 1997, which is clearly a response to market forces has continued, the very recent peculiar statement from the Minister for Foreign Affairs that he is going to discourage people exporting to us, as if it was something that would be bad for us instead of bad for them, must be something that these figures are relevant to, analysing that it would be something we need to take into account if we become increasingly dependent on our source of supply which is capable of being shut off.

HON CHIEF MINISTER:

Yes, indeed. I can also say to the hon Member that I intend to put together a dossier to refute this suggestion that Gibraltar is parasitical on Spain and indeed that would be an important statistic to include in it, not just Gibraltarian expenditure in Spain but the consumption in Gibraltar of goods imported and sourced in Spain, amongst many other contributions which Gibraltar makes to the economy of Spain in general and the Campo in particular but certainly I will include that if the hon Member is correct in saying that there is actually an increase in trend.

NO.206 OF 1999

THE HON A J ISOLA

IMPORTS

Can Government state what was the value of goods imported in Gibraltar excluding petroleum products and tobacco products in each month for the years 1996, 1997 and 1998?

ANSWER

THE HON THE CHIEF MINISTER

As I have said on numerous occasions in the past it is not in the public interest of Gibraltar to put into the public domain information as to the extent of tobacco imports into Gibraltar. This was also the view of the Opposition Members when in Government. Questions that I have just answered give the total value of all imports and the total value of all imports excluding petroleum products.

SUPPLEMENTARY TO QUESTION NO.206 OF 1999

HON J J BOSSANO:

Is it not the case that in fact if imports other than petroleum products have gone down, and the imports of tobacco products have not gone down in the relevant periods, then it must mean that the drop of other goods being imported into Gibraltar must have dropped even more dramatically than would be reflected by the overall figure? If the Chief Minister is not willing to provide the information to the House will he provide it on a confidential basis?

HON CHIEF MINISTER:

The Government are presently considering whether and, if so, on what terms it ought to be willing to provide this information on a confidential basis and to which parties. Obviously, we are not comfortable withholding this information. Hon Members know that our policy and philosophy is to give whatever information is available and asked for. We are clear that it is not in Gibraltar's interests for this information either to be published or to be given to people upon whom we cannot rely to treat it at all times with the confidentiality and that is the exercise that we are now mulling around. We have, as I said this morning, no domestic political purpose for not wishing to share this information with everybody in this House. My nervousness would be that once we give the information away we cease to be custodian of its security and therefore can no longer control the circumstances in which it might get leaked. If the hon Members will just give us a while longer to contemplate that and perhaps we can even discuss it between ourselves. I say that in the context of the fact that we are under extreme pressure from the Chamber of Commerce and have been for quite some time to give this information to them and we keep on basically saying this.

HON J J BOSSANO:

Can I point out, Mr Speaker, that the question is not seeking information of particular products but given the fact that if we look at the answer given to the previous question which was that imports, excluding petroleum, were £220 million in 1995, £223 million in

1996 and £191 million in 1997, if in fact the movement of this particular commodity is included in each of those three figures, what I am suggesting is that the figure without that commodity might well show a very dramatic drop, even more than the drop that is reflected here.

HON CHIEF MINISTER:

I understand that it is perfectly legitimate for the hon Members to have access to statistics which allow them to gauge the extent to which economically relevant goods, the importation of economically relevant goods, is rising or falling. There is no issue between us on that. The only reason why we have not answered this question is that by extrapolation it allows the sensitive information to be computed.

NO.207 OF 1999

THE HON A J ISOLA

IMPORTS AND EXPORTS

What was the value of imports and exports excluding petroleum products in 1998?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No.208 of 1999.

NO.208 OF 1999

THE HON A J ISOLA

IMPORTS AND EXPORTS

What was the value of imports and exports of petroleum products for 1998?

ANSWER

THE HON THE CHIEF MINISTER

The hon Members are in serious danger of rendering the Government concept of annual surveys as annual statistics. I regret to inform the hon Member that import and export statistics for 1998 are currently being compiled and are not yet available. I suppose it is just worth mentioning that it was the Opposition Members who ceased to publish the Import and Exports Statistics Survey which used to be published, like the Tourism Survey, the Hotel Occupancy Survey and the Employment Survey and that it was they when in Government who made the decision, I do not think I was around at the time, so I do not know why, to discontinue the publication of this. At least, so I am told. So, it does not mean that we are not willing to publish it but it means that the information is not available right now but as soon as it is available I will have it passed on to the hon Member.

SUPPLEMENTARY TO QUESTION NOS.207 AND 208 OF 1999

HON J J BOSSANO

Are we to assume that this answer is also originating in the Statistics Department?

HON CHIEF MINISTER:

Mr Speaker, it is only February. I am told that this information even when it was published would not have been available in February 1999 in respect of the period ending December 1998.

HON J J BOSSANO:

This is not a breakdown by months by the 89 categories or by individual items. Surely, the computer that we have got in the Customs is capable at a push of a button of giving the total value for the whole year?

HON CHIEF MINISTER:

In fact it is not, because it is a financial year, not a calendar year.

HON J J BOSSANO:

If the Chief Minister will care to look at his previous answers, let him check his facts and he will find that he told us before that we were causing enormous disruption to the Customs Department by asking for question on the basis of financial years.

HON CHIEF MINISTER:

Then I have got it the wrong way round.

HON J J BOSSANO:

And this is why we switched to calendar years because we accepted the point that the purpose was to obtain the information and not to disrupt the Department.

HON CHIEF MINISTER:

In that case, my alternative answer is that now he understands why they want to bog down the Statistics office with the economic exercise that he recommended to me four questions ago.

HON J J BOSSANO:

Having accepted the answer he gave me four questions ago, what I am not accepting is the answer that he has just given me which is that the Government do not know, within the machinery of the Government, what was the total value of petroleum products. I assume that if we rang up the importer of the petroleum products we would get the answer in five minutes but I have no doubt that the Customs Department that has collected import duty between January and December 1998 on petroleum products must know what is the value of the goods on which they charge duty. Otherwise, how have they charged it? It is impossible for that information not to be available. We are not asking for a breakdown it is the total figure and in fact it is in the way that it is published. This is information that gets published as two lines only.

HON CHIEF MINISTER:

What the hon Member is saying may be true of imports. It is not necessarily true of exports. I do not believe that there is somebody sitting in the Statistics Office with a file by the side of his table that contains this information and when the question gets sent down to the Statistics Office, jots down "Not available", when in fact it is. I do not know whether the hon Member suspects that we have information which we do not give because we do not want to give and simply say that it is not available. I assure him that that is not the case. I am not the keeper of the Government statistics. When the hon Members ask all these statistically based questions, these questions go to the relevant Department and this is the answer that the relevant Department gives us. I do not know whether they have available to them the value of imports and exports of petroleum products for 1998. What I can tell the hon Member is that they tell me that they have not got it. Therefore, that is the information that I can bring to the House. It is true that yesterday he gave me an instance of such an answer which sounded to me to be logical. I pursued it and it transpired that the information was available and that indeed I spotted one such occasion myself when the questions were in draft form. I said "how can this not be available?" and when I sent it back to them it transpired that it was available, I think it is one of the questions that has not yet come up on this order paper. Whether it is that they know the value of imports but not the value of exports, which is what the question asked, I do not know but if the hon Member is suspicious as to whether this information is actually available or not, notwithstanding the answer I undertake to check it again, to put the hon Member's views to the Customs Department and get them to confirm their answer and why is it not available in the context of the point that the hon Member has made.

HON J J BOSSANO:

I was just asking in fact to mention that he relays the point that we are making. We are not saying that somebody in the Statistics Office is hiding this, the question is not addressed to the Statistics Office or indeed to the Chief Minister, it is addressed to the Government and the Government do have that information. The fact is whether the Statistics Department has it or not is not a matter which we are disputing. It is certainly information that is available within the Customs Department, that can be produced at an instant's notice from the Customs Department because the previous arguments were not about the Statistics Office. When we asked for information on financial years, the answer we got was not the Statistics Office that had a problem in calculating it, the answer we got was the way the Customs compiled these statistics is by calendar years and they had to go into two different years which creates unnecessary work, so we switched to calendar years. I can

tell the Chief Minister that it is information that has been provided at around this time before in respect of 1997 and there was no previous problem. It may well be that because the request was directed to the Statistics as opposed to the Customs, the Customs may have produced the answer for the question which we put around this time in 1998 about the 1997 figures.

HON CHIEF MINISTER:

I will check and certainly I accept what the hon Member says about imports, but whether that information might also be available to Customs about exports I do not know because I do not know to what extent Customs monitors volumes as opposed to dutiable volume. Certainly, in so far as imports are concerned I entirely take the point of the hon Member which is that we must know on what we have collected duty unless these things are done by some arrangement with the trade in arrears and perhaps they have not yet got to the December duty. I do not know, that might be an explanation but I certainly agree to look into the matter further and come back to the hon Member about it.

NO.209 OF 1999

THE HON A J ISOLA

IMPORTS

Can Government now say what is the correct figure for the value of imports of photographic equipment imported in the six months ending 31st March 1998 given as £4,504,526 in answer to Question No.256 of 1998?

ANSWER

THE HON THE CHIEF MINISTER

The value of imports of photographic equipment in the six months ending 31st March 1998 was £500,871. The duty for this same period was £2,633.53.

There is apparently, a difference between what Customs understand by imports and what the Statistics Office understand by imports. One of them considers that it is what enters into the local market for home use and the other considers it to be everything that enters the territory and hence the cock up.

SUPPLEMENTARY TO QUESTION NO.209 OF 1998

HON J J BOSSANO:

The figure therefore then of £4.5 million the last time means what? That there was something of the order of £4 million of re-exports? Is that the implication of that answer?

HON CHIEF MINISTER:

It may be the implication of the answer because this is the explanation that was given to me but it was not given to me in the context of "that is the figure of £4million". No doubt we will debate this further again when we come to the question from the Leader of the Opposition in the Order Paper about the discrepancy in total import duty as between the answer given in the House and the answer given in the Abstract of Statistics. That was the umbrella explanation for the fact that some times, depending on whether one seeks the information from Customs or whether one seeks it from the Statistics Office, they come up with different answers. Apparently Customs give the raw value of everything that comes in and then the Statistics office analyses it and strips out exports and it then includes in imports what has come in for the home market. Whether that is applicable to the £4 million figure or whether that figure was not arithmetically erroneous, I will have to check. If he is interested in that I can ask that or does he want to know whether we exported £4million worth, because £500,000 is the imports as per this answer now.

HON J J BOSSANO:

Can the Government confirm in the light of that explanation that if that is the case what we would be saying would be that the figure provided by Customs would be the £4.5 million. because that would be everything coming into the territory but not necessarily going into the shops and that the figure of £5 million would be what the Statistics then consider to be Gibraltar imports because they enter into the domestic economy, that would be the case?

HON CHIEF MINISTER:

£500,000 not £5 million.

HON A J ISOLA:

I can see the possible difference in the way the figures are arrived at in respect of the value, one being the Statistician the other one being the Customs, but how can the duty figure vary? Has that got any relation at all to the exports?

HON CHIEF MINISTER:

I have not got the original answer to question 256/98, in front of me, what was the figure that we gave?

HON A J ISOLA:

£1,674 as the duty.

HON CHIEF MINISTER:

As opposed to £2,663 now? I do not know whether that extra £1,000 of import duty comes from in the context of this explanation. I do not know if the hon Member is interested in the breakdown but of the £500,000 only £453,685 is actually cameras, then there are five or six items of film and paper and plates and photographic chemicals which form the category, maybe that is the explanation.

HON A J ISOLA:

All of which are subject to the lower rate of import duty?

HON CHIEF MINISTER

Yes.

NO.210 OF 1999

THE HON A J ISOLA

VALUE AND VOLUME OF IMPORTS

Can Government state what was the value and volume of imports of soaps, perfumes, clocks, watches, photographic equipment, detergents, household cleaning materials, nappies and clothing in the year 1998 broken down monthly and the revenue yield in these products in respect of each product?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Questions 199 and 211 of 1999.

NO.211 OF 1999

THE HON A J ISOLA

IMPORTS

Can Government state what was the value and volume of imports of soaps, perfumes, clocks, watches, photographic equipment, detergents, household cleaning materials, nappies and clothing in the year 1997 broken down monthly and the revenue yield in these products in respect of each period?

ANSWER

THE HON THE CHIEF MINISTER

As the hon Member may know, trade statistics are compiled from the data that is programmed into the Customs computer system known as ASYCUDA. This system was introduced in 1993 by the previous administration at substantial cost.

Unfortunately, the ASYCUDA system is programmed in such a way that the data base can only be queried for individual commodities and for aggregated totals of what are called "Chapters". None of the commodities referred to in the hon Member's questions are either classified as individual commodities or as whole "Chapters" in the Customs Tariff.

This means, that the only way in which the information sought can be produced is to query each individual commodity spread out through the 89 Chapters and re-classify in a way which would match the specific items to which the hon Member is referring in his questions.

The Government are concerned that the ASYCUDA system should have been introduced in 1993 in such deficient form and now that we have been alerted to it, steps will be taken to see whether changes can be introduced to either the programming, classification or processing to produce more timely, reliable and useful data by way of statistical information and analysis.

SUPPLEMENTARY TO QUESTION NOS.199, 210 AND 211 OF 1999

HON A J ISOLA:

Is the Chief Minister aware that I asked an identical question to this one in April 1998 in relation to the Financial Year of 1996/97 in respect of these same products and he gave me the values in respect of each individual item, together with the duty payable to the last pound in respect of each of these items. What I have done in this question is ask for different periods. Certainly, Questions 210 and 211, I do not understand what the difference is? Is it because it is the Financial year or Calendar Year?

HON CHIEF MINISTER:

I am not saying that the information is not possible to obtain but the hon Members know what the rules are and that is that when information can only be obtained by disproportionate administrative effort and cost, it is not given. The last time that the information was provided to the hon Member it was provided in respect of a slightly shorter list and it was produced at great cost of manpower. Has the hon Member followed the answer? Take, for example, soaps. The computer does not allow the Customs to say how much has been imported in soaps because things that fall under the heading "Soaps" in your language and mine appear in any number of Chapters under the ASYCUDA system and it would therefore be necessary for each item on this list to manually read every item which is included in that Chapter, see whether linguistically in your language and mine it would be deemed to be a soap and add it up. It requires enormous manual work on these records. When I discovered this I expressed surprise that once the information is available, that the raw data is available in the computer, that it cannot be retrieved in this or any other form in which it is sought to be retrieved and reported on. But I am told that that is the nature of the ASYCUDA system, that it is not a system designed for reporting statistics but to manage the collection of import duty and I have given instructions to see to what extent the software can be rewritten to enable it to serve not just the import duty objective but, indeed, a financial management reporting objective as well. But at the moment it is just not possible.

HON DR J J GARCIA:

Can the Chief Minister explain whether the position is the same relating to building materials?

HON CHIEF MINISTER:

Indeed it is. The position is the same. To work out the duty paid and the value of building materials is possible but it requires somebody to sit and analyse all of the 89 Chapters to see whether it contains building materials because not all building materials are contained in one Chapter called "Building Materials". Things that I would consider to be building materials are scattered all over the 89 Chapters and then of course there is the point which is an additional point which is that the computer then only gives, even in respect of the Chapters that it is classified in, it only gives one a total for the year. The computer will not give one the figure broken down monthly, for example, which is one of the things that the Hon Mr Isola asked for. There would be no way of doing that through the computer. Again one would have to go through the manual records and do it manually. The computer only reports annually in respect of totals and gives no financial breakdown either in terms of annual sub-totals or, indeed, of monthly totals.

HON J L BALDACHINO:

Is it not correct that each item, for example, has a code? Could it not be that it can be retrieved from the computer that way?

HON CHIEF MINISTER:

Each item has a code but the codes attaching to items that I would consider to be building materials are scattered all over the Chapters. They are not all in the same Chapter and one cannot say to the computer, at least not as it is presently programmed, you cannot say "Tally up for me all the codes that have been attributed to things that the Hon Mr Baldachino and the Hon Mr Caruana regard as building materials". The system just does not permit it and, of course, this is the system that has always been in place and I suppose that the hon Members may never have found themselves in this position because we may never have asked for the information in this form. But it is exactly the same lack of usefulness as has been inherent in this system since 1993.

HON J J BOSSANO:

Can the Government explain how it is that they were not aware of the difficulty when they have answered similar questions in the past. Can I remind the Chief Minister that his argument previously was that because the computer worked on a calendar year, we were making it very difficult for him to answer questions in financial years and that is why we have now switched to calendar years and now we are given a different argument from the one we were given the last time. How come the Department has never brought to the attention of the Government this difficulty before and they have provided the information?

HON CHIEF MINISTER:

Because last time that the hon Member asked a question, the Department actually put in the leg work and did it, but the Department cannot do that every time we have a meeting of the House. Every time we have a meeting of the House the hon Members ask for these lists, the fact that it has been done once demonstrates what we knew before that it is possible if one is prepared to dedicate enough man hours to the task. It is possible to produce the information. What we are saying is that it is just not reasonable to expect the administration to invest the necessary man hour resources every time the question is asked. The hon Members may think that they are asking a question because they think the information is readily available and it might be that if the hon Member's understand as hopefully they now do that the information is not readily available they may say "well, in those circumstances I will not ask the question" because I am sure it is not their intention in asking this question to paralyse the Customs for a day or two, or three, whilst everybody beavers away at work. I am sure he has asked the question because he thinks it is readily available. If it were readily available the Government would happily give it. I am told, and of course I do not understand the ASYCUDA system, by the Collector of Customs and his Deputy that in fact this requires a massive deployment of man hours to produce the information because the computer does not report it. This is the basis upon which I am explaining the position in the House.

HON J J BOSSANO:

I am sure the Government will have noticed that these questions are the result of identifying the import duty structure so that we can monitor the effect which the Government itself is supposed to be monitoring. How are the Government monitoring the effect of the import duty if it is not seeking from the Customs Department what is happening to the goods on which duty has been changed? For example, if there was no duty in building materials and there was a particular period for which there was a big increase in building materials which the Chief Minister attributed to a boom in building, is it that the Government are not aware whether the boom is now over or continues because they only became aware that there was a boom because we put the question?

HON CHIEF MINISTER:

There is a question on the Order Paper from Dr Garcia about the review of the import duty structure. The Government get import duty statistics broken down into very broad categories. I get exactly the same statistics as the hon Member used to get on a monthly basis from the Collector of Customs office and therefore he knows the nature of the statistics that are available to me in this respect. Building materials, again this is not language that is relevant to the Customs computer, many things that he and I would regard as building materials always have paid import duty. There is as hon Member's know a classification, things that used to be put into houses before, bathrooms for example, have always paid import duty. It depends on the form in which they come and what happens to them. The Government, and I do not want to preempt the hon Dr Garcia's question, do not keep track of what is happening to import duties on building materials on a monthly basis. What we take into account is whether Government revenues from import duty is holding up or is not holding up or is rising or falling. We do not have under review each item of the import duty restructure that was implemented to

see how it is going. We know, for example, how it is going in motor vehicles, not just because it is visible from the figures at a glance but because indeed the Motor Vehicle Traders Association have reported to us what the effect of that has been on their volumes. The answer to the hon Gentleman is that the Government have available to it information on Chapters, most of which might contain building materials. For example, if Chapter 86, and I am sure it is not, but if Chapter 86 comprises of items each with their own code as the Hon Mr Baldachino says, which are predominantly building materials that gives us an indication of what is happening in terms of revenue on building materials. But it does not allow us to answer what is our total revenue from building materials because there might be revenue from building materials in other Chapters as well in which building materials is not the predominant gist of the list.

HON J J BOSSANO:

When we asked the question originally in respect of building materials, I think it was in fact specifically identifying those building materials which would now start paying duty and which had not previously paid duty. I believe that was the way the question was put and when I was away it was answered.

HON CHIEF MINISTER:

We are both testing our memories. He may be right. It is not my recollection. I do not think that is how it happened. I think the question was just for building materials, but still, the matter can be clarified by referring back to the question. I have already indicated to the hon Members that the last time questions of this nature were asked, for example in respect of photographic equipment, which was that question where we got the figure wrong, about the volume of photographic equipment imported, we have already said that the necessary manual effort was invested at that time and I am sure that that extends to that question as well. The distinction that I am asking the hon Members to take on board in good faith is that the amount of work involved in putting this information together is disproportionate to the value of the information to the Opposition Members. I believe there are other ways of testing the success or failure just by asking for global import duty figures, broken down into the categories in which I get them.

HON A J ISOLA:

May I just ask, would it be possible for the Chief Minister to let us have those figures and the Chapters in respect of the years 1997/98 which would then enable us to, perhaps not with the same accuracy, but at least to have an indicator of what is actually happening in respect of all the products in the so called Chapters.

HON CHIEF MINISTER:

The Government have no objection to giving the hon Member a complete print-out of the ASYCUDA position at any month. That can be done. If the hon Members were to say "can we have the ASYCUDA system as at the end of April?", they can, I understand it is this thick, and perhaps the hon Members may wish to take it home at the weekend and use it to pop up tables with missing legs, but it is a terribly unreadable document. There is only one caveat to our willingness, in principle, to give that information to the hon Members and that is that it contains information about which we will debate this afternoon in the context of another question on the Order Paper. It would contain information which both parties when in Government had adopted about tobacco which ought not to get into the public domain, not because we will mind the use to which they will put it but because we will all mind the use to which others will put it and that is the basis upon which we resisted giving this information, for example, to the Chamber of Commerce who have been asking precisely the Government to give them the sort of comprehensive information which

the hon Member is not asking for. Our reluctance is not based on any reluctance on our part to share this information but rather to the use to which others will put it.

NO. 212 OF 1999

THE HON A J ISOLA

IMPORTS AND EXPORTS 1997

When did Government discover that the information given in the House for the value of imports excluding petroleum products for 1997 in answer to Question No. 253 of April 1998 was incorrect?

ANSWER

THE HON THE CHIEF MINISTER

The Government discovered that the figure of £339.6 million for the value of imports in 1997 given in answer to Question No. 253 of April 1998 was incorrect following the Press Release which was issued by the Opposition on the 29th January 1999. The Statistics Office was asked to explain the reasons for the discrepancy between that figure and the figure published in the 1997 Abstract of Statistics of £216.8 million. I now have the explanation of the difference between the two figures.

The hon Member will have noted that there is a footnote to Table 39 of the Abstract of Statistics stating that the yearly import figures from 1994 to date have been adjusted to exclude banknotes, stamps and other items. These items had previously been included by reference to their face value rather than the cost of production and were therefore distorting the true value of imports. The adjustment to the 1997 imports figure in respect of banknotes et cetera was a deduction of around £77.9 million which gives a corrected total imports figure of £293.7 million. However, this still leaves a difference with the figure originally given in April 1998 amounting to £45.9 million. This difference of £45.9 million represents an error.

I am informed by the Statistics Office that the source of this error has been traced to a series of incorrect computer entries which showed the value of certain consignments in pounds sterling when these were in fact goods valued in pesetas. The figures were corrected when the Abstract of Statistics was produced last month but the Statistics Office overlooked the fact that the figure originally made public in this House in April 1998 was different and needed to be corrected for the record. I do so now.

The correct figures for the value of imports, excluding petroleum products, should now read:

1996	-	£317.7 million (unadjusted for banknotes, et cetera)
		£276.6 million (adjusted)
1997	-	£293.7 million (unadjusted for banknotes, et cetera)
		£216.8 million (adjusted)

The hon Members will now begin to understand the sense of irritation which I presently harbour with the performance of the Statistics Office.

SUPPLEMENTARY TO QUESTION NO.212 OF 1999

HON J J BOSSANO:

The figures in fact show now that there was a huge drop in the value of imports in 1997 compared to 1996, whereas before it had shown an increase, have the Government any idea what caused a drop of the order of £60 million in a period of one year?

HON CHIEF MINISTER:

Yes, Mr Speaker. This is not explained by the recession and the small businesses having a rough time and the collapse of the economy which was the general thrust of the Press Release issued by the Opposition on the 29th January 1999. Hon Members, whom I am sure are much more concerned by the interests of Gibraltar than by scoring political points against the Government, I am sure will be relieved to hear that. It is actually accounted for in the following way: food imports fell by £13 million which in part may reflect the appreciation of the pound against the peseta; imports of gold fell from £38 million in 1996 to £14 million in 1997, a drop of £24 million probably the effect of a change in duty; the only other significant fall relates to the one-off importation, no one has been able to tell me what this importation was for, but there was in 1996 a one-off importation of a large consignment of men's clothing amounting to £7.5 million which was not repeated in 1997. This was one importation one consignment and that is the analysis of the £60 million drop which I think the hon Member will agree, except perhaps in relation to the food, does not reflect a collapse of sustainable retail activity in Gibraltar.

HON J J BOSSANO:

Can the Government say that in the light of the explanation that they have been given the conclusion that they have come to is that the import figures for 1997 as compared to 1996 do not support the argument that was being put in 1997 that the retail trade was suffering because of the high cost of the pound and the fact that they were selling less because if they are selling less we must be importing less, if the explanation why we are importing less is because we do not have £7.5 million of the one-off clothing sale and we are not importing gold because the Government decided to stop the business, then does that mean that the rest of the commodities were not, in fact, being imported in less quantities and therefore it is not true that the sales were down in 1997?

HON CHIEF MINISTER:

These are global figures. This is value of imports, this is not import duty and there is a fall between 1996 and 1997 of that £60 million and that is how it is explained and therefore it follows, I have not added the £13 million, the £24 million and the £7.5 million to see whether they amount to nearly £60 million, they do not and that is the picture and therefore there is not a fall in the volume of imports and that would tend to be borne out by the fact that Government takings from import duty generally do not reflect this fall in volume of imports even though we have not analysed that figure on a sector by sector and commodity by commodity basis, one would expect that if there was a general decline in trade said to be reflected by a general decline in import volumes, that that would be reflected in falling import duty revenues to the Government and that has not been true in any of these years.

HON J J BOSSANO:

Would the Government not agree that if the argument that is being put is that expenditure by Gibraltarians was switching into the hinterland as opposed to goods being bought here then to the extent that they are dutiable goods the same quantity of goods would be imported, declared and pay duty. There are two elements, one is whether people are buying less here because they are buying the same things elsewhere or whether they are buying less, period. The argument the Chief Minister has used surely only applies if they are buying less and that is it but if they buy furniture across the road, for example, they declare the furniture, the furniture import would still show, presumably personal imports are included in the figure of imports are they not?

HON CHIEF MINISTER:

Yes they are but the incidence of leakage from personal import is, of course, much higher than the incidence of leakage from imports by the trade. The other point that needs to be borne in mind is, of course, these are global figures and they are in effect net. It may be that within a static import value statistic of £293 million that that hides the fact that some sectors may be up and other sectors may be down and that those sectors that are down, that complain and say that trade is terrible but there are other sectors that are up and that is not revealed in these figures which are global. The figure suggests that overall the value of imports has remained more or less static save for that £60 million which is explained in those ways. The £30 million of food, of course, would not feature in my import duty statistics because food is duty free.

MR SPEAKER:

We will have one more question and one more answer.

HON J J BOSSANO:

Can the Government confirm that what we are being told then is that, in fact, they can account because I think the Chief Minister used the £293 million figure when he was really intending to use the £216 million because that is the figure after he has removed the banknotes and the stamps. So it is £216 million and not £293 million?

HON CHIEF MINISTER:

The correct figures that we should now be comparing is £276.6 million and £216.8 million, those are the adjusted figures; adjusted both in respect of banknotes and the error and that is the £60 million that I have sought to explain by these three items that I have given him details of.

HON J J BOSSANO:

So therefore what we are being told, it is just that the Chief Minister quoted £293 million when he answered previously. So what we are being told is that there is an explanation for £44 million of the £60 million and that the drop in imports was £16 million which, of course, is something of the order of 6 per cent of the figure of £276 million?

HON CHIEF MINISTER:

I make it £44.5 million in the three items.

HON J J BOSSANO:

So what I am saying is that imports went down by £16 million in that year, out of the £60 million?

HON CHIEF MINISTER:

Yes, that is right, £60 million minus £44 million, absolutely.

NO. 213 OF 1999THE HON A J ISOLA

COMPANIES - WINDING UP PETITIONS

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 October 1998?

ANSWERTHE HON THE CHIEF MINISTER

Since 1st October 1998 winding up petitions, that is, petitions for winding up filed in the Supreme Court, on account of non-payment of debts to Government totalled 32. Of these, companies actually wound up totalled 16. The breakdown by month is as follows:

<u>Month</u>	<u>Petition for winding up filed</u>	<u>Company in liquidation</u>
October 1998	12	8
November 1998	4	0
December 1998	11	8
January 1999	3	0
February 1999	2	0

SUPPLEMENTARY TO QUESTION NO. 213 OF 1999

HON A J ISOLA:

Does the Chief Minister have the figure there in respect of statutory demands which is really where I was last time, in Question No. 252 of 1998 and I was hoping I would get a similar response here. The indication I had last time was that in that period there were 270 statutory demands, I was wondering what that number is, has he the information available?

HON CHIEF MINISTER:

I can obviously procure the information for him. I do not have a note of it here but obviously there would be many more statutory demands than filing up petitions and I will have the information sent to him. Did I include it in my answer last time I answered the question?

HON A J ISOLA:

Yes.

HON CHIEF MINISTER:

It has not been included in this answer, I will get it for him.

HON A J ISOLA:

I am obliged.

NO. 214 OF 1999THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

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 the 1st September 1997 onwards?

ANSWERTHE HON THE CHIEF MINISTER

The Government cannot know of all the occasions on which Spanish fishing boats have broken laws of Gibraltar. However, we have details from the Royal Gibraltar Police of recorded incursions by Spanish fishing boats into Gibraltar waters. This does not necessarily mean that they fished in breach of the law, or at all. These figures were provided in answer to Question No. 554 of 1998 in respect of the period 14th April 1998 to 26th July 1998, both inclusive.

I will now hand to the hon Member a list giving the same details in respect of the remainder of the period covered by his question.

<u>DATE</u>	<u>NO. OF VESSELS</u>	<u>DATE</u>	<u>NO. OF VESSELS</u>
24.09.97	3	16.10.97	1
24.10.97	1	12.11.97	1
14.11.97	2	20.11.97	2
21.11.97	2	23.11.97	1
28.11.97	1	19.12.97	1
21.12.97	6	23.12.97	2
30.12.97	3	07.01.98	5
08.01.98	1	13.01.98	2
15.01.98	6	16.01.98	1
18.01.98	3	21.01.98	1
23.01.98	1	24.01.98	1
26.01.98	1	27.01.98	2
29.01.98	6	01.02.98	2
05.02.98	2	06.02.98	5
16.02.98	2	18.02.98	1
23.02.98	2	24.02.98	1
04.03.98	1	07.03.98	3
09.03.98	2	10.03.98	10
12.03.98	3	13.03.98	1
19.03.98	5	23.03.98	5
24.03.98	7	26.03.98	3
30.03.98	5	27.07.98	1
29.07.98	3	04.08.98	1
08.08.98	1	10.08.98	4
12.08.98	1	13.08.98	1
17.08.98	1	20.08.98	9
21.08.98	1	22.08.98	2
23.08.98	3	24.08.98	1

25.08.98	3	26.08.98	2
27.08.98	3	28.08.98	1
30.08.98	3	31.08.98	1
01.09.98	1	07.09.98	1
14.09.98	13	15.09.98	1
16.09.98	12	17.09.98	4
18.09.98	10	21.09.98	6
22.09.98	2	29.09.98	1
01.10.98	6	02.10.98	2
03.10.98	2	05.10.98	1
06.10.98	3	07.10.98	9
08.10.98	2	09.10.98	1
12.10.98	10	13.10.98	4
15.10.98	8	16.10.98	3
17.10.98	25	20.10.98	4
21.10.98	1	22.10.98	3
23.10.98	4	27.10.98	1
28.10.98	1	29.10.98	1
30.10.98	1	01.11.98	1
03.11.98	1	05.11.98	1
09.11.98	2	11.11.98	1
12.11.98	1	13.11.98	6
14.11.98	1	18.11.98	1
19.11.98	11	20.11.98	10
21.11.98	6	22.11.98	4
24.11.98	3	25.11.98	3
26.11.98	4	27.11.98	3
30.11.98	1	01.12.98	2
02.12.98	2	04.12.98	16
07.12.98	2	08.12.98	3
09.12.98	3	11.12.98	18
13.12.98	1	14.12.98	13
15.12.98	12	16.12.98	9
17.12.98	14	18.12.98	9
19.12.98	6	20.12.98	8
21.12.98	12	22.12.98	5
28.12.98	2	29.12.98	9
03.01.99	1	07.01.99	3
08.01.99	5	09.01.99	1
13.01.99	1	14.01.99	6
20.01.99	1	21.01.99	1
24.01.99	1	25.01.99	2
26.01.99	5	27.01.99	1
28.01.99	5	03.02.99	10
04.02.99	8	05.02.99	5
08.02.99	17	09.02.99	1
10.02.99	14	11.02.99	10
12.02.99	2	13.02.99	1
15.02.99	3	16.02.99	1
17.02.99	3		

Obviously the distinction that I am making in the answer is between instances of illegal fishing. I appreciate that he has asked in these terms before but the question asks to list the number of occasions on which Spanish fishing boats have illegally operated in Gibraltar waters. What we actually have is records of incursions but, of course, an incursion does not mean that we have recorded all instances the RGP may not have spotted. This is a list of recorded incursions and therefore there is a possibility that there are some unrecorded incursions and they are incursions not necessarily in breach of whatever section of the wretched Nature Protection Ordinance it is that disallows fishing with nets.

SUPPLEMENTARY TO QUESTION NO. 214 OF 1999

HON J J GABAY:

Opposition Members would not describe the Ordinance as wretched.

HON CHIEF MINISTER:

Well, I do not know if Opposition Members think it is wretched or not but certainly the interest that they showed in its manifest and demonstrable breaches did not suggest that they thought it was the most important piece of legislation in Gibraltar's statute book.

HON J J GABAY:

We are not interested at the moment in discussing the past for a very simple reason that there is a more serious matter that we should be concerned with and that is what has happened to the Ordinance and the performance of the Chief Minister himself in the way he has dealt with it. So my first supplementary on what has been said and on the list that we shall be looking at, could the Chief Minister tell me whether in providing this list of incursions which we consider illegal if fishing with nets took place, whether he is recording illegality in accordance with the Ordinance or in accordance with his own personal agreement?

HON CHIEF MINISTER:

I think the question is nonsensical. I am recording nothing of the sort. The hon Member has asked me for information which is not in possession of the Government, it is in possession of the Royal Gibraltar Police for whom I do not account in this House. I have nevertheless gone to the trouble of obtaining for him a detailed list of those incursions that the Royal Gibraltar Police have been able to record during the period that this question covers and I think the hon Member should assume that the information says nothing at all about me. I am quite happy to defend my actions. There are many other questions on the Order Paper more appropriate to debate, those for and against the fishing understanding into which I have entered, I do not think this is the most appropriate but if we discuss it now I am not going to be willing to discuss it again in the subsequent questions. It is up to the hon Member to decide on which occasion he wishes to debate it.

HON J J GABAY:

Primarily I would like to ask questions that.....

MR SPEAKER:

That is the only thing you can ask, there is no question of debate. The Chief Minister is talking about debate, it is not, it is supplementary questions and answers.

HON J J GABAY:

Yes, I think that remark should be addressed to the Chief Minister. In fact, I am simply saying that there are a number of questions that need to be asked which relate to the protection of nature which was the intention.

MR SPEAKER:

I am now going to be strict. You can only ask supplementary questions on the answer, nothing else.

HON J J GABAY:

When we talk about illegal incursions into our waters, for example, just to single out one detail, the 225 metre restriction zone, there is no reference to that in the Ordinance and certainly it was not there with any intention of protecting our coastline and marine life but seems to be an operating factor now that the Chief Minister has intervened. I would like to ask him in that respect, since details of that nature do not appear in the Nature Protection Ordinance, when in deciding that specific point of the 225 metre restriction zone whether he consulted GONHS?

HON CHIEF MINISTER:

Can I point out that there is a question specifically on the Order Paper, namely, Question No. 221 of 1999 which relates specifically to this business of the 225 metres. Presumably the hon Member is aware of the questions that he himself has tabled for answering. Why he asks me in supplementary to Question No. 214 of 1999 his substantive Question No. 221 is really inexplicable.

HON J J GABAY:

The complexity and breadth of this problem.....

MR SPEAKER:

No, we are not concerned with the problem, we are concerned with the answer given. You can ask a supplementary question on the answer. I will not allow you unless you do that. He is not entitled to debate either.

HON J J GABAY:

May I reply to what he said?

MR SPEAKER:

No, you cannot. If it is a supplementary question certainly.

HON J J GABAY:

I have nothing further to add on this question.

HON J J BOSSANO:

Can the Government say whether the information that was provided in answer to a question in the House of Commons that there were 520 illegal incursions in the year 1998 is based on the same statistics that we have been provided with?

HON CHIEF MINISTER:

I cannot say so. This information originates from the Royal Gibraltar Police, I assume that the answer given in the House of Commons originates from the same place, I know no other organisation that records these things so I cannot confirm it to him because I cannot speak for whoever answered the question in the House of Commons and where she got her information, in the assumption that it was Ms Quin. But I assume, given that the RGP is the only organisation that makes any attempt to record this, that the answer to his question is yes but I cannot vouch for it.

HON J J BOSSANO:

So that means, in fact, that the request for that information did not come through the Government, it came through the Governor's Office, is that what we are being told?

HON CHIEF MINISTER:

I am not aware that the Government have received any request for this information from the Foreign Office, why should they ask me when they can ask their own people? I assume that that information reached London from the Foreign Office who presumably obtained it directly from the RGP.

HON J J BOSSANO:

Since, in fact, the answer that was given by Ms Joyce Quin, as he correctly assumes, was that there were 520 illegal incursions, what we have been told today is that these are incursions that were not necessarily illegal. That is to say, that the fact that there is an incursion in Gibraltar waters and the dates and the number of vessels which were seen to be in Gibraltar territorial waters did not mean that they were actually engaged in anything illegal, is that the case? Whereas in the case of the answer in Parliament it was 520 illegal incursions.

HON CHIEF MINISTER:

Well, that phrase "illegal incursion", an incursion is a trespass into British sovereign waters. If one takes the view that being in British waters at all without permission is an illegality then I suppose one could take the view that every incursion is an illegality but for it to be an illegality under the Nature Protection Ordinance, firstly one can only include the boats that were actually fishing as opposed to the boats that were just there incurring into British sovereign waters but not breaching the Nature Protection Ordinance if they were not fishing at all, and even from the ones that were fishing one has to exclude the ones that were fishing with a line which is not prohibited under the Nature Protection Ordinance and therefore they were not breaching the Nature Protection Ordinance. Therefore, I assume that what the hon Member meant in his question was breaching the Nature Protection Ordinance not just being present in British waters which is not necessarily a breach of the Nature Protection Ordinance and my understanding is that this is a list of incursions and not a list of those boats that were actually fishing. That is my understanding of the list that I have just given to the hon Member.

HON J J BOSSANO:

On the basis of seeking information in order to interpret the answer, is it then that although the question asked for boats which operated illegally and it is illegal in the context, of course, of fishing with illegal nets, it has not been possible for the RGP to identify which, if any, of these boats on these occasions were actually in breach of the law?

HON CHIEF MINISTER:

I would have to find out whether they are capable of finding that information from their records as opposed to this being what they have given us. I know from daily Police reports of the Police Marine Unit that there are occasions in which boats are recorded as fishing and there are occasions in which boats are recorded as not fishing but that is not to say that on every occasion that there is a sighting there is a recording of whether or not they were fishing. But if the hon Member is interested in knowing whether the RGP can list breaches of the Nature Protection Ordinance as opposed to a list of incursions into waters, I am very happy to ask the RGP for that information on his behalf.

HON J J BOSSANO:

Yes we would like to have that information because presumably that is what the Police is policing. Am I right in thinking that if they are not suspected of fishing using illegal nets, irrespective of any written arrangements in the normal course of events the Police would not have told them to go away, to stop fishing if they were not fishing?

HON CHIEF MINISTER:

Well, I think in the climate of the circumstances that had developed by early February of this year, I think that there were sea borne interventions and monitoring and sailing through and in and out and manoeuvrings, regardless of whether they were fishing. In other words, there was the view taken that there was a fleet there that was there for no good reason and no good purpose. I think the distinction between those that were fishing and those that were not became somewhat academic once the matter had become embroiled in the politics of the situation.

NO. 215 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Can the Chief Minister explain whether he still stands by the statement he made in the House in April 1998 as follows, "What I have said repeatedly is that the Government of Gibraltar could not condone breaches of the law; in other words, the Government of Gibraltar cannot condone anybody coming into Gibraltar's waters and fishing by a means which is prohibited by the laws of Gibraltar, namely, the Environmental Protection Ordinance", by which I believe he means the Nature Protection Ordinance?

ANSWER

THE HON THE CHIEF MINISTER

It gives me great pleasure and satisfaction to confirm to the hon Member that I stand by every one of those words.

SUPPLEMENTARY TO QUESTION NO. 215 OF 1999

HON J J GABAY:

I hope I may be allowed to ask supplementaries that directly emanate from this statement in respect of events that have followed. First of all, does not the agreement entered into with the Mesa de Pescadores stand in a shameful contradiction with the quoted statement of the Chief Minister about the supremacy of the law?

HON CHIEF MINISTER:

In the first instance I did not enter into an understanding with the Mesa de los Pescadores, I entered into an understanding with the Cofradia de Pescadores and the Cofradia de Armadores, but the question and the quotation that I made back in April 1998 said that I did not condone breaches of the law. I do not condone breaches of the law now, I did not condone breaches of the law then and nothing in the fishing understanding amounts to an implicit or explicit condoning of breaches of the law of Gibraltar. Indeed, the understanding says the opposite. The understanding says that the law of Gibraltar is valid, that they recognise the validity of it and that they agree to abide by instructions given in its implementation on every occasion on which it is given to them.

HON J J GABAY:

With all due respect, that is utter nonsense. Will he not accept that constitutionally he has breached the dividing lines between the legislative, the executive and the judicial functions of democratic governments? He may find it amusing but it is extremely serious for the community. [HON CHIEF MINISTER: I find it very amusing.] Is it not a fact that in one single stroke he has cast aside an Ordinance, established a personal law of his own and actually had the audacity to instruct publicly the Royal Gibraltar Police, "that he takes the full responsibility for the enforcement of the law in accordance with the fishing agreement"? Is he aware that it is the duty of the Police to enforce the law and not his personal agreement? I genuinely believe that this is unprecedented, unconstitutional arrogance on the part of the Chief Minister, we are accustomed to other ranks of arrogance but this one, I think, has very, very serious implications or is it that the Chief

Minister sees himself as a local Louis XIV who when asked about the law said, "The law? I am the law" and no matter how brilliant an advocate the Chief Minister may be, the facts of the case are simple, the law says, "No fishing". He says, "The law is being upheld but please go in and fish".

HON CHIEF MINISTER:

I want to think further on what the hon Member has said before I can conclude whether he is just rampantly unintelligent or whether he is premeditatedly dishonest because I am now convinced that he has to be one or the other of those two things. In the first place, he says that this is a matter of serious concern for the community. Because the hon Member is more interested in crises than he is in solutions, he appears to have overlooked that the fishing understanding into which I have entered is not a matter of serious concern to the community but has been welcomed and applauded by almost every representative organisation in Gibraltar including several candidates at the recent by-election, by the TGWU, by the Chamber of Commerce, by the Self-Determination for Gibraltar Group, by the Voice of Gibraltar Group, by the Help Us to Help Them Group and by numerous others and, indeed, I am still being stopped in the street by well-known GSLP activists congratulating me, notwithstanding that they do not support me politically, for what they considered to be a job well done. The only people who have concern about the fishing understanding appear to be the Opposition Members who are more concerned by scoring political points against the Government of Gibraltar than by resolving a problem or did he not think that the community was also concerned about the consequences of the crises into which Gibraltar was going? He appears to be much less concerned about that than about his pompous and completely inaccurate speech about constitutional propriety. He can sit there and listen to the whole answer to his absurd supplementary question. [HON J. J. GABAY: What a fool the man is.] Mr Speaker, I understand that there are rules against this use of language. I believe that I can demonstrate what I have charged him with, given that he has just described me as a brilliant advocate I doubt that he can demonstrate that I am a fool. The hon Member then says, "he has either been on the planet Mars since the 4th February or he has premeditatedly misrepresented the facts as published to mislead this House and everybody in it and everybody listening to this debate on the radio". The Royal Gibraltar Police is the constitutional responsibility of His Excellency the Governor. [HON J. J. GABAY: He is not answering the question.] Yes, I am answering the question.

MR SPEAKER:

You have got no right to stand up.

HON J. J. GABAY:

Even if he can wrangle without answering the question?

MR SPEAKER:

You have got no right to stand up, you have got a right to ask another supplementary but you cannot interfere unless he gives way.

HON CHIEF MINISTER:

Mr Speaker, I will not give way. I do not know how the hon Member can sit there and accuse me of not answering the question when in his supplementary he has accused me of breaches of the separation of powers and being worse than Louis XIV and now that I am explaining to him why his allegations are untrue, he says that I am not answering the question. Well, if he sits there quietly I will not only answer the question but demonstrate to

him and to everybody else the extent of his lack of integrity in this matter. He must know, unless he has been on the planet Mars since the 4th February, that I have said publicly that indeed the understanding with the fishermen actually says that I will ask His Excellency the Governor, who is responsible constitutionally for the Police, if he would ask the RGP to enforce the law in that way. His Excellency the Governor issued a public statement, which obviously the hon Member has not seen or has chosen to ignore, saying, "I, the Governor, who is constitutionally responsible for the Police, will request the Royal Gibraltar Police to enforce the law in manner consistent with the fishing understanding entered into by the Chief Minister" and therefore the suggestion that I have usurped the power of authority over the RGP is demonstrable nonsense not only on the basis of the written content of the agreement which actually says that but by the public statements made by me and by the public statements made by the Governor. What is not as clear as that is the fact that whilst fast boat tobacco smuggling was rampant Ministers of the GSLP Government including the Chief Minister would constantly telephone the RGP to warn them against enforcing the law of Gibraltar against tobacco smugglers and I have that direct firsthand from senior Police Officers. They are the only people who in Gibraltar's recent history have usurped constitutional powers that they do not have to manipulate the Royal Gibraltar Police and to issue them with operational instructions. I do not know what the hon Member understands by the concept of the separation of powers. The separation of powers is that there is a legislature, there is a judiciary and there is an executive. We are the legislature and back in 1991 the legislature legislated the Nature Protection Ordinance. There is a judiciary who hears and tries cases once the Attorney-General has decided to commence prosecutions for them and the only other leg in a separation of powers is the executive. The executive in Gibraltar comprises together the Governor and the Government, in fact all executive authority is vested in the Governor. It is the Governor, under that sharing out of executive responsibility, who has responsibility for the Police. There is absolutely no instance in this whole matter in which the Government of Gibraltar have purported to issue a single word of instruction to the RGP. What I did say at New Mole House and which the hon Member has either not bothered to read or, if he has, he has not understood, everybody else up there understood it, what I said to the Police was, "if there is public criticism for the way that you are enforcing this law, having been instructed to do so by His Excellency the Governor in accordance with operational instructions, it is the Government's political responsibility, we will take the public flack and we will not allow people to accuse the RGP and to blame the RGP for the way in which the law was enforced". That is what I said to the RGP, a very long way from giving them operational instructions and therefore practically every aspect of the hon Member's last supplementary is a tissue, is a sequence of one dishonesty built on another measurable against public facts and public statements.

HON J J GABAY:

The anger of the Chief Minister.... [HON CHIEF MINISTER: Reflects of what I think of the hon Member, not what I think of the matter.]

MR SPEAKER:

You must allow him to continue.

HON J J GABAY:

Reflects his background, his arrogance and his longing for a deal with Spain. [Laughter] That is where the lack of integrity comes in. I never belonged to the Party for the Autonomy of Gibraltar as he did, I never came into power saying that all the problems with Spain was as a result of confrontation by the Opposition and created expectations which he knows he cannot deliver and now he uses Bossanesque language, he coined the word, with an insincerity and hypocrisy which is tantamount to the highest degree of lack of

integrity but having got over this aspect of personal attack on both sides, we have had here a boiling pot of casuistry and gestures and so on. There has not been an answer to a simple question. This House passed a law, the Nature Protection Ordinance, it is still in the statute book, he meets a rabble of fishermen whom he calls guests, people invited by him and decides to make an incredible concession to them, that they could fish in our waters despite what the Ordinance says. That is a breach of the law, that is a contravention of the law and to tell the Police now, hiding behind the Governor, that they had the permission of the Governor to contravene the law, that is what he has done, that is what is dangerous and that is what is wrong. If the Governor wants to do that then he has got to use his emergency powers or is it that he has taken over those as well? That is the question. He has not answered that question when I have repeated it simply, there is a law passed by the legislature, nobody is above the rule of law, he comes to an agreement which entails contravention and flouting of the law and he has the audacity on top of that to tell the Police, "Look, you do more or less what I like; if anything goes wrong it is my responsibility". His face should fall with shame for making something personal which is based on a concern in respect of how we are governed.

HON CHIEF MINISTER:

I am very proud of the fishing understanding in which I entered into into what he calls rabble. I do not know if Opposition Members have completely abandoned their pretence at socialist credentials but I have never in my life heard an alleged socialist refer to fishermen as rabble. [HON J J GABAY: In this particular case yes.]

MR SPEAKER:

You have got to sit down now.

HON CHIEF MINISTER:

The hon Member insists on premeditatingly misrepresenting the nature of the agreement that I entered into. I thought I had answered his question, perhaps rather too well for his liking. It is not the case that the fishing understanding means that the fishermen can breach the law or can fish in breach of the law. It is not the case that the fishing agreement superimposes itself on the principle of the primacy of the law. Nobody is above the law following the fishing agreement, there is no agreement to breach the law. The fishing understanding into which I entered is the very opposite of all those things, it is an agreement which specifically records the fact that they are not allowed to fish because the law which is supreme exists in any part of Gibraltar waters at any time and this is recognised. What the agreement amounts to, and I can well understand the hon Member's reluctance that we should delve into the past, but not just in this area; I can understand the Opposition Members' reluctance that we should delve into the past in any area in which they were involved in Government. What the fishing understanding is about is about returning to the status quo in terms of the Royal Gibraltar Police's attitude to the enforcement of the law or between 1991 and 1997 when he opened his windows to the Bay of Gibraltar or when he went to Eastern Beach or to Catalan Bay did he never see any Spanish trawlers in Gibraltar waters fishing? Does he not know that those fishing boats were there fishing, those that could manage to duck the fast launches? Does he not know that they were there because between 1991 and 1997, when the Opposition Members were the custodians of the supremacy of the law, were they not aware that those fishing boats were there because their precious Nature Protection Ordinance which they never gave a second thought to the moment it was given the Third Reading in this House was being enforced by the Police other than completely strictly or is somebody suggesting that no one saw the fishing boats there? And the agreement that I have entered into is to return by identifying specific practices and specific details, although I agree that there is not a

complete coincidence, going back to trying to define what were the criteria that motivated the Police to be tolerant and what were the criteria that motivated the Police to be strict in the application of the law between 1991 and 1997. Under the terms of the fishing agreement there is not a single square yard of Gibraltar waters in which these fishermen can fish today with impunity, they remain subject to the application of the law at all times in respect of the whole of the waters whether it is in or out of the 250 metre line. That was the position before 1997. Having said that, the rest of the agreement deals with trying to replicate the enforcement conditions and therefore the hon Member may wish to repeat as many times as he likes this idea that the understanding into which I entered allows fishing, condones breaches of the law, creates exemption in favour of the fishermen in respect of the law; watch my lips Mr Gabay, it is not true, either the hon Member has not read the fishing understanding or he has read it and not understood it or he has read it, understood it and is quite happy to seek to make political capital on the basis of a pre-meditated dishonest misrepresentation of its contents.

MR SPEAKER:

One more supplementary.

HON J J BOSSANO:

Presumably there are going to be plenty of other opportunities because there are plenty of other questions. If I had any supplementaries to put I would just put them on the figures that have been given but there are supplementaries that arise from many other things.

MR SPEAKER:

On this question. Do you wish to ask another supplementary, not another speech but another supplementary?

HON J J GABAY:

As I said earlier, the complexity of the question really needs at least introduction. Obviously I debunk everything that the Chief Minister has said in answer, he has still not answered the question and the question remains unanswered for us to pursue in whatever way we can. Will the Chief Minister not realise, even though he quotes the public support that he imagines, that anybody who dispassionately looks at what happened leading to this agreement was very simple and that is a rabble, whether one calls it socialist or capitalist, block a frontier, cause the most terrible problems and insist that the only way they will move will be when they can fish in our waters. He then invites them to Convent Place and he concedes to their demands, what they wanted they got and what is really quite extraordinary is that he feels that he has the public understanding and support. I think that anybody who dispassionately looks at the situation will realise that an incredible concession was made and if it was meant to ease the frontier problem which it sought to remedy all it did was to aggravate the situation and, of course, reach a deadlock because when people get what they want through the use of violence it never works. I hope we do not get as an answer another diatribe on morality.

HON CHIEF MINISTER:

The hon Member will get the answer he deserves. I cannot talk to the hon Gentleman about violence but the only people who threw stones at my car and broke it were not the rabble of Spanish fishermen but fellow citizens of his and mine. I do not know whether the understanding I entered into with the Spanish fishermen amounts to concessions or not, that is a matter of judgement for the hon Member and for others, all I can tell the hon

Member is if it does contain any concessions I am delighted that I made them, I would make them again tomorrow and I, like many others in Gibraltar, he is the first dissenting voice that I hear since the 4th February in connection with this fishing understanding. So I do not know if the hon Member thinks that the word "concession" is unpronounceable in Gibraltar but to the extent that there are concessions in the understanding into which I entered into with the Spanish fishermen, I am delighted, proud that I have made those concessions, let us be clear about that. Mr Cabezutto and Mr Piris, who were candidates at the by-election, indeed, Mr Cabezutto is a political disciple of the Leader of the Opposition, he came out publicly on television on the eve before polling and said, "Congratulations to the Chief Minister, it has been a master stroke". Well, it seems a pretty stupid thing to say [Interruption] That is another debate, I think Mr Cabezutto did very well and what Mr Cabezutto's performance says is much more about the hon Member than about him and Mr Piris the same. And the SDGG, which is an organisation with which we have been at loggerheads for years because they have always in the past thought that we were soft on Spain and willing to make concessions and "arreglitos" and all this, they came out publicly saying, "We congratulate the Chief Minister". Well, I do not know who managed to buy the SDGG just as they bought the previous Chairman of the SDGG, if I have done it it has been so subtle that even I have not noticed that I have been doing it. If the SDGG comes out saying, "Congratulations to the Government of Gibraltar" and everybody else, the hon Member will forgive me for coming to the conclusion that all these organisations more accurately reflect the state of public opinion on this matter than his highly irrational politically partisan, completely unobjective and completely false analysis of the situation. It is the general view, not that I seek any credit for it, that we have scored something of a diplomatic triumph in relation to this matter. Yes, the hon Member may wish to shake his head but I tell him sincerely, even including well-known GSLP activists and party members who have taken the trouble of saying to me, "Well done", his is the first dissenting voice that I hear in relation to this issue since the 4th February when I did the understanding. [HON J J GABAY: He must be deaf.] When was the last time to his knowledge that Gibraltar has managed to contrive for itself the following coincidence of circumstances? The UK press almost universally supportive in our cause; the UK Parliament almost again beating the drums in favour of Gibraltar.....[HON J J GABAY: Mr Speaker, could.....] No, the hon Member has had his chance. The Spanish press, I find these things a bit embarrassing I have to tell the House, following the entering into the fishing understanding, the Spanish press say that I am a cleverer politician than Señor Matutes and as if all of that were not enough, and if the result of the fishing understanding had not been to put Señor Matutes in a political black hole which the whole of the Spanish press and the UK press recognise except the Opposition Member, as if all of that is not enough, next week there is going to be a massive public demonstration in Spain by Spanish citizens protesting for the first time ever against their own Government's foreign policy in relation to Gibraltar and the hon Member is seriously trying to persuade everybody listening to him that this is the darkest constitutional day for Gibraltar, that the Chief Minister has made concessions, that he has succumbed to pressure from a rabble and that I have usurped the reserve powers of His Excellency the Governor. I think the hon Gentleman should go back to Mars from where he has obviously come just in the last 24 hours.

MR SPEAKER:

No, that was the last question. We will recess for 15 minutes.

NO. 216 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Can Government state what the position is as regards the nature Protection Ordinance for Gibraltarians who fish with illegal nets?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 218, 219 and 223 of 1999.

NO. 217 OF 1999.

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Can Government state what were the enforcement standards operated by the Royal Gibraltar Police in 1997 in respect of illegal fishing with nets three miles off the East side?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 221, 222 and 224 of 1999.

NO. 218 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

What is the position of fishing boats not of Spanish nationality who use illegal nets in British territorial waters?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 216, 219 and 223 of 1999.

NO. 219 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Will the Government state what the position is in respect of fishing boats not of Spanish nationality that use illegal nets in British territorial waters?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 216, 218 and 223 of 1999.

NO. 220 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Can Government confirm that on Monday 15th of this month as well as on Tuesday 16th at around 9pm, Spanish fishing boats had their nets cast within 225 metres of the moles in British territorial waters in the Bay of Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

I am informed that on the 15th and 16th February there were no Spanish fishing vessels with their nets cast within 225 metres off the coast on the West side.

SUPPLEMENTARY TO QUESTION NO. 220 OF 1999

HON J J BOSSANO:

This is on the basis of him having raised the question with the RGP who presumably were monitoring the presence of vessels in that area?

HON CHIEF MINISTER:

I can certainly confirm to him that neither on the 15th nor the 16th nor on any other day have I personally been monitoring the presence of Spanish fishermen on our coastline. It therefore is implicit in that fact that as with all this sort of information that I have been giving out today, it is based on information provided to my office by the RGP.

HON J J BOSSANO:

Can the Government say what is the position as regards the RGP being notified of people who are operating within 225 metres of our waters given that in the past he has come out discouraging people from calling up the RGP?

HON CHIEF MINISTER:

I am sorry, I missed the first part.

HON J J BOSSANO:

What is the position as regards persons who see Spanish fishing vessels fishing within these limits where the law is supposedly being applied to the letter, as regards their calling up the RGP and telling them that this is happening?

HON CHIEF MINISTER:

It would be my hope and indeed my wish, although it is a matter for each individual's judgement, that people should not telephone the RGP when they see fishing in compliance with the understanding but when they see fishing in non-compliance with the understanding I believe that they should pass the information onto the Police because the

law should be enforced strictly in those circumstances. My understanding is that it is happening, that the Police are enforcing the law strictly in those circumstances.

HON J J BOSSANO:

Is it not a fact that there appears to have been given, for example, that the figures we have been given today is that there were 74 Spanish fishing vessels or rather 74 occasions in which Spanish fishing vessels were in British territorial waters up to the 17th February 1999 and if we look at the figure for the same period in 1998, it was 15. Whatever status quo we are returning to we have certainly not returned in 1999 to what it was like in 1998 before the helicopter incident which, I believe, is when it all blew up. Do the Government have any information as to what degree of monitoring, at one stage the RGP used to go out to monitor the situation because they were being asked by His Excellency to show restraint. Now that they are no longer in a restraint mood, do they go anywhere near these vessels?

HON CHIEF MINISTER:

I do not know but I know that they are enforcing the law in accordance with the understanding into which I entered. Whether that involves not keeping an eye at all or keeping an eye out from a discreet distance and only moving in, I cannot tell him, I do not know.

NO. 221 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Can Government state whether in 1997 the Royal Gibraltar Police drew any distinction in the level of enforcement of the Nature Protection Ordinance in respect of fishing with nets within 225 metres of the moles in the Bay?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 217, 222 and 224 of 1999.

NO. 222 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Can Government state whether the Royal Gibraltar Police received any new operational instructions in respect of the enforcement of the Nature Protection Ordinance as regards fishing with nets since the 4th February?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 217, 221 and 224 of 1999.

NO. 223 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

What is the position as regards enforcement of the Nature Protection Ordinance when breaches of the law are committed by other than Spanish fishing boats using illegal nets?

ANSWER

THE HON THE CHIEF MINISTER

The Nature Protection Ordinance remains applicable to all people, regardless of nationality, in the whole of Gibraltar waters at all times.

SUPPLEMENTARY TO QUESTION NOS. 216, 218, 219 AND 223 OF 1999

HON J J BOSSANO:

Does that mean that the enforcement policy, if that is the correct terminology, of the Royal Gibraltar Police in ensuring observance of the Nature Protection Ordinance is going to be identical in respect of illegal fishing irrespective of the nationality of the boat?

HON CHIEF MINISTER:

I would hope so.

HON J J BOSSANO:

So in fact what the Chief Minister is saying is that he would hope that if the Royal Gibraltar Police stop one Gibraltarian fishing boat outside 225 metres they would also stop one Spanish fishing boat notwithstanding the fact that the expectation has been created that as long as they keep the numbers fishing at four or less they are unlikely to be told to stop and go away?

HON CHIEF MINISTER:

The essence of the agreement is that the RGP will treat Spanish, Gibraltarians and others in terms of enforcement as they were treated between 1991 and 1997.

HON J J BOSSANO:

So, I do not know if there is another question in that respect, I believe there is but is he saying that prior to 1998 the RGP did not ask Spaniards to leave as long as they were fishing four at a time?

HON CHIEF MINISTER:

What I am saying is that between 1991 and 1997 there was a variable enforcement pattern and attitude just as is called for by the understanding. One of the factors that determined whether the Police went out to enforce the law or not was whether there were too many boats. Other factors were, were they blocking the harbour entrance; were they blocking the marinas, things like that and that is, in essence, what the understanding tries to replicate in detail.

HON J J BOSSANO:

In whose judgement was the definition of too many; did it depend on which officer was on duty whether four was too many or not five or was there a guideline by which the RGP operated which presumably emanated from within the Police Force because it did not emanate from the elected Government, presumably in 1997 any more than it did in 1991?

HON CHIEF MINISTER:

Even though neither he nor I are politically accountable as Chief Ministers for the RGP, it is implicit in this question that he neither knew nor cared what the RGP's enforcement attitude and pattern was whilst he was Chief Minister of Gibraltar in respect of this law. The figure of four is not taken from some written guideline that existed between 1991 and 1997, it is a figure plucked from everybody's best assessment and recollection of what was the position in fact between those years but at the end of the day the person whose ultimate judgement it reflects is me.

HON J J BOSSANO:

So in fact what is different then is that it is the judgement of the Chief Minister and therefore the elected Government have, presumably for the first time, I know of no other occasion, exercised a judgement as to what the enforcement policy of the Police used to be which they claim is what it is going to be now but it is not because the Police themselves have come up with this figure of four boats?

HON CHIEF MINISTER:

It is the ultimate judgement of the Government of Gibraltar based on discussions with the Police and others in that respect, yes.

HON J J BOSSANO:

And, in fact, if the Government had those discussions with the Police and others, how come that the initial meetings that the Government had with the fishermen before they blockaded our country, which was not of course evidence that they are a rabble or hooligans, the only hooligans are on this side of the border, what they did on the other side was not hooliganism I do not know what one would call it but it was certainly a complete abandonment of any law by the Spanish administration not by ours, but before that if all this was known what was it that prevented the Government of Gibraltar from coming out publicly with this formula before and say, "This is what used to happen and that is what they need to stick to"?

HON CHIEF MINISTER:

The Government have been advocating that formula since the very first time that we entered into discussion. Opposition Members may remember the first time I spoke in the House of Assembly about this at least six or seven months ago, in September or October 1998, in which I said that it was not the policy of this Government to be any tougher in enforcement of the law than the previous Government and that what we were seeking was a return to the status quo. The reason why this formula has not worked until now is that it was not until now, once the Spanish fishermen had realised that they were being taken for a ride by their own Government that they became willing to abandon the political argumentology and in effect sign up to a document that recognised the validity of our laws, the authority of the RGP and agreeing to obey the orders of the RGP. Until then what they were saying is what they were hearing their politicians saying, "These are Spanish waters

and therefore your law is not valid" and that was what changed. The moment that the fishermen indicated to me that they were willing to do a deal on the basis which said the very things that the Government of Gibraltar thought was essential to us, namely, recognition of our jurisdiction, of the validity of our laws and the authority of the enforcers, it became possible to conclude an understanding on the very same basis that, as far as the Government of Gibraltar were concerned, had been on offer to them at least for three or four months prior to that date.

HON J J BOSSANO:

Is he then saying that the understanding of the 225 metres and the number of boats of which he knew nothing when it was being made by the Embassy in Madrid, what is it a coincidence that the Embassy in Madrid came to the same conclusions as he did or, in fact, were the Government of Gibraltar aware that terms were being concocted to translate the status quo into specific numbers of boats and distances?

HON CHIEF MINISTER:

The Government were aware that an attempt was being made to deliver the British understanding of the Cook/Matutes agreement which was, namely, to describe what was the status quo in terms of enforcement pattern and that involved distances, not too many boats et cetera. The detail of this agreement has not been on offer to them since September, what has been on offer to the Spanish fishermen since September or October or when I first told the House was an understanding between us to return to the status quo and, indeed, there are features of this understanding which are calculated to protect Gibraltar from the suspicions that we all had of what the Madrid Embassy was doing. In a moment we are going to debate again the 225 metres. Well, I am sure it will not have escaped the Leader of the Opposition, even if it had escaped his hon Colleague, the Hon Joshua Gabay, that 225 metres is a token 25 metres more than 200 which is the figure that the Embassy in Madrid was using and that the reason why I wanted a figure which was albeit a token more is that 200 happens to be the limit of Admiralty Waters and I did not want anybody to believe, still less in the Embassy in Madrid, that the criteria here was the difference between Admiralty Waters and non-Admiralty Waters and the way that that is saved in this understanding is by choosing a figure which is higher than the figure of Admiralty Waters, namely, 225 metres.

HON J J BOSSANO:

Given the fact that the Government are saying that the law will be enforced by the RGP the same for everybody irrespective of nationality and given the fact that the Government have accepted political responsibility for the way in which this particular Ordinance is policed and not any other, to what extent are the Government in a position to ensure the way this is enforced now that they have publicly stated that they accept the political responsibility if there are criticisms of the enforcement?

HON CHIEF MINISTER:

In exactly the same way as one is able to ensure that the political agreement entered into by me with the Spanish fishermen could also be implemented and that is by asking and inviting His Excellency the Governor to agree to a request from the Government of Gibraltar which, of course, His Excellency the Governor is perfectly entitled to refuse to do but happily on this occasion he agreed. I am equally confident that when I put to him a similar request in the vein of the supplementary just posed by the Leader of the Opposition, I am confident that His Excellency who is a sensible and rational man will be equally willing to accede to the Government's request.

HON J J BOSSANO:

So we have now moved, in fact, from the previous supplementary and it is no longer a question of hope. It is now a question that given the great sense of His Excellency the Governor, the Government are not just hoping that the Police will apply this to everybody in the same way but are very confident that if as a result of the answers we are being given the Governor is now asked to ask the Police to do this, that is what the Police will do. Can the Government explain whether there is a role in the law enforcement of Gibraltar of which certainly I was not aware in the eight years we were in office, which allows the Governor to tell the Police how each particular law should be enforced or is it something peculiar to this Ordinance?

HON CHIEF MINISTER:

No, there is nothing in the Constitution that entitles the Governor to direct the Police as to how they enforce the law. But given that the Police is constitutionally accountable to the Governor, just as I am free to ask the Governor to ask the Police, he is free to ask the Police. The Governor's statement makes it perfectly clear that it is not that he has instructed the Police, he has requested the Police and I am very grateful, first of all, to the Governor for having put that request following my own to him to the Police and I am equally grateful to the RGP for having done, as requested by His Excellency the Governor.

HON J J BOSSANO:

So the position then is that the Royal Gibraltar Police can constitutionally decide to what degree a law is enforced and against whom it is enforced on the basis of receiving a request from the Governor which is in turn a request that the Governor has received from the Government. Since none of this is reflected in the Constitution, is it only the Government that can make such requests or are any of the rest of us entitled to make any request to the Governor in respect of anything else?

HON CHIEF MINISTER:

I do not know. The hon Gentleman will have to try his luck. What I can tell him again is that he was very effective in cajoling the Royal Gibraltar Police into turning a blind eye at his request to flagrant breaches of the law of Gibraltar in the non-enforcement of the law in relation to tobacco smuggling which I have not done. I at least have had the constitutional propriety of putting my request to His Excellency the Governor who is the constitutionally empowered authority in this respect.

HON J J BOSSANO:

I am not going to permit the Chief Minister to do what he tries to do with constant regularity which is to avoid the responsibility he has in the House to account for his decisions and his policies and his actions by trying to convert this into an issue which is totally irrelevant. But I can tell him one thing, I certainly intend to try and find out precisely who are these senior Police Officers who have given him this information which presumably is being given now that he is in Government. I must say it is..... [HON CHIEF MINISTER: Is he saying it is not true?] Yes, I am saying it is not true. [HON CHIEF MINISTER: Well I am saying it is.] I know that the Chief Minister is saying it is and therefore we are now calling each other a liar even though the Rules say we cannot. But I can tell him something more, that I will go to His Excellency the Governor and try to find out who are these senior Police Officers that have gone with this story to the present Government definitely.

HON CHIEF MINISTER:

If the Leader of the Opposition is now trying to persuade the public opinion of Gibraltar that his Government were not instrumental in preventing the Royal Gibraltar Police from applying the law against the fast boat smugglers between 1992 and 1996, all I can say is that he is going to have to do much more than go and see His Excellency the Governor. He is going to have to perform somersaults of all sorts in full view of public opinion because I have very little confidence in his ability to persuade public opinion of what every man, woman and child know to be the case just by what they observed with their own eyes year after year whilst the hon Member was in office. I have no difficulty in defending my policy in this matter. I think I have amply demonstrated in answer to questions that I am proud of what I and the Government have done in respect to the fishing agreement. Much more proud than I would have been had I done what he did between 1991 and 1996 which was simply to look the other way and not care less whether his Ordinance was enforced or not. I have no difficulty shouting my policy in relation to the fishing understanding from the rooftops. I think the understanding into which I entered with the Spanish fishermen is one of the most effective valuable acts in the public interest of Gibraltar to have been done by a Chief Minister in the last 35 years. That is the extent to which I do not have difficulty in defending this policy.

HON J J BOSSANO:

I am trying not to debate and to ask questions but, of course, it is extremely difficult given that the answers have nothing to do with the questions and they are just political speeches which is what the Chief Minister accuses everybody else of doing and what he does constantly. Is it then the position of the Government that it is perfectly natural for the elected Government to do agreements which on the surface appear to be giving concessions to identifiable parties with whom these agreements have been negotiated which the Police will then bear in mind in the enforcement of the law even though the law has not been changed? That is a perfectly natural and permissible thing, in fact, if he is so proud of it, coming to the House and saying, "I am very proud of the agreement that I have done and now we are going to propose an amendment to the Ordinance which is a reflection of the pride that we have in the agreement that we have done" and in that case half of these questions would not arise. We might not agree with the agreement or with changing the law but that would be a completely separate issue. Secondly, if the Chief Minister is so proud of this achievement of his, is he saying that the achievement is not connected with the fact that we had a blockade of Gibraltar and it took a blockade of Gibraltar to get him to do such a wonderful thing?

HON CHIEF MINISTER:

I have told the hon Member that if it did contain concessions I was quite happy to have made them but actually I do not think it does contain concessions because all the agreement does is put the fishermen where they were when the hon Member was Chief Minister. If they had been given concessions now it can only be a return to them of concessions that the hon Member were quite happy that they should have. And I do not think it is perfectly natural, no but I think in the circumstances in which Gibraltar finds itself generally and now in particular and at that time in particular, it was not perfectly natural but it was the best possible way out for Gibraltar, it was the best possible result that Gibraltar could achieve and it was what was required in the best interest of Gibraltar. The most perfectly natural thing, since he has chosen to use the words "perfectly natural" in the context of this discussion, would have been for the Nature Protection Ordinance to have been properly enforced from the very first day that it was legislated but given that he allowed permissiveness to become the order of the day for six years that rather tied the hands of the Government as to what is now perfectly natural.

MR SPEAKER:

Next question.

HON J J BOSSANO:

Mr Speaker, he has just said the permissiveness of the Government tied him? It is incredible.

MR SPEAKER:

Next question.

NO. 224 OF 1999

THE HON J J GABAY

TERRITORIAL WATERS - ILLEGAL FISHING

Has the Royal Gibraltar Police or the Services Police asked any Spanish fishing boats to stop fishing with illegal nets since 26th January this year?

ANSWER

THE HON THE CHIEF MINISTER

The position between 1991 and 1997 was that the RGP took several factors into account when deciding on the strictness with which they enforced the law. One such factor was proximity to our harbour and shoreline.

His Excellency the Governor has stated publicly that he has requested the RGP to enforce the Nature Protection Ordinance in manner consistent with the understanding I reached in this respect. This they are doing for which I and the Government are most grateful both to His Excellency and to the Royal Gibraltar Police.

There are no instances yet since 26th January this year of any Spanish fishing boat having been asked to stop fishing with illegal nets. However, there have been several such instances involving rakers off Eastern Beach. They have immediately stopped fishing and left on all such occasions.

SUPPLEMENTARY TO QUESTION NOS. 217, 221, 222 AND 224 OF 1999

HON J J BOSSANO:

I believe in the statement that was made here by the Government, although it is not included in the version that was provided to the Spanish fishermen, it says, "There will be regular enforcement of the law outside the 225 metres to test the continued respect for it". Has that been happening?

HON CHIEF MINISTER:

I am extraordinarily grateful to the hon Member for that supplementary because it gives me the opportunity to get off my chest something that I have been wanting to get off my chest for some time. Indeed, since he first made in public the ridiculous assertion that there are two versions of this document, I do not know whether he thinks he is talking about the Brussels Agreement, I do not know if he is hoping to do that, there are not two versions of the agreement, one published here and one published in Spain. There is a solitary version of the understanding in Spanish which was made available simultaneously to the Spanish press and to the Gibraltar press at the live televised press conference on GBC held in Gibraltar at the Air Terminal at which I read, in my excellent Spanish, the text of this understanding and therefore I do not know where the hon Gentleman gets this notion that there is a version here and a version there. There is one version, it is in Spanish and I believe it was translated into English by the Chronicle. I have not spotted the inaccuracy in it that the hon Member identifies but if there is that is not our responsibility, that is theirs. Again, I repeat that I do not think that it contains that defect. Coming now to the specific of the point that the hon Member asks, neither version in his terms or the only version of the understanding in my terms, it does not say that there will be regular enforcement of the law

outside the 225 metres, but that is clearly understood between us and the fishermen and it is reflected indirectly in the statements made in the terms of the understanding that the list of circumstances for boats, 225 metres, not obstructing the harbour entrance, those are not circumstances in which they are permitted to fish. The understanding makes it perfectly clear that those are only the circumstances in which the law will be enforced strictly therefore implying that the law is capable of being enforced and will be enforced against them albeit not so strictly even if they are complying with that list of circumstances. They entirely understand that because I have told them that it should be perfectly clear that we are not renouncing the validity of the law even if there is only four or less of them or even if they are outside 225 metres, that from time to time the law will be enforced against them even in those circumstances, that is to say, the jurisdictional aspects of the matter. It is true that it has not happened yet but it will not surprise them if it happens with considerable frequency and regularity. I just want the hon Member to accept from me that there is not a version here and a version for Spain.

HON J J GABAY:

The Chief Minister has been expounding on all these various details including the 225 metre exclusion zone and has been giving his own interpretation. It seems to us that a more reasonable interpretation would be concessions made to the fishermen under duress and perhaps incorporating the details worked out by the British Embassy in that agreement which for so long was meant never to exist. This is our interpretation of it. Secondly, his constant reference to the validity of the law, I would like again to reiterate what my hon Colleague has already made quite clear and that is this constant reference to the validity of the law is a farce, it is actually a farce because it is establishing a principle that any Chief Minister, we are not talking about historical precedence or anything of the sort. The precedent is being set now that any Chief Minister who disagrees with a legitimate law passed by this House of Assembly can actually make his own ad hoc interpretation of the law and consult the Governor to see whether he approves of it, it does not say much for the House of Assembly, for the supremacy of the laws of our community if that is the constitutional principle that is being put forward.

HON CHIEF MINISTER:

I do not know whether it says anything about the supremacy of the House of Assembly or not. What I can tell him with certainty is that it says exactly the same about the supremacy or non-supremacy of the House of Assembly as was being said between 1991 and 1997 when the House of Assembly's law was not being enforced either. The hon Gentleman can interpret this agreement as he pleases. I want him to understand that I am completely indifferent to how he chooses to interpret the understanding into which I have entered with the Spanish fishermen. What I do draw considerable comfort and satisfaction from is that his interpretation is unique to him. I have not heard it from anybody before now. Nobody has interpreted the fishing understanding, not the SDGG, not the Help Us To Help Them, not the Chamber of Commerce, not the unions, nobody has interpreted the agreement as he chooses to interpret it. What I would tell him is that there is no basis in common-sense, in objectivity, in rationality or in truth, in my understanding with the Spanish fishermen to justify the interpretation that he chooses to make of it. But the hon Member gives me a welcome opportunity to make another point. We in the Government have become troubled of late by the extent to which there is coincidence of opinion between our loyal Opposition and Señor Matutes on several matters but specifically in relation to this one, the only two people in the world – unless he thinks that the British Government who said that they welcomed and supported the understanding were, in effect, welcoming and supporting my usurpation of the Governor's reserve powers. I have only heard two people argue that the understanding into which I have entered is the same one as Cook and Matutes entered into and also that the Government of Gibraltar do not have power to enter into this sort of

agreement. The only two people who I have heard make both those points in the same breath are Señor Matutes and his henchmen in the Spanish Foreign Ministry and Her Majesty's loyal Opposition in the House of Assembly of Gibraltar.

HON J J GABAY:

Let me say that I genuinely believe that this House has never been subjected to such hysterical triumphanism, absolutely hysterical. He is unique, it really is quite extraordinary and I think it is more of a psychiatric case than a political case to be perfectly honest, since we are being very personal in this exchange. Throughout I have tried to put it in a nutshell the unconstitutionality of what he has been doing and defending but he skirts around and leaps about in love with his own powers of advocacy and does not deal with the problem. As to comparing me with Matutes, not so long ago it was Señor Matutes, the gentleman in Madrid that he was going to embrace and God forbid if anybody said Matutes. The scorn we have for Matutes has always been evident. Where it has not been evident is in the approach of the Chief Minister. Of course having been told by Spanish television that he is more intelligent than Matutes, and he was in the forefront of international life with Monica Lewinsky and the late Hussein and so on and this obviously has gone to his head and he is incapable of understanding a point of view, very briefly expressed and encouraging and provoking the sort of discussion that we have had.

HON CHIEF MINISTER:

I have said nothing at all since the 4th February to sound triumphant. I have not claimed any public credit for what has happened. I have not suggested that I am the best thing since sliced bread until today when the hon Member uniquely in Gibraltar has tried to paint me as Louis XIV, as a usurper of the Government's constitutional powers and as somebody who has made political concessions to a rabble of Spanish fishermen. [HON J J GABAY: Absolutely.] And when the hon Member has attacked me I have defended myself but this is not a platform or a forum for my own eulogisation that I have sought. I have done it in self defence in the face of his extraordinary abuse of facts, of documents, of circumstances, of public opinion, to twist and distort and misrepresent a situation which I am confident the vast majority of people in Gibraltar are content with. If the hon Member is not content with it, I respect his democratic right to be discontent but I have to tell him that I could not care less.

NO. 225 OF 1999

THE HON J J GABAY

JOHN MACKINTOSH STATUE

Are Government aware of the state of neglect of the bust of John Mackintosh hidden at the back of the House of Assembly?

ANSWER

THE HON THE CHIEF MINISTER

The Government are aware that the bust of John Mackintosh is in need of cleaning and relocation as has been the case for over five years.

SUPPLEMENTARY TO QUESTION NO. 225 OF 1999

HON J J GABAY:

As usual the defence is what has been done in the past or what has not been done. This is a purely innocent and reasonable request about a bust which is disgraceful and I have received really quite a number of complaints, in fact, I was looking at it just before I came in and would not the Chief Minister agree that it is absolutely disgraceful? He seems to be weeping white tears because God knows what has been falling on his face, something is stuck by the nose, it is really disgraceful. Since he was a great benefactor of the community, I do not think we need to go into history about that, purely and simply to ask reasonably whatever the plans for the future may be, particularly because it happens to be attached to the House of Assembly that it should be at least cleaned in some decent way.

HON CHIEF MINISTER:

I do not think my answer is any less sinister than the question. The hon Member asks this question almost as many times as there are Question Times in this House and he has had the Government's answer, I have no objection to somebody going down there and giving the poor old chap's face a quick wipe but as to a relocation of the statue to a much more appropriate place, I agree with him that that location is inappropriate but that that decision has to await the Government's plans for the Piazza as a whole. The hon Member knows that the Government are giving very serious thought to demolishing the Piazza and reducing it to street level and we would wish, certainly before any relocation or major refurbishment to leave it but if what the hon Member is saying is that some seagull has done its business on the face of this bust, I entirely agree with him that somebody should make it their business to go and wipe it off. I am not quite sure whose job it is but I will certainly make it my business to track this person down and send him armed with a cloth as soon as possible.

NO. 226 OF 1999

THE HON J J GABAY

FUTURE ROLE OF THE MOUNT

Are Government in a position to state their plans for the future role of The Mount?

ANSWER

THE HON THE CHIEF MINISTER

Government intend to announce our plans for The Mount during the next three weeks.

SUPPLEMENTARY TO QUESTION NO. 226 OF 1999

HON J J GABAY:

I am very pleased to hear that information, I thought it might be indefinitely used as a reception mansion and party meeting point for Government functions.

HON CHIEF MINISTER:

I do not want to upset the hon Member again but it will be indefinitely used as a mansion for Government receptions and hospitality amongst other things.

HON J J GABAY:

Bon appetite.

NO. 227 OF 1999

THE HON J C PEREZ

BREATHALYSER TESTS

Can Government confirm that they have now taken a decision to introduce breathalyser tests and that this is expected to happen shortly?

ANSWER

THE HON THE CHIEF MINISTER

Legislation is being prepared for a very limited introduction of breathalyser tests. These tests will be available at the Police Station only for the purposes of obtaining evidence of intoxication. There will be no roadside breathalysing, whether on a random or any other basis.

NO. 228 OF 1999

THE HON J C PEREZ

GENERAL POST OFFICE

Can Government state whether they have any plans for the building that presently houses the General Post Office in Main Street once this is vacated?

ANSWER

THE HON THE CHIEF MINISTER

There are no plans as such, although one or two organisations have expressed an interest in the upper floors.

SUPPLEMENTARY TO QUESTION NO. 228 OF 1999

HON J C PEREZ:

In the upper floors which would have probably a rear entrance, am I right?

HON CHIEF MINISTER:

One of the organisations that has expressed an interest is the Chamber of Commerce, for example. I do not know whether that means the rear entrance or whether the access would be by the side of the Main Street entrance, I am not into that sort of detail. The St Bernard's Club that is also looking for new premises went to have a look at it but they found that there were not big enough rooms there. I think they are the two organisations that have so far asked to be considered for premises there.

HON J C PEREZ:

Would the Government reconsider leaving the Post Office counter in the building because of the historical significance of it and given that it is positioned in a very central location?

HON CHIEF MINISTER:

The Government believe that Casemates Square will be a very central location and that the centrality of the current Post Office depends very much on where one happens to live at the moment. Casemates is much more central for those that live in the North of Gibraltar. One of the principal reasons for transferring the Post Office, there are several but the principal ones are, as the hon Member knows, the very poor state of the building which would require a very significant investment. The other is that we believe that the Post Office being present in Casemates Square will add very significantly to the characteristic of Casemates Square as a central town square of the sort that we are trying to create there. My hon Colleague will be willing to accept the hon Member's invitation to think about it again but that is where our decisions have gone so far and the reasons for it.

NO. 229 OF 1999

THE HON J C PEREZ

GOVERNMENT SERVICE - INDUSTRIAL APPRENTICES

Can Government state how many industrial apprentices are presently employed in Government service, when they were employed and which department they are attached to?

ANSWER

THE HON THE CHIEF MINISTER

I am informed that there are no industrial apprentices presently employed in Government service.

NO. 230 OF 1999

THE HON J C PEREZ

GOVERNMENT SERVICE - INDUSTRIAL WORKS

Can Government state whether they have employed any industrial workers in the Government service in this financial year, and if so, could they state the grade of the post and the employing department?

ANSWER

THE HON THE CHIEF MINISTER

Thirty-five industrial workers have been employed in the Government service in this financial year, as follows:-

16 Labourers	- 8 at Buildings and Works Department
	1 at Education Department
	7 at Support Services
	(5 at the Garage/Workshop)
	(2 at the Electrical Section)
5 Scaffolders/Labourers (trainee)	- Buildings and Works
3 Masons	- Buildings and Works
2 Electrical Fitters	- Support Services (Electrical Section)
2 Fitters (Turner)	- Support Services (Garage)
6 Motor Transport Fitters	- Support Services (Garage)
1 Motor Transport Fitter (Electrical)	- Support Services (Garage)

NO. 231 OF 1999

THE HON J C PEREZ

GOVERNMENT SERVICE - NON-INDUSTRIAL TECHNICAL POSTS

Can Government state how many non-industrial technical posts have been recruited by Government from outside the civil service since May 1996?

ANSWER

THE HON THE CHIEF MINISTER

The following non-industrial technical posts have been recruited by Government from outside the civil service since May 1996:

October 1997	-	4 Estimators (with grade TG1)
November 1997	-	4 Vehicle Testers
July 1998	-	1 Quantity Surveyor (on a 3 year contract)

NO. 232 OF 1999

THE HON J J BOSSANO

INCOME TAX - EMPLOYERS DECLARATION AND PAYE 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

A total of 124 employers have not returned the form "1995/96 Employers Declaration and PAYE Certificate" as at the 19th February 1999. The total number of employees affected is approximately 111.

NO. 233 OF 1999

THE HON J J BOSSANO

INCOME TAX - EMPLOYERS DECLARATION AND PAYE 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

A total of 224 employers under which approximately 270 employees are registered, have as at the 19th February 1999 not returned the form "1996/97 Employers Declaration and PAYE Certificate".

NO. 234 OF 1999

THE HON J J BOSSANO

INCOME TAX - EMPLOYERS DECLARATION AND PAYE 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 and the total amount of tax deducted?

ANSWER

THE HON THE CHIEF MINISTER

One thousand five hundred and seventy-nine employers, accounting for approximately a total of 18,000 taxpayers, had at the close of business on the 19th February 1999, lodged their 1997/98 Employers Declaration and PAYE Certificate. The amount of PAYE tax deducted is approximately £34.9 million.

NO. 235 OF 1999

THE HON J J BOSSANO

INCOME TAX - EMPLOYERS DECLARATION AND PAYE 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

Three hundred and forty employers under which approximately a total of 4,000 taxpayers are registered had, as at the close of business on the 19th February 1999, not returned the form "1997/98 Employers Declaration and Certificate".

SUPPLEMENTARY TO QUESTION NO. 235 OF 1999

HON J J BOSSANO:

Can Government say whether, in fact, the employers that are still pending from the preceding years answered in Question Nos. 233 and 232 of 1999, are also reflected in the figure 340 as again being there without returning their PAYE certificate?

HON CHIEF MINISTER:

I cannot answer that question authoritatively but I suppose it is possible that somebody might submit a declaration in respect of one year having not answered in respect of the previous year. I do not know whether the Income Tax Office turns away a declaration in respect, for example a P8, because they have not submitted the 1997, 1996 or 1995. I would hope not especially if there is a cheque attached to it. But it is possible, I can find that out, I suppose if the hon Member is interested in knowing, my guess would be that all who are in arrears of 1998 are also in arrears of 1996 and 1997 and that therefore the 1998 figure probably does include the figures for the earlier years but I can ask the Commissioner whether that is the case.

HON J J BOSSANO:

Can the Government say whether the 340 employers for this time of the year is an improvement on the situation in the preceding year?

HON CHIEF MINISTER:

In respect of 1997/98? I cannot tell him that, I have here a note which tells me that when the hon Member last asked this question the answer that he got then was that there were 478 forms in respect of 4,800 taxpayers and that was at the end of 1998, Question No. 587 of 1998. Incidentally, of the current 4,000, 3,500 are individuals details of whom are returned by Government departments and are currently pending amendment consequent to pay review arrears. But I cannot tell him whether the current figure of 4,000 as at 19th February is better than we were on the 19th February 1998 in respect of the year 1996/97. But again if he is interested in that I can find out for him.

HON J J BOSSANO:

So in fact the last part of his answer means that in terms of the private sector we are talking about 500 out of the 4,000 given that 3,500 are really an administrative delay from Government departments, not that the tax has not reached the Government?

HON CHIEF MINISTER:

I have given the hon Member the benefit of information that I have here in readiness for a supplementary that he did not ask but that is the implication of this note here, the current total of 4,000 includes approximately 3,500 individuals details of which are returned by Government departments and details of which are currently pending amendment consequent to pay review arrears.

NO. 236 OF 1999THE HON J J BOSSANO

INCOME TAX - EMPLOYERS DECLARATION AND PAYE CERTIFICATES

How many of the employers who have returned the 1997/98 Employers 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 19th February 1999, the position regarding 1997/98 Employers Declaration and PAYE Certificate is that of the 1,579 declarations received there is PAYE outstanding on 246 returns totalling £1 million.

In a supplementary to a similar question, No. 589 of 1998 that the hon Member asked, I informed him that the number of employees could not be identified as this cannot be established from the return because PAYE is paid in respect of the whole workforce and not submitted in respect of particular employees in terms of the cheque so I think part of his answer is missing, the number of employees that are affected.

SUPPLEMENTARY TO QUESTION NO. 236 OF 1999

HON J J BOSSANO:

In respect of whom £1 million has been collected.

HON CHIEF MINISTER:

By the employer. In respect of which £1 million has been deducted by the employer and not paid to the Income Tax Office, yes. What I cannot tell him is the number of employees affected by those two statistics; by the £1 million on the 246 returns.

HON J J BOSSANO:

How is it that the return that is made in respect of Question No. 234 which is that 1,579 of which the 246 are a part, does contain the information of the number of employees?

HON CHIEF MINISTER:

I am sorry, would he just repeat his logic?

HON J J BOSSANO:

The Chief Minister has said that of the 1,579 with 18,000 employees, 246 have not handed the money deducted from the employees over. What I am asking is, if the 246 do not include the employees then it must follow that the employees of the 246 cannot be included in the 18,000 who are the employees of the 1,579.

HON CHIEF MINISTER:

No, I do not think that necessarily follows. The hon Member is presumably in part alluding to the answer to Question No. 234 in which he asked, "How many employers have returned the 1997/98 Employer Declaration and what is the number of employees affected and the total amount of tax deducted?" and the answer was that 1,579 employers accounting for approximately a total of 18,000 taxpayers had, at the close of business on the 19th February lodged their certificates and deducted approximately £34.9 million. In the context of this question, what the hon Member has asked is who has sent in a card but not the cheque with it and how many employees are affected by it. We know how many returns there are and what was the amount of tax that should have accompanied those returns because it is a question of counting the cards that came without a cheque and totting up the aggregate value that they disclose. What cannot be done is to work out the number of employees to which those cards relate because there may be part payments throughout the year. In other words, the cheque does not relate to particular employees, it is just a cheque sent in by the company. That is the explanation that he was given at the end of last year and again now. I do not know if I have even addressed the issue that he was making.

HON J J BOSSANO:

The information provided is that 1,579 employers sent in a return showing they had collected just under £35 million from about 18,000 employees and the 246 and the £1 million are part of that, are they not?

HON CHIEF MINISTER:

Which is part of that?

HON J J BOSSANO:

The 246 who did not send a cheque with the information account for £1 million out of the £34.9 million, is that not correct?

HON CHIEF MINISTER:

I would think so, yes. In other words, they are in the number of employees even though they are not in the number of pounds collected because obviously the pounds were not collected. The employees affected by those 246 returns are, I would presume, included in the 18,000 taxpayers referred to in Question No. 234.

HON J J BOSSANO:

If they have been able to count the employees of the 246 to arrive at the approximately 18,000; if the employees are included I take it that the answer we have been given is that the £34.9 million is not the amount paid to the Government but the amount deducted from the employees because that is what the question asks. So therefore the 246 is part of the 1,579; the £1 million is part of the £34.9 million and the unknown employees are part of the 18,000. It seems to me that the same exercise needs to be done to provide the answer to Question No. 234 and to Question No. 236.

HON CHIEF MINISTER:

I am told that it cannot be done. I am told that one cannot work out the number of employees involved in returns for which there has not been payment because one has not credited an amount to the account of any particular employee.

HON J J BOSSANO:

Then my supplementary is, does that then mean that the 18,000 cannot, from that answer, include the employees of the 246 given in answer to Question No. 236?

HON CHIEF MINISTER:

I cannot say for certain whether it does or it does not but I do not agree with the hon Member that it must mean that it cannot be included. The question in No. 234, I am just applying the logic of deduction, did not ask how many employers had returned the 1997 Employer Declaration with the necessary cheque attached, it asks for two separate bits of information – how many employers have returned the 1997 employee declaration and PAYE certificate to date and what is the number of employees affected and the total amount of tax deducted. It may well be, but I cannot tell him now, that whoever has compiled this answer has taken those elements of the questions cumulatively so that they have only included where there has been a return and whether money has been paid. Alternatively, he may have taken the view that he has included all employees in respect of which a return has been made, whether or not money has been paid and then he has separately given the total amount of money paid albeit in respect of less than 100 per cent of the declarations. I cannot tell him which of those two approaches the answer to this question follows but if the information is important to him I would certainly find that out. But I do not agree that it necessarily means that it cannot be, that is the part where I am disagreeing with him.

HON J J BOSSANO:

Certainly my interpretation of the answer and perhaps the Chief Minister would get confirmation so that I am able to interpret the significance of the amount collected and the number of employees and the number of employers is that taking the two questions together and the two answers together, the £1 million deducted from employees is part of the £34.9 million; the 246 employers are part of the 1,579 employers and there ought to be a figure for the number of employees that are part of the 18,000 because that seems to me, certainly as the question was drafted, that the amount paid and the employees and the employers is not something that is being asked because it can be arrived at by deducting the answer to Question No. 236 from the answer to Question No. 234. If that is not possible then obviously it is because a different interpretation has been given to the question.

HON CHIEF MINISTER:

I will find out and inform the hon Member.

NO. 237 OF 1999THE HON J J BOSSANO

INCOME TAX - NUMBER OF EMPLOYEES IN THE PUBLIC/PRIVATE SECTORS

Can Government state what is the number of employees in the public and private sectors as at October 1997 and April 1998, giving a breakdown by full-time and part-time employment, based on PAYE returns for the 1997/98 tax year received by 31st January 1999?

ANSWERTHE HON THE CHIEF MINISTER

The information sought would usually be made available to the hon Member when the Employment Surveys as at October 1997 and April 1998 are published. The information is collected as raw data by the Income Tax Office and passed by them for analysis and use by the Statistics Office. I am however happy to give the Income Tax Office's raw data to the hon Member at this stage, subject to the above caveat. In other words, I do not know what the Statistics Office does to it before it gets into the Employment Survey.

	<u>Full-time</u>	<u>Part-time</u>	<u>Total</u> <u>Oct '97</u>	<u>Full-time</u>	<u>Part-time</u>	<u>Total</u> <u>April '98</u>
Public Sector	2,760	141	2,901	2,744	133	2,877
Private Sector	<u>7,012</u>	<u>1,330</u>	<u>8,342</u>	<u>7,187</u>	<u>1,346</u>	<u>8,533</u>
	<u>9,772</u>	<u>1,471</u>	<u>11,243</u>	<u>9,931</u>	<u>1,479</u>	<u>11,410</u>

SUPPLEMENTARY TO QUESTION NO. 237 OF 1999

HON J J BOSSANO:

I take it that the information that is being passed over to us will in fact eventually appear in the Hansard?

HON CHIEF MINISTER:

Yes, that is my understanding which is why I have handed a copy for the Clerk so that it is recorded in Hansard.

NO. 238 OF 1999THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government state how much was collected in PAYE in each month since September 1998?

ANSWERTHE HON THE CHIEF MINISTER

The PAYE tax collected in each of the months September 1998 to January 1999 was:-

September 1998	£3,341,966
October 1998	£3,580,094
November 1998	£3,280,344
December 1998	£3,558,559
January 1999	£3,220,145

These figures are based on the Tax Office records and are subject to change when reconciled with the Treasury Books.

SUPPLEMENTARY TO QUESTION NO. 238 OF 1999

HON J J BOSSANO:

Given the answer that was given to an earlier question about the 4,000 still pending in respect of Government employees where there would be adjustments because of arrears of pay reviews, can the Chief Minister say to what degree that affects these figures? Is it, as would appear to be suggested by that answer, that any adjustment to these figures would be only on the basis of the marginal extra of the pay review?

HON CHIEF MINISTER:

Yes, I do not think that PAYE could be recorded at monthly levels if it did not include the basic liability subject to adjustment of the 3,500 public servants. I should also add, I am not sure if the hon Member assumes this from the answer, it is strictly the information that he has sought how much was collected and that therefore is a gross figure subject to netting with refunds in respect of the same period which are not reflected.

NO. 239 OF 1999

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

The position regarding 1994/95 corporation tax collected is that, as at the 19th February 1999, £10.5 million has been collected in respect of 454 companies.

NO. 240 OF 1999

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

As at the 19th February 1999 the sum of £1.1 million is outstanding in respect of the 1994/95 corporation tax assessments raised on a total of 294 companies.

NO. 241 OF 1999THE 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 to date?

ANSWERTHE HON THE CHIEF MINISTER

The position as at 19th February 1999 on 1996/97 corporation tax assessments is as follows:

Assessed	£13.6 million
Less discharged	<u>£2.8 million</u>
	£10.8 million
Less paid	<u>£9.4 million</u>
Outstanding	<u>£1.4 million</u>

SUPPLEMENTARY TO QUESTION NO. 241 OF 1999

HON J J BOSSANO:

I do not think in the answer he has given me he has given me how many companies there were, is it in fact the situation now that the bulk of them have been assessed for 1996/97?

HON CHIEF MINISTER:

Yes, I apologise for that, he is quite right, the answer does not give the number of companies involved. Obviously the Government can say what the position is but I cannot say it right now. I would be surprised if there were many more assessments given that the £9.4 million is not too far from the figure that we expect to collect of between £10 million and £11.5 million so there are still some assessments left unless there is to be a decline in corporation tax. I would hope that there is still more assessments to be done because if in respect of 1994/95 we have collected £10.5 million and in respect of 1996/97 we have so far only collected £9.4 million, I would hope that there must be more assessments because the only outstanding assessments amount to £10.8 million of which £9.4 million has been paid, if one adds the paid to the outstanding one gets £10.8 million which is close but I would guess that it is not the full story but I am certainly willing to ask the Commissioner of Income Tax whether he considers the 1996/97 assessment process now to be substantially complete or not and again I will pass that information to the hon Member.

HON J J BOSSANO:

That, as I understand it, is the case with the 1994/95 and I was given that information in answer to a previous question in a previous House so what I am trying to assess is whether we have now moved to the same position into 1996/97. Can I just ask the Chief Minister to get the information to the element in the original question which is how many companies the £10.8 million is in respect of?

HON CHIEF MINISTER:

Yes.

NO. 242 OF 1999THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state what is the total amount collected in corporation tax in each month since September 1998?

ANSWERTHE HON THE CHIEF MINISTER

The corporation tax collected in each month since September 1998 was:-

September 1998	£752,258
October 1998	£238,452
November 1998	£388,358
December 1998	£1,463,250
January 1999	£192,158

NO. 243 OF 1999

THE HON J J BOSSANO

INCOME TAX - NUMBER OF EMPLOYEES - HOTEL INDUSTRY

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 months of October 1997 and April 1998?

ANSWER

THE HON THE CHIEF MINISTER

Subject to the same remarks and caveat that I entered in respect to Question No.237 of 1999, I am happy to provide the information to the hon Member which I hope that he will accept in the same form.

NATIONALITY	OCTOBER 1997			APRIL 1998		
	Male	Female	TOTAL	Male	Female	TOTAL
Gibraltarian	26	29	55	28	29	57
UK National	15	13	28	14	16	30
Moroccan	69	21	90	68	21	89
Spanish	15	15	30	17	15	32
Other EU National	2	2	4	3	2	5
Other Nationality	2	1	3	2	1	3
TOTAL	129	81	210	132	84	216

NO. 244 OF 1999THE HON J J BOSSANO

INCOME TAX - NUMBER OF EMPLOYEES - CONSTRUCTION INDUSTRY

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 months of October 1997 and April 1998?

ANSWERTHE HON THE CHIEF MINISTER

Subject to the same comment and caveat as before, I am happy to provide the information to the hon Member and to save the Usher of the House too much more running around, can I pass the same for the following three questions.

NATIONALITY	OCTOBER 1997			APRIL 1998		
	Male	Female	TOTAL	Male	Female	TOTAL
Gibraltar	701	70	771	716	83	799
UK National	183	18	201	198	18	216
Moroccan	139	3	142	137	5	142
Spanish	340	18	358	278	15	293
Other EU National	14	2	16	14	2	16
Other Nationality	19	-	19	56	-	56
TOTAL	1,396	111	1,507	1,399	123	1,522

NO. 245 OF 1999

THE HON J J BOSSANO

INCOME TAX - NUMBER OF EMPLOYEES - BANKS/FINANCE/INSURANCE INDUSTRY

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 months of October 1997 and April 1998?

ANSWER

THE HON THE CHIEF MINISTER

He has it subject to the same comment and caveat.

NATIONALITY	OCTOBER 1997			APRIL 1998		
	Male	Female	TOTAL	Male	Female	TOTAL
Gibraltar	465	732	1,197	482	744	1,126
UK National	109	157	266	119	164	283
Moroccan	9	11	20	9	10	19
Spanish	24	12	36	30	12	42
Other EU National	38	29	67	38	28	66
Other Nationality	11	3	14	13	5	18
TOTAL	656	944	1,600	691	963	1,654

NO. 246 OF 1999

THE HON JJ BOSSANO

INCOME TAX - FRONTIER WORKERS

What was the number of "frontier workers" by sex, sector and nationality as at October 1997 and April 1998, based on PAYE returns for the tax year 1997/98, received by 31st January 1999?

ANSWERTHE HON THE CHIEF MINISTER

He has it subject to the same comment and caveat.

OCTOBER 1997FEMALES

GOG	NIL
PRIVATE	352
MOD	<u>6</u>
	<u>358</u>

MALES

GOG	1
PRIVATE	797
MOD	<u>6</u>
	<u>804</u>

NATIONALITYPRIVATEMODGOG

	F	M	F	M	F	M
Gibraltar	65	56	4	5	-	1
UK National	96	128	1	-	-	-
Moroccan	2	7	-	1	-	-
Spanish	174	561	1	-	-	-
Other EU National	14	35	-	-	-	-
Others	1	10	-	-	-	-
TOTAL	352	797	6	6	-	1

APRIL 1998FEMALES

GOG	NIL
PRIVATE	369
MOD	<u>7</u>
	<u>376</u>

MALES

GOG	1
PRIVATE	772
MOD	<u>11</u>
	<u>784</u>

NATIONALITYPRIVATEMODGOG

	F	M	F	M	F	M
Gibraltar	66	61	6	9	-	1
UK National	95	127	-	-	-	-
Moroccan	2	8	-	1	-	-
Spanish	188	523	1	1	-	-
Other EU National	17	33	-	-	-	-
Others	1	20	-	-	-	-
TOTAL	369	772	7	11	-	1

NO. 247 OF 1999

THE HON J J BOSSANO

CIVILIAN POPULATION

What was the civilian population of Gibraltar as at 31st December 1998 giving a breakdown of the number of (a) Gibraltarians (b) British (c) non-British citizens?

ANSWER

THE HON THE CHIEF MINISTER

The population figures as at 31st December 1998 are not yet available. As the Leader of the Opposition is aware, population statistics are not normally completed and released by this time of the year. The 1995 figures were available in June 1996, the 1996 figures in April 1997 and the 1997 figures in June 1998.

SUPPLEMENTARY TO QUESTION NO. 247 OF 1999

HON J J BOSSANO:

This particular information is produced by the Immigration Department of the RGP, is it not?

HON CHIEF MINISTER:

It is compiled from two sources. In respect of the civilian population it is compiled from the Immigration Department and in respect of the military population it is compiled by information provided to the Government by the Ministry of Defence. Neither of those two sources have yet provided the information to the Government in respect of 1998. It has been sought and a reply is awaited.

NO. 248 OF 1999

THE HON J J BOSSANO

TREASURY TENDER BOARD

Can Government state when the policy of giving preferential treatment to traders employing Gibraltarians in the allocation of Government tenders, was implemented?

ANSWER

THE HON THE CHIEF MINISTER

In late December 1997 the Government instructed the Treasury Tender Board that, in relation to construction tenders, one of the criteria that should be taken into account by them when adjudicating Government tenders was the extent to which the tenderer employed Gibraltar labour.

SUPPLEMENTARY TO QUESTION NO. 248 OF 1999

HON J J BOSSANO:

In respect of such tenders since December 1997, has this been implemented on the basis of asking employers to reveal the number of Gibraltarians or by checking out what they have got registered with the ETB?

HON CHIEF MINISTER:

I think there has been both. I think the Treasury Tender Board checks it through the ETB and I am aware of certain large construction projects that have been tendered by the Government where the information has been specifically sought from the tenderer not just in respect of his existing labour force but indeed in respect of the envisaged labour force for the carrying out of the work of the subject matter of the tender.

HON J J BOSSANO:

When the Chief Minister announced this in the "State of the Nation Chamber Dinner", I think it was called... [HON CHIEF MINISTER: The same as it was called when he used to be Chief Minister.] I do not think I had the pleasure of being invited to these mid-term dinners. I think the impression was given that this was going to be introduced from that date on. Is it that it was already operational before that date but had not been made public?

HON CHIEF MINISTER:

This is something that the Government did. I suspect that we were doing it before we announced it but I would urge him not to hold me necessarily to that without giving me an opportunity to check out the chronology in my files. I believe that we started doing it but the process of starting doing it was not particularly scientific initially, indeed it is not particularly scientific now. It is not that the tenders are awarded to the company that has the highest number of Gibraltar employees, this is just one factor because, of course, the value of the bid, the financial considerations in the bid; the status of the bidder; the technical ability of the bidder are all factors that are taken into account as well. So this labour element is one of several factors that go into a decision making process.

HON J J BOSSANO:

Given that the idea behind this, presumably is to encourage firms to employ Gibraltarians, do the prospective tenderers get told that they have got a better chance if they have got Gibraltarian workers than otherwise so that to provide the necessary encouragement. If they do not know it the incentive is not there presumably.

HON CHIEF MINISTER:

I think word of mouth gets around quite quickly and indeed I have made this announcement public, as the hon Member knows and I have said publicly that companies should be aware that their prospects of winning Government tenders will be influenced by these factors. The Financial and Development Secretary is just reminding me that before I announced it, it was done but in a sporadic basis and after I announced it, it became much more systematic on the part of the Treasury Tender Board.

NO. 249 OF 1999THE HON J J BOSSANO

HAGUE CONVENTION

What further action has been taken by the UK to counter Spain's repudiation of its previous acceptance of the applicability of the Hague Convention to Gibraltar?

ANSWERTHE HON THE CHIEF MINISTER

In answer to Question No. 614 of 1998, I explained to the hon Member that the UK Government had rejected the Spanish Government's objections on two occasions by lodging two diplomatic Notes in protest, one with the depository authority at the Hague and the other with the Spanish Government.

I am informed that to date the Spanish Government have not replied to the British Government's Note. I have been assured by the UK Government that they will continue to dispute any Spanish assertions that the Gibraltar Supreme Court is not a competent authority under the Hague Convention. As far as the UK Government are concerned, the Gibraltar Supreme Court is the authority for Gibraltar as notified to the depository authority at the time of the UK's notification. The UK Government do not accept the validity of the Spanish declaration.

SUPPLEMENTARY TO QUESTION NO. 249 OF 1999

HON J J BOSSANO:

Is it not the case that it was suggested when a matter was raised earlier, that what Spain was seeking to do was not possible, that they could not change their mind, has that been cleared up? Irrespective of the morality of it, are they entitled under the terms of the Convention as a legal document to do what they have done or is that something that can be challenged?

HON CHIEF MINISTER:

It has not been cleared up in the sense that there has not been a binding adjudication by any third party or any arbitration mechanism. The United Kingdom's assessment is that it is not open to Spain, under the Treaty, to alter the terms upon which a Member State ratifies a treaty to which Spain did not enter a reservation at the time and that accordingly any refusal by Spain to accept documents emanating from the Supreme Court of Gibraltar would constitute a breach by Spain of her treaty obligations under the Hague Convention. What would ensue if that dreadful thing were to happen is a matter of conjecture at this stage.

NO. 250 OF 1999

THE HON J J BOSSANO

FRONTIER DELAYS

Has the UK formally asked the Commission to act against Spain on the grounds that the controls exercised at the frontier are disproportionate?

ANSWER

THE HON THE CHIEF MINISTER

The UK Government formally wrote to the European Commission regarding frontier delays on the 11th February 1999.

SUPPLEMENTARY TO QUESTION NO. 250 OF 1999

HON J J BOSSANO:

I take it that we can assume that this is far too soon for any reaction from the Commission since the 11th February? That is, that it will take longer, taking the kind of time it takes for the Commission to react?

HON CHIEF MINISTER:

If indeed they react at all which we are, of course, pressing the British Government to ensure that they do, unless of course the delays disappear in the meantime. I have a copy of the letter written to the President of the Commission by Her Majesty's Permanent representative. The letter is in pretty robust terms and complains about, not just the frontier delays but the other threatened measures and makes it clear that the United Kingdom looks to the Commission to ensure that Spain complies with her obligations in these respects.

NO. 251 OF 1999

THE HON J J BOSSANO

AMSTERDAM TREATY

Can Government say which Member States have ratified the Amsterdam Treaty to date, and the anticipated date on which it comes into effect?

ANSWER

THE HON THE CHIEF MINISTER

I am informed that all Member States have ratified the Amsterdam Treaty except for France, Belgium, Greece and Portugal. The latest assessment is that all four will complete their ratification procedures by the end of March 1999.

Subject to the provision of Article 14, it is currently expected that the Amsterdam Treaty will enter into force on the 1st May 1999, although I am advised that this timescale may experience some delay.

NO. 252 OF 1999

THE HON J J BOSSANO

GIBRALTAR IDENTITY CARDS

Are Government now in a position to say when Spain responded to the Commission that it would not recognise Gibraltar ID cards?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 253, 254 and 255 of 1999.

ORAL

NO. 253 OF 1999

THE HON J J BOSSANO

GIBRALTAR IDENTITY CARDS

From whom have the Government sought expert advice as to the procedures needed to mount a private challenge to Spain's refusal to recognise Gibraltar ID cards?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 252, 254 and 255 of 1999.

NO. 254 OF 1999

THE HON J J BOSSANO

GIBRALTAR IDENTITY CARDS

Can Government say what further steps have been taken by the EU Commission Infraction Chefs in respect of the complaint against Spain over its refusal to recognise Gibraltar ID cards?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 252, 253 and 255 of 1999.

NO. 255 OF 1999THE HON J J BOSSANO

GIBRALTAR IDENTITY CARDS

What further action have the Government taken since March 1998 when they were taking preparatory steps to getting a formal opinion and putting together the evidence required to sustain a formal challenge to Spain's non-recognition of Gibraltar's ID cards?

ANSWERTHE HON THE CHIEF MINISTER

As I explained in answer to Question No. 619 of 1998, the Spanish Government replied to the EU Commission on the 26th June 1996 stating that they would not recognise Gibraltar ID cards. The Government took legal advice from Mr Michael Llamas and through our Brussels Office, submitted two test cases to the Commission in March 1997 and March 1998.

To date the Government are not aware that any further steps have been taken by the EU Commission infraction chefs. I am assured by HMG that the UK will continue to ensure that the Gibraltar complaint remains open and that the Commission will continue to be urged to enforce Spain's compliance with EU law.

I can add the following: the complaints which were in the names and accompanied by sworn affidavits and notarily attested as to the events that happened when they tried to get through the border with the ID card was sent to the Commission by Mr Llamas who received the following reply from the Commission by a letter on the 13th May 1998, "Dear Mr Llamas, Thank you for your letter of the 31st March 1998 addressed to the Secretary General of the Commission on behalf of Mr Henry Pinna in which you informed the Commission of the refusal by the Spanish authorities on the 16th March 1998 to accept Mr Pinna's Gibraltar's Identity Card as a valid travel document for entering Spanish territory. The Commission is aware of the situation giving rise to incidents of this nature and I can inform you that the Commission's services are currently carrying out an in-depth examination of this question. In this respect your letter on behalf of Mr Pinna will be incorporated with this dossier as an important element of practice. I will keep you apprised of further developments on this matter. Yours sincerely, John E Mogg."

SUPPLEMENTARY TO QUESTION NO. 255 OF 1999

HON J J BOSSANO:

The position then is that in March the Government had in fact been able to obtain the information that they needed to show that it was possible to mount a formal challenge by a private individual or was it just to test the reaction?

HON CHIEF MINISTER:

I do not know what the hon Member means by mount a challenge. This is in the nature of a complaint to the Commission by an individual. I do not know whether that means that if the Commission do nothing that that individual has further recourse in the sense of commencing legal proceedings in his own name either against the Commission for inactivity or Spain for breach. I do not know if Mr Llamas has advised specifically on this

matter but from my general understanding of these matters the freedom of movement is a treaty provision and that has a status of an inter-governmental agreement and my recollection is that individual citizens do not have a course of action against Member States for breach of their treaty provisions which are treaty commitments with each other. But I would have to research the letters that we have had from Mr Llamas to see whether he has specifically advised on that point and whether my recollection is accurate or not.

HON J J BOSSANO:

The wording of the question is a quote from the answer that I got the last time so whatever I mean by a formal challenge is whatever the Chief Minister meant by a formal challenge when he gave me that reply. I was told previously when I asked whether it was possible for an individual to take up the matter like Denise Matthews was able to take up the matter of her right to vote by comparison, I was told that that was precisely what the Government were taking preparatory steps in order to get a formal opinion and put together the evidence required, that they were in fact researching this and what I am seeking from this answer is to find out what progress there has been since I got that answer. I cannot give an explanation of the significance of the answer because I put the question, I did not put the answer in the first place. So whoever drafted the answer must know what he meant by all these words.

HON CHIEF MINISTER:

I cannot say right now whether the view has been formed that there is a course of action open to an individual beyond simply complaining to the Commission or not. My instructions to Mr Llamas were to pursue whatever procedures were open and to advise on their availability and this is what he advised should happen. Whether this constitutes the end of the road or whether this is an act preliminary to some further proceeding that is open I cannot tell the hon Member at this moment in time.

HON J J BOSSANO:

That is fair enough except that the last time the answer given was that this was specifically being looked at. Is it that it has not been specifically looked at or that there is not yet a definitive answer?

HON CHIEF MINISTER:

I do not know. I am sure it has been looked at, I think the answer is neither of those two but the third and that is that I am not aware of what the outcome of the enquiry is but I will find out and tell him.

NO. 256 OF 1999

THE HON J J BOSSANO

SPANISH FISHING VESSEL - PIRAÑA

What action has the Chief Minister taken to seek the withdrawal of the charges against the crew of the Spanish fishing vessel "Piraña"?

ANSWER

THE HON THE CHIEF MINISTER

None.

SUPPLEMENTARY TO QUESTION NO. 256 OF 1999

HON J J BOSSANO:

Is it that it is not the intention to take any action on this matter or that it has not happened yet?

HON CHIEF MINISTER:

It is neither my intention or my constitutional prerogative.

HON J J BOSSANO:

I am aware of what the constitutional prerogatives of the Chief Minister are, I am not sure that he would agree that he has the same constraints as I think he has but given that he said on television when he was asked to do this that he heard what had been said and that he did not want to go any further than that, I think he certainly gave the impression that he would be using his good offices with somebody somewhere to put in a plea on behalf of those concerned. What I am trying to establish is whether that has happened.

HON CHIEF MINISTER:

I am sorry that he should have interpreted by very nebulous and ambiguous words in that way. Certainly the Spanish fishermen have not. I have been asked on numerous occasions, I do not think the Spaniards can quite make up their minds whether the Chief Minister of Gibraltar is an impotent mayor-like figure or whether he is actually the most extraordinary powerful head of an executive in Europe, I think they fluctuate from one view or the other depending on what suits them. I have been asked on numerous occasions both publicly in press conferences and privately by various people whether this could be brought around and I have always given the same answer, that the Government of Gibraltar are not the prosecuting authority and that the matter is before the courts and it is now a matter for the judiciary and everybody has eventually understood that that is the constitutional reality and I am no longer being pestered in that connection.

HON J J BOSSANO:

Surely the Chief Minister must agree that that is not what he said on that particular occasion immediately after – perhaps he did not want to say it at that point in time but I take it then that his position is no different from Mr Cook which is that it would be wrong to seek to interfere with the course of the case as it would be for any other case?

HON CHIEF MINISTER:

Yes, it would be entirely wrong for anybody to interfere and I am sure that nobody has attempted to do so, certainly not in terms of the withdrawal of charges. The hon and Learned Attorney-General of course has a wide discretion to pursue or not to pursue charges in the public interest, I have not invited him to take the view that the public interest requires that he withdraws these charges, I am not aware that anybody else has either and I suspect that if we did he would wish to make his own decision in that respect.

HON J J BOSSANO:

Can I take it that the clear implication of that is that it has not happened and it is not going to happen so that I do not have to ask periodically whether it has happened or not?

HON CHIEF MINISTER:

I cannot tell him whether it is going to happen or not. I can tell him that if it does happen it will not be because I have requested it or because I have encouraged it or because I have supported it. I happen to have a view on the matter which I will not share with the hon Gentleman on this occasion, but the view is not relevant to the prognosis of this matter.

NO. 257 OF 1999

THE HON J J BOSSANO

THE MATUTES PROPOSALS

Have the UK Government now confirmed that the Matutes proposals will be rejected when a reply is given to the Spanish Government?

ANSWER

THE HON THE CHIEF MINISTER

I have not received confirmation that the UK Government will reject the Matutes proposals when they reply to the Spanish Government, which is not to say that they will not but simply that I have not received such confirmation.

SUPPLEMENTARY TO QUESTION NO. 257 OF 1999

HON J J BOSSANO:

Presumably the Chief Minister would expect to be told it was going to happen before it did?

HON CHIEF MINISTER:

Or that it was not going to happen before it did not.

NO. 258 OF 1999THE HON J J BOSSANO

EU VOTING RIGHTS

What action are Government now proposing to take to secure EU voting rights to the European Parliament for Gibraltar residents who are EU citizens?

ANSWERTHE HON THE CHIEF MINISTER

I think that in its summary of Opposition Members questions GBC was extraordinary generous to the hon Member and assumed that the question had been tabled after the result of the case was known, it said, "Following the result of the case the Leader of the Opposition has asked the Chief Minister ...", of course it was not, notice of the question was given before we knew the result of the case and I thought that the hon Member in those circumstances might wish to withdraw it. But in any event, what I can say even now is that following last week's success before the European Court of Human Rights, the Government will press HMG to comply with the ruling.

SUPPLEMENTARY TO QUESTION NO. 258 OF 1999

HON J J BOSSANO:

Presumably the United Kingdom as a State Party to signatory to the Convention does not need to be pressed by its colony to honour a ruling of the Court that it is in breach of it in that colony but what I am asking is, what are the Government doing not simply in saying to the United Kingdom, "You should now comply with that ruling" but in terms of are they asking the United Kingdom to review its original decision about the United Kingdom legislation or are they asking the United Kingdom to do what it was refusing to do before which is, in fact, to raise the matter with Community partners with a view to amending the 1976 Act of the European Union?

HON CHIEF MINISTER:

Perhaps the evidence does suggest that the United Kingdom does not need to be pressed by its colony to comply with the Convention obligation and that that would probably be borne out by the fact that notwithstanding that I have not yet asked the UK Government to do anything in particular, they have announced several things. One, that they remain of the view that they cannot act unilaterally, in other words, that they stick to their view, that there is nothing that they can do without amending the Annex 2 to the 1976 Act. Lord Bethell, I noticed, said in the House of Lords yesterday or the day before that that view itself was only based on the advice of the very same Foreign Office lawyers that had advised that Gibraltar was not entitled to vote and that Britain was not in breach of the Convention and he teased the Minister, who I think was Baroness Symons, to say, "Well, should you still be relying on Foreign Office advisers in respect of that point given that they have been demonstrated to have been so incorrect in respect of the principal point, namely, was the United Kingdom in violation to the Convention?" They have nevertheless said twice now in Hansard that that remains their view and indeed the Prime Minister has said that he is now initiating the process in Brussels of seeking the agreement of the other 14 Member States, including Spain, to amend the Annex 2 of the 1976 Act on the European Union which, as we all know, is a treaty between the Community so it seems that without us pressing them that is the view that they have come to and that they appear to be taking seriously their need to secure an amendment to the treaty so that the United Kingdom can be in compliance with their human rights obligations.

HON J J BOSSANO:

Can the Government say, on the basis of that approach, if they have an indication of how Gibraltar would then be enfranchised if, in fact, the Act was amended?

HON CHIEF MINISTER:

No, I cannot shed any light on that. Obviously we have our views which I have explained publicly recently. I have explained that I think that at this stage of the game, having won the case in the European Court of Human Rights, that whereas before it might have been acceptable as an interim measure to enfranchise the people in a territorial UK constituency, that that now will not be enough, that now the territory of Gibraltar would have to be included in some United Kingdom constituency which physically was described to comprise of some United Kingdom mainland territory and the territory of Gibraltar. That is what we obviously are going to hold out for. I do not honestly think that we will be successful if we held out for having our own MEP given that the United Kingdom has now gone to a regional list system but certainly my view is that it would now not be an adequate enfranchisement if the people but not the territory were enfranchised.

NO. 259 OF 1999

THE HON J J BOSSANO

I&D FUND - EXPENDITURE - 31ST JANUARY 1999

What is the estimated expenditure of the Improvement and Development Fund by Head of Expenditure up to 31st January 1999?

ANSWER

THE HON THE CHIEF MINISTER

The estimated expenditure of the Improvement and Development Fund by Head of Expenditure up to 31st January 1999 is as follows:

Head

101 – Housing	£2,873,143
102 – Schools, Youth & Cultural Facilities	£771,367
103 – Tourism & Transport	£2,295,146
104 – Infrastructure & General Capital Works	£2,538,354
105 – Electricity	£353,051
106 – Industry & Development	£1,949,770
	<u>£10,780,831</u>

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

SUPPLEMENTARY TO QUESTION NO. 259 OF 1999

HON J J BOSSANO:

Would it be correct to assume from this figure that in fact the total expenditure for the year is unlikely to be anywhere near the £28 million that was put at the budget?

HON CHIEF MINISTER:

Yes, I agree. There are a few major on-going projects which are now reaching the stage where large monthly certificates, I would be surprised if the figure reached £15 million by the end of the year which I am increasingly convinced is the extent of the capacity of Gibraltar to undertake domestically capital projects but, of course, that does not mean that the Government in the next budget will not put in for projects more than £15 million because that leaves us the flexibility of deciding during the financial year which of the projects we will proceed with, which we prioritise and it keeps our options open rather than commit ourselves to a particular set of projects that might amount to £15 million.