

GIBRALTAR
HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

1ST SEPTEMBER, 2000

No. 279 to No. 627

INDEX

QUESTIONS & ANSWERS

1st September 2000

Questions 279 – 627

SUBJECT	NO(S)	PAGE(S)
“The Times”	627	552
1997 Sen Report	479	309
1997/98 Employers’ Declaration and PAYE Certificates	601	510
1998/99 Employers’ Declaration and PAYE Certificates	602	511
1999/2000 Employers’ Declaration and PAYE Certificates	600	509
1999/2000 Employers’ Declaration and PAYE Certificates	603	512
2002 World Summit on Small Businesses in Gibraltar	428	236
Accommodation of HMS Tireless Crew	436	246
Administrative Officers	565	446
Airline Assistance Scheme	421	227
Airport Handling Services at Gibraltar Airport	429	237
Allocation of Commercial/Domestic Units	520	385
Alcoholic Drinks	619	531
Applications for Gibraltar Government Funding	538	412
Attendance at Luxembourg Rendezvous 2000	524	389
Average Earnings	599	507
Banking Licences	554	433
Bayside Studios	581-582	479-480
BCG Vaccinations	496	345
Board of Management of the Mackintosh Hall	442-443	257-259
Breathalyser Tests	397	198
Bruce’s Farm Drug Rehabilitation Centre	337	105
Brussels Process	624	545
Bus Service	391	185
Calls Made From Fixed Network Phones	363	142
Cammell Laird	453	272
Cammell Laird Training Scheme	452	271
Cancer Registry	510	369
Casemates Development	562	443
Category 2 Qualifying Individuals	539	413
Category 3 Qualifying Individuals	541	415
Category 4 Qualifying Individuals	542	416
Cemetery	346	119
Chief Executive of the GHA	514	374
Classroom Aides	474-475	300-301
Closed Long-Term Benefits Fund	280	2
Commercial Freight by Air	532	402
Commercial Units at Europa Business Centre and Governor’s Cottage Camp	519	384
Companies Registered in Gibraltar	543	418
Conferences Organised by Government	537	411
Construction Training Centre	454	274
Consultant Geriatrician	512	371
Consultant Pathologist	511	370
Consultant Psychiatrist	513	372
Convention on UN Personnel	616	528
Conversion of Europort Building into Hospital	517	380
Conversion of Old King’s Bastion Generating Station	369	156
Cost of Bringing Spanish Travel Journalists	399	200
Cost of Bringing UK Journalists	398	199

SUBJECT	NO(S)	PAGE(S)
Cost of Day-Time Transmissions	338	106
Cost of European Incentive Business Travel Market Exhibition	393	194
Cost of Expovacaciones	373	162
Cost of Government Website	357	136
Cost of Medicines	487	329
Cost of New Coach Park	375	164
Cost of Sea Trade Conference	374	163
Cost of SITA Passenger Services Conference	412	217
Cost of Work Summit on Small Businesses	372	161
Cremations for Hindu Community	347	120
Cross-Border Insolvency	614	525
Cuts in International Telecommunications Charges	361	140
Database "Profile 2000"	336	104
Dates on Which Minister for Tourism has been Away from Gibraltar	433	424
Demolition of 17 Europa Road	426	233
Denise Mathews Case	625	547
Desalination Plant	352-353	127-131
Development at Old Naval Hospital	522	387
Development of Rosia Bay	387	180
Dialysis Unit	495	341
Discretionary Awards	457-459	277-279
Discussions Between Gibtel and Gibraltar Nynex	362	141
Discussions with Local Fishermen	371	159
Dispensing Fees	486	322
Dr Giraldi Home	291	16
Drama Festival	480	312
DTI – ACTEL	527	395
DTI – Afro Asian Satellite Communications	528	397
DTI – E-Commerce	526	393
DTI – E-Commerce Survey	525	390
DTI – GE Americom Satellite Project	529	398
East Side Reclamation	574	469
Electricity Arrears	345	117
Electricity Arrears – Collection	344	116
Electricity Charges – Collection	340	110
Employees in Road Section	380	170
Employment Contracts	321	76
Employment Contracts Registered	319	71
Employment Contracts Terminated	323	79
Employment Regulations (Offences) Ordinance – Inspections Conducted	334	100
Ensign Club	583	481
EU Funding	555	435
European Parliament	617-618	529-530
Executive Officers	566	447
Exempt Companies	544	419
Extension of Eastern Beach and Catalan Bay	386	177
Ferry Service Between Gibraltar and Morocco	419	224
Fixed Penalties Imposed on Employers	335	101
Flights Between Gibraltar and Manchester or Newcastle	422	228
Free Bus Service for Pensioners to Upper Town	293	22
General Welfare of Pupils	472	297
Gibnet Legal Case	575	470
Gibraltar Chronicle	560-561	441-442
Gibraltar Conference and Incentive Brochure	411	216
Gibraltar Formulary Committee	482-483	314-319

SUBJECT	NO(S)	PAGE(S)
Gibraltar Licensed Banks Operating in the UK	551	428
Gibraltar Licensed Insurance Companies Operating in the UK	550	427
Gibraltar Office in Madrid	588	491
Goods Imported	589	493
GPMS Prescriptions	489-493	331-340
Green Lane	385	175
Groupings of Each School	468	291
Guest Arrivals	405	209
Hand-Over of the Fleet Pavilion	559	440
Hand-Over of the Garrison Library	439	250
Harbour Views Promenade	383	173
High Net Worth Individuals Transferred to Category 2 Qualifying Individual	540	414
HMS Tireless	626	548
Hotel Assistance Scheme	410	215
Hotel Bed Nights	404	208
Hotel Occupancy	402	206
House-Calls	506	361
Housing	303-304	36-38
Housing – Alameda Estate	294-295	24-26
Housing – Applicants in Housing Waiting List	309	45
Housing – Applicants in Pre-Housing Waiting List	308	44
Housing – Bishop Canilla House	314	56
Housing – Edinburgh House	300-301	32-33
Housing – Housing Advisory Committee	310	48
Housing – Housing Allocation Committee	312	50
Housing – Housing Pensioner Exchange List	302	35
Housing – King’s Bastion Housing Units	307	42
Housing – Police Barracks	306	41
Housing – Post-War Flats Allocated	298	30
Housing – Pre-War Flats Allocated	297	29
Housing – Rent Relief at Edinburgh House	299	31
Housing – Tenant Satisfaction Survey	305	39
Housing – Vacant Pre-War Flats	296	27
I&D Fund – Head 101, Subhead 1	313	51
I&D Fund – Head 102	481	313
I&D Fund – Head 103, Subhead 1	396	197
I&D Fund – Head 103, Subhead 6	394	195
I&D Fund – Head 103, Subheads 4 and 5	395	196
I&D Fund – Head 104	576	473
I7D Fund – Head 106, Subhead (5)	536	410
Ideas for “Give-Aways”	400	202
Identity Cards	621-623	534-544
Import Duty	586	486
Improvement Works at Dr Giraldi Home	290	14
Incinerator	348-351	121-126
Income Tax	597	505
Income Tax – Corporation Tax	604-610	513-520
Income Tax – PAYE	590	494
Income Tax – PAYE	596	503
Income Tax – Self-Employed	591-595	495-501
Information Officer	431	239
In-Patient Admissions	503	352
Input/Output Study 2000	577	475
International Telephone Charges	367	146
Internet Calls	364	143

SUBJECT	NO(S)	PAGE(S)
Konver 1995/99 Programme	557	437
Land Property Services Ltd	573	468
Length of Stay in Hotels	403	207
Letter Box at Main Street Post Office	354	132
Level of Total Assets	548	425
Liability of Commercial Banks	549	426
Long Stay Elderly Care Patients	507	362
Lunch at School	463-466	284-289
Mandatory Awards	455	275
Mandatory Scholarships	456	276
Medical Advisory Board	311	49
MOD Properties Released to Government	534	408
Monies Due to Government by Hotels	409	214
Moroccan Nationals Employed	330-331	95-96
MOT	390	184
Mutual Assistance Directive	613	524
National Week Committee	440-441	251-256
New Airlines	424	230
New Banking Licences	552-553	431-432
New Electricity Depot at Rosia Road	342	114
New Finance Companies	547	423
New Hotel	401	204
New Sports City	368	153
Non-Quota Patients	501	350
Number of Classes in Each School	467	290
Number of Prescriptions	488	330
Number of Pupils who Left School at 15	460	280
Number of Visitors by Air	414	219
Occupational Diseases	494	340
Offshore Betting	578-580	476-478
Old Health Centre Building	563	444
One-Year Course at Bayside School	446	262
One-Year Course at Westside School	445	261
Open/Closed Long-Term Benefits Fund	281	4
Other Visitors by Sea	417	222
Out-Patient Attendances	504-505	353-360
Parental Contributions	471	295
Parking and Traffic Problems at Willis's Road	392	189
Patient Referrals	499	348
Patient Referrals	502	351
PAYE	598	506
Payment to Regional Airlines	425	231
Pensioner Bonds	620	532
Pensioner Cards	292	19
Persons Interviewed	406-407	210-212
Persons Registered as Self-Employed	332	97
Port Authority	381	171
Potable Water	341	111
Power Boat Race	427	234
Prince George's Block	535	409
Principal Educational Psychologist	477	304
Private Motor Vehicles	530-531	400-401
Private Practice in the GHA	515	375
Private Sector Fees	611-612	521-523
Probationary Teachers	470	294
Psycho-Geriatric Patients	508	363

SUBJECT	NO(S)	PAGE(S)
Public Service Vehicle Licences	568	449
Pupil Referral Unit	469	292
Purchase of Library Books	444	260
Qualifying Companies Registered	546	421
Qualifying Companies Registered in Gibraltar	545	420
Question No. 36 of 2000	322	78
Quota Patients	500	349
R2	420	225
Rates	585	485
Rates Relief	564	445
Reduction in Local Telecommunications Charges	358	137
Refurbishment and Beatification at Land Frontier	388	182
Regional Airlines	413	218
Regulation 118(1)(d) of the Proposed Transport Regulations 2000	571	460
Removal of Internet Cameras from the Frontier	572	467
Report by Segal Quince Wicksteed (SQW) Ltd	521	386
Residential Properties Sold to Sitting Tenants	533	404
Respite and Sitter Services at Dr Giraldi Home	286	10
Respite Care at Dr Giraldi Home	287-289	11-13
Revenue Raised by GHA	484-485	320-321
School Children who Live in Edinburgh House	476	302
School of Tourism	377	166
School of Tourism	449-451	265-270
Sen Audit Report	478	305
Short Courses on IT for the Unemployed	448	264
Shortages of Beds in St Bernard's Hospital	509	364
Shuttle Service	378	168
Single European Tourism Body	435	244
Sir Herbert Miles Road	384	174
Social Assistance	284-285	8-9
Social Assistance	316	59
Social Insurance Cards	279	1
Social Insurance Cards	282	5
Social Insurance Credits	283	6
Sponsored Patients	497-498	346-347
Sporting Area at Europa Point	370	157
St Bernard's School	473	299
St Michael's Cave	379	169
Star Grading of Hotels	408	213
Statutory Body for Electricity Department	339	108
Study Into General Post Office	355	133
Summer Hours	567	448
Surveillance Cameras	382	172
Telephone Charges	365	144
Telephone Numbers	359-360	138-139
Temporary Postal Workers	356	134
Terms of Engagement	317	63
Theatre Royal	437-438	247-249
Tourism Advisory Council	434	243
Tourism Site Officer	430	238
Tourist Arrivals by Air	415	220
Tourist Visitor Information Patrols	432	241
Training Scheme	461	281
Training Scheme for the Unemployed	462	282
Training Schemes for the Unemployed	447	263
Transfer of Boats at Westside Beach to Coaling Island	584	484

SUBJECT	NO(S)	PAGE(S)
Transfer of the Garrison Library	518	382
Travel Agents Flown to Gibraltar	376	165
Un Conventions	615	527
Unemployed Gibraltarians	315	58
United Nations Offshore Forum	558	439
Unused Objective 2 1997/99 Programme	556	436
Upgrading of Government Website	366	145
Vacancies Filled	324-325	86-89
Vacancies Filled by British Nationals	326-327	90-91
Vacancies Filled by Spanish Nationals	328-329	92-94
Vacancies Filled in the Hotel Industry	333	98
Vacancies Registered with the Employment Agency	320	75
Visas	587	489
Visitors by Air from Tangier	423	229
Visitors to Gibraltar	416	221
Ward Clerks	516	378
Water and Electricity	343	115
Whatley and Forsdyke	569-570	456-459
Wisekey Consortium	523	388
Work Permits	318	64
World War II Tunnels	389	183
Yacht Visitors	418	223

ORAL

NO. 279 OF 2000

THE HON J L BALDACHINO

SOCIAL INSURANCE CARDS

Can Government state how many Social Insurance Cards in issue in 1999 have been renewed up to the end of July 2000?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There have been a total of 13,732 cards renewed up to the end of July 2000.

ORAL

NO. 280 OF 2000

THE HON J L BALDACHINO

CLOSED LONG-TERM BENEFITS FUND

Can Government state what was the balance of the Closed Long-Term Benefits Fund since February 2000 for each month showing the amount from UK and local funds and the expenditure to former Spanish workers and to pensioners from local funds?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

I now hand the hon Member a statement giving the information requested.

ANSWER TO QUESTION 280/00

The balance of the Closed Long-Term Benefits Fund since February 2000 for each month showing the amount from UK and local funds and the expenditure to former Spanish workers and to pensioners from local funds is as follows:

	<u>29-Feb-00</u>	<u>31-Mar-00</u>	<u>30-Apr-00</u>	<u>31-May-00</u>	<u>30-Jun-00</u>	<u>31-Jul-00</u>
<u>Fund Account -</u>						
<u>Opening Balance</u>	£895,982	£928,975	£1,095,703	£1,223,789	£1,073,738	£1,238,308
<u>"Local Account"</u>						
Opening Balance	£232,808	£407,011	£549,018	£756,177	£578,143	£702,338
<u>Add</u>						
Transfers from the Open Long-Term Benefits Fund	£1,000,000	£1,050,000	£1,000,000	£700,000	£1,000,000	£200,000
Other Receipts	£5,300	£6,853	£5,887	£4,414	£5,269	£6,804
	<u>£1,238,106</u>	<u>£1,463,864</u>	<u>£1,554,905</u>	<u>£1,460,591</u>	<u>£1,583,412</u>	<u>£908,942</u>
<u>Less</u>						
Pension Payments	(£831,095)	(£914,846)	(£798,728)	(£882,448)	(£881,074)	(£799,237)
Closing Balance	<u>£407,011</u>	<u>£549,018</u>	<u>£756,177</u>	<u>£578,143</u>	<u>£702,338</u>	<u>£109,705</u>
<u>"Spanish Account"</u>						
Opening Balance	£883,176	£521,964	£546,685	£467,612	£495,595	£535,970
<u>Add</u>						
Receipts from D.I.F.D.	£300,000	£1,100,000	£390,000	£500,000	£1,140,000	£290,000
	<u>£983,176</u>	<u>£1,621,964</u>	<u>£936,685</u>	<u>£967,612</u>	<u>£1,635,595</u>	<u>£825,970</u>
<u>Less</u>						
Pension Payments	(£441,212)	(£1,075,279)	(£489,073)	(£472,017)	(£1,099,625)	(£354,565)
Closing Balance	<u>£521,964</u>	<u>£546,685</u>	<u>£467,612</u>	<u>£495,595</u>	<u>£535,970</u>	<u>£471,405</u>
<u>Fund Account -</u>						
<u>Closing Balance</u>	<u>£928,975</u>	<u>£1,095,703</u>	<u>£1,223,789</u>	<u>£1,073,738</u>	<u>£1,238,308</u>	<u>£581,110</u>

NO. 281 OF 2000THE HON J L BALDACHINO**OPEN/CLOSED LONG-TERM BENEFITS FUND**

Can Government state what transfers have been made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund giving the amounts and the month of each transfer since February 2000?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

The transfers made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund by month from February 2000 to July 2000 are as follows:

February	£1,000,000
March	£1,050,000
April	£1,000,000
May	£700,000
June	£1,000,000
July	<u>£200,000</u>
	<u>£4,950,000</u>

NO. 282 OF 2000THE HON J L BALDACHINO**SOCIAL INSURANCE CARDS**

Can Government state what was the number of pensioners being paid or with 2000 entitlement to payment since March 2000, broken down for each month from the Closed Long-Term Benefits Fund giving a breakdown of pre-1969 Spanish pensioners and locally funded pensioners showing the number of Gibraltarians/UK nationals, Moroccans and other nationalities?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

The following pensioners were in receipt of payments from the Closed Long-Term Benefits Fund from March 2000 to August 2000:-

	Mar	Apr	May	June	July	Aug
Pre-1969 Spanish pensioners	9089	9084	9084	9068	9062	9072
British pensioners (Gib/UK)	4843	4833	4834	4842	4817	4840
Moroccan Pensioners	1090	1090	1091	1090	1091	1106
Other nationalities	308	307	307	312	310	310
Total	<u>15330</u>	<u>15314</u>	<u>15316</u>	<u>15312</u>	<u>15280</u>	<u>15328</u>

SUPPLEMENTARY TO QUESTION NO. 282 OF 2000

HON J L BALDACHINO:

There is always an increase on the pre-1969 Spanish pensioners receiving entitlement to the pension, does the Minister have any idea when this would be coming down?

HON MRS Y DEL AGUA:

In the case of pre-1969 Spanish pensioners the monthly figures can fluctuate from time to time. This is mainly due to the late submission of claims, delays in the adjudication of EC related claims and deletions in respect of death when the relevant information becomes available to the department usually several months after the event. I think it is expected that this will come down around the year 2004.

NO. 283 OF 2000

THE HON J L BALDACHINO

SOCIAL INSURANCE CREDITS

Can Government state how many men aged 60 years and over were receiving Social Insurance Credits giving a breakdown for each month from January to July 2000 and how many of these were registered as unemployed with the Employment Agency?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

I am unable to provide a monthly breakdown of those men aged 60 years and over who are eligible to Social Insurance Credits as they are now only required to attend the Employment Service once a year. Statistics are compiled at the end of each contribution year when the relevant credit registration cards are returned to the Department of Social Security by the Employment Service.

I can confirm that none of the persons receiving credits were registered as unemployed, given that they were all engaged in charitable work.

SUPPLEMENTARY TO QUESTION NO. 283 OF 2000

HON J J BOSSANO:

Does it mean then that there was nobody at all in that group who was receiving unemployment benefit because the position used to be that they registered as unemployed when they became unemployed and it was after they exhausted that that they were given the opportunity of joining Community Care?

HON MRS Y DEL AGUA:

No.

HON J J BOSSANO:

So all the numbers that have been given which is not available on a monthly basis is available on an annual basis, they are all people who are Community officers, is that the answer?

HON MRS Y DEL AGUA:

Yes.

HON J L BALDACHINO:

What is the figure then on an annual basis?

HON CHIEF MINISTER:

The figure on an annual basis is the number of people collecting Community Care. In other words, the men in receipt of the social wage as Community officers.

HON J J BOSSANO:

Given that the persons that join Community Care do so every month, there are people who reach the age of 60, is there a reason why people are no longer claiming unemployment benefit, it is very strange?

HON CHIEF MINISTER:

I am not aware either of the practice that the hon Member described or whether it remains in practice or not. Certainly we have not changed whatever may have been the practice. If the hon Member is correctly describing the practice as it was when he was in office that continues to be the practice.

NO. 284 OF 2000

THE HON J L BALDACHINO

SOCIAL ASSISTANCE

Can Government state of 136 persons receiving social assistance and registered with the Employment Agency seeking employment as at the end of December 1999, how many have been employed and how many are still receiving social assistance?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Twenty-six of the 136 persons receiving social assistance and registered with the Employment Service as seeking employment as at the end of December 1999 have been employed. The remaining 110 are still in receipt of social assistance.

NO. 285 OF 2000THE HON J L BALDACHINO**SOCIAL ASSISTANCE**

Can Government state of persons receiving social assistance on the months of January to July 2000, how many were registered with the Employment Agency as seeking employment giving a breakdown by sex, age and month?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

The information requested is as follows:

	<u>Males</u>	<u>Females</u>	<u>Total</u>	<u>18/25</u>	<u>26/35</u>	<u>36/45</u>	<u>46/60</u>	<u>Total</u>
January	102	48	150	41	41	44	24	150
February	93	47	140	44	31	38	27	140
March	92	41	133	34	32	37	30	133
April	88	37	125	33	32	35	25	125
May	80	35	115	29	29	33	24	115
June	88	36	124	31	35	35	23	124
July	78	35	113	27	30	36	20	113

ORAL

NO. 286 OF 2000

THE HON J L BALDACHINO

RESPITE AND SITTER SERVICES AT DR GIRALDI HOME

What criteria is used to determine who is entitled to respite and sitter services at the Dr Giraldi Home?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 287, 288, 289 and 290 of 2000.

ORAL

NO. 287 OF 2000

THE HON J L BALDACHINO

RESPITE CARE AT DR GIRALDI HOME

Can Government state what is the number of beds at present available at Dr Giraldi Home for respite care?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 286, 288, 289 and 290 of 2000.

ORAL

NO. 288 OF 2000

THE HON J L BALDACHINO

RESPITE CARE AT DR GIRALDI HOME

Can Government state by how many will the number of beds increase for respite care at Dr Giraldi Home once the improvement works are completed?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 286, 287, 289 and 290 of 2000.

ORAL

NO. 289 OF 2000

THE HON J L BALDACHINO

RESPITE CARE AT DR GIRALDI HOME

Can Government state how many individuals requiring respite facilities have been accommodated at Dr Giraldi Home since the works started at the Home?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 286, 287, 288 and 290 of 2000.

NO. 290 OF 2000

THE HON J L BALDACHINO

IMPROVEMENT WORKS AT DR GIRALDI HOME

When are the improvement works at Dr Giraldi Home scheduled for completion?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The people who live with relatives in the community and have a learning disability are entitled to ask for sitting and/or respite services. The level of respite service provided is determined by the demand at the time and the resources available. Some priority is given to families most in need of relief, to prevent family breakdown, but we also try and provide a fair service to others as well. Not all families ask for service.

Currently there are no beds available for respite cases within the Dr Giraldi units due to the building works. However, two flats at Edinburgh House have been made available by Government providing for up to four beds dependent upon suitability of the person.

Once the work is completed at Dr Giraldi, there will be four beds available for respite. This represents an increase of 100 per cent given the previous service of two. The facilities in this unit will enable a range of disabilities to be provided with a service.

Since the building work commenced in October 1999, five people have used beds for differing lengths of time within the Dr Giraldi Home.

Works at the Dr Giraldi Home will be completed by the end of October.

SUPPLEMENTARY TO QUESTION NOS. 286, 287, 288, 289 AND 290 OF 2000

HON J L BALDACHINO:

I did not hear the Minister clearly but did she say that it would be increased by 100 per cent by four beds, does that mean that there was no availability for respite before?

HON MRS Y DEL AGUA:

No, there were two beds and now there are going to be four, so it has been increased by 100 per cent.

HON J L BALDACHINO:

By whom is the decision taken who merits respite at the Home?

HON MRS Y DEL AGUA:

The management of the Social Services Agency.

HON J L BALDACHINO:

So at present there are no beds available at the Home but the Minister said that people can ask for respite at the two flats at Edinburgh House?

HON MRS Y DEL AGUA:

Yes.

HON J L BALDACHINO:

Are those flats on the ground floor or the second floor or the third floor?

HON MRS Y DEL AGUA:

There is one flat on the ground floor and another one on the first floor.

HON J C PEREZ:

Is the Minister saying that temporarily there is now respite care being undertaken in Edinburgh House for four persons at a time and that when the Dr Giraldi Home will be completed that is the total capacity of respite available at any given time, four persons at a time?

HON MRS Y DEL AGUA:

Yes.

HON J L BALDACHINO:

The Minister said that there were five given respite care at the Home. How many applied?

HON MRS Y DEL AGUA:

As far as I am aware five people applied and five people were given respite care.

HON J L BALDACHINO:

Is the Minister saying that nobody was turned down for respite care at the Home?

HON CHIEF MINISTER:

She is saying that as far as she is aware no one was turned down, it is not quite the same thing.

NO. 291 OF 2000

THE HON J L BALDACHINO

DR GIRALDI HOME

Can Government explain why some of the residents of Dr Giraldi Home were moved to two flats at Edinburgh House and then moved back a week later?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Because of the unavoidable delays in the completion of the unitisation works at Dr Giraldi, problems were foreseen in providing an adequate respite service at the Home because of space limitations. In order to avoid a disruption to this service during the summer months, Government provided two flats at Edinburgh House temporarily and specifically for the purpose of the respite service. In the event, six permanent residents from Dr Giraldi were moved into the flats by the management of the Home and the respite service continued to be provided at the Home itself. This led to speculation and expectation in some quarters, that they would be able to remain in the flats on a permanent basis. This was not the intention or the purpose of making the flats available and accordingly Government instructed management to use the flats for the purpose for which they had been provided, namely, respite facilities during the construction works at the Home.

SUPPLEMENTARY TO QUESTION NO. 291 OF 2000

HON J L BALDACHINO:

I understand that the decision was taken by the management of Milbury to actually allocate the residents of the Home at Edinburgh House. Is it that Milbury then is entitled to use the Minister's letterhead? The instructions to relatives of the move was typed on Social Services letterheaded paper and not from Milbury.

HON MRS Y DEL AGUA:

Milbury is entitled to use the letterhead of the Social Services. They are the management of the Social Services Agency.

HON J L BALDACHINO:

So the Government make available two flats at Edinburgh House and it was for respite and it was the unilateral decision of the management of Milbury to use those flats for the residents of the Home without informing the Government that they had taken a contrary view of what the Government's decision was, is that correct?

HON CHIEF MINISTER:

A perfect analysis except that when he says the management he might be indicating of all the management. It is much more likely that it was the unilateral decision of an element of the management.

HON J J BOSSANO:

What is it that the Government did not find out that this had happened until people had moved in?

HON MRS Y DEL AGUA:

That is the case.

HON J J BOSSANO:

Is it then that the Minister was not aware that this was being discussed with the persons in the Home before the move took place? They were being persuaded to move.

HON MRS Y DEL AGUA:

Yes, that is the case.

HON J J BOSSANO:

Even though the impression was created that this was a trial to see if they settled into the new place it was never intended that there should be any such trial then?

HON CHIEF MINISTER:

I think we have been very candid. I think that everything that has happened happened contrary to the instructions and the purpose for which the Government had made available these two flats at Edinburgh House. It was people operating on a frolic of their own in a way which abused the purpose for which the Government had made two flats available temporarily, out of the Government housing stock, to provide respite care. The matter is under serious investigation by Milbury and the Government take a very serious view of what has occurred.

HON J J BOSSANO:

It means, of course, then that those flats will then return to the housing stock when the work is completed?

HON MRS Y DEL AGUA:

Yes, that is correct.

HON J L BALDACHINO:

And there will not be any plans for some of the residents of Dr Giraldi Home to move into flats of their own?

HON CHIEF MINISTER:

The question of whether people who are currently provided for in Dr Giraldi Home should live in Dr Giraldi Home or should be integrated in the community, to the extent that Dr Giraldi Home is not a part of the community which of course it is but he knows what I mean, integrated into the ordinary living arrangements of the community, is a different issue, it raises very different policy considerations, it has nothing to do with

the provision of respite care. Certainly what employees of the Social Services Agency are not free to do is to usurp the Government's policy-making powers by diverting two flats that were made available for respite and apply them for the purposes of initiating their own policy of integrating people into the community, riding roughshod over the Housing Allocation Rules, riding roughshod over the Housing Waiting List without Ministerial provision or Government policy clearance. It is frankly an unacceptable way for this matter to have been dealt with. It has placed my hon Colleague, the Minister for Social Affairs, in the difficult position of having to retrieve that situation and I wish to publicly acknowledge and thank her for the sensitive, considerate and restrained manner in which she has gone about doing that difficult task with which she found herself confronted.

NO. 292 OF 2000

THE HON J L BALDACHINO

PENSIONER CARDS

What facilities have been agreed with the private sector on presentation of the pensioner cards?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

I know for a fact that the Senior Citizens Association, with whom I meet on a regular basis, have been successful in negotiating certain discounts for pensioners on presentation of their cards in some areas of the private sector, for example, hairdressing salons and restaurants. The Association also informs me that more businesses are adding their names to the list and that they are pleased with the response they are getting.

SUPPLEMENTARY TO QUESTION NO. 292 OF 2000

HON J C PEREZ:

The Minister is saying that it is the Pensioner's Association that is negotiating with the private sector, not the Government?

HON MRS Y DEL AGUA:

Yes, that was always the intention. By taking the initiative of actually providing senior citizens with these cards and publicly explaining the whole concept behind this scheme, we have already gone a long way towards promoting the idea and encouraging the private sector to co-operate. This has been recognised by the Association itself who are very grateful to Government for taking this very first important step.

HON J C PEREZ:

The Association might be very grateful but the feedback that one gets is that there is nothing more than there was before. That the hairdressers used to offer special days for pensioners which they still do, that the bus service since 1992 when we were in Government had a pensioner fare on production of an identity card which they still do and although everybody might be very grateful to the Minister, the feedback that we are getting is that there is nothing new that is being available with the card except that those who travel to Spain are considered pensioners and treated as Spanish pensioners when they use the facilities in Spain.

HON CHIEF MINISTER:

That is an important advantage which the Government had not

HON J C PEREZ:

Well, in the process of osmosis.

HON CHIEF MINISTER:

Well, I hope that the hon Gentleman's political philosophy does not extend to denying to the people of Gibraltar their right to undertake leisure activities in Spain if that is what they choose. He may regard it as political osmosis, most people regard it simply as having a life and I just wish the hon Member would acquire the same degree.....

HON J C PEREZ:

I am prepared to have a debate on osmosis with the Chief Minister but that is not the line of my questioning.

HON CHIEF MINISTER:

I do not know if it is osmosis when Gibraltar's elderly people visit Spain. If it is osmosis it is not any more osmosis that when he goes frequently as he does to Spain for his meals in Puerto Banus. I do not see why one is osmosis and the other one is not.

HON J C PEREZ:

I am not prepared to have the Chief Minister becoming personal in this House with me. I have not been to Puerto Banus for the last three or four years, I do not criticise what he does in Spain or I do not mention how many times he goes to Spain, I am not criticising senior citizens for going to Spain. The point I was making is that the feedback that we are getting is that the only advantage that senior citizens are getting from a measure supposed to help them in Gibraltar is not in Gibraltar but by taking advantage of facilities available for pensioners in Spain. That is the point I am making, I am not talking about anybody going to Banus or to El Palomar in Sotogrande or to anywhere else.

HON CHIEF MINISTER:

The hon Member gets very upset because he feels sensitive about the whole question of contacts and visits to Spain. I go to Spain, let me tell him, as often as I can because I find visiting Spain very enjoyable indeed as do many people in Gibraltar and he may regard it.....

MR SPEAKER:

Order, let him finish.

HON CHIEF MINISTER:

He may regard visiting El Palomar or visiting Sotogrande or visiting Banus as a matter.....

HON J C PEREZ:

He is not answering the question.

MR SPEAKER:

You have got to answer the supplementary.

HON CHIEF MINISTER:

There has not been a supplementary, there has been a speech.

MR SPEAKER:

If there is no supplementary then you have got no right to speak.

HON CHIEF MINISTER:

Well, fine, I am very happy to sit down, Mr Speaker, but if mine is not an answer to a question, his was not a question and he should not have said it either.

MR SPEAKER:

Next question.

NO. 293 OF 2000

THE HON J L BALDACHINO

FREE BUS SERVICE FOR PENSIONERS TO UPPER TOWN

Can Government state when the free bus service for pensioners to the Upper Town will start?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

There is still no definite date when the free bus service will start to operate. However, the Government's intention is that it should start this autumn.

SUPPLEMENTARY TO QUESTION NO. 293 OF 2000

HON J L BALDACHINO:

There is a regular bus service at the moment which is actually the route that goes up and that is No. 2, it is still in operation today, it goes up to the new Police Barracks at least. Could the Government not make arrangements with the company to start the service immediately so that pensioners will have the free bus service now rather than wait until autumn?

HON CHIEF MINISTER:

The hon Member should be aware that this is not providing free a service that has always existed. It is true that historically there has been a route number, No. 2, that is supposed to go all the way up to Willis's Road. In fact because of a combination of traffic, parking problems and things of that sort, on most occasions the bus never gets up beyond the Police Barracks junction and in fact there has not been a bus service up to the Calpe area for a long time. That is what the Government are providing. It is not a question of providing free the tickets on the existing service, there is no existing service.

HON J L BALDACHINO:

I am not suggesting that at all. The answer the Minister has given, that the free bus service is expected to be in operation in the autumn. What I can tell the Minister is that up to yesterday the No. 2 bus was going up, at least up to the Police Barracks, it might go further up to Calpe. The service is now in place, yesterday it was. What I am asking is, seeing that the operation that the Government want to put in place will come in effect in autumn, in the meantime could not arrangements be made for pensioners to be able to use the regular route which is in operation? Could not arrangements be made so that pensioners at least get a service in the summer time which is very hot for them to walk up the hill and the steps?

HON CHIEF MINISTER:

Yes, to my knowledge summer of the year 2000 has not been any hotter than the summer of the year 1995 when he did not provide the same service. The fact of the matter is that to say to the existing route operator, "Provide a service free to pensioners and send us the bill" in effect, requires a very significant ticketing arrangement, accounting arrangement, otherwise the Government would just be exposed to having to write a cheque for whatever amount the bus operator asked without having the ability to audit whether it reflected the services actually delivered. The Government are not in favour of subsidising fares to that extent in the hands of a private operator.

ORAL

NO. 294 OF 2000

THE HON DR R G VALARINO

HOUSING - ALAMEDA ESTATE

Can Government state whether it is their intention to install lifts in the remaining five blocks at Alameda Estate?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

Answered together with Question No. 295 of 2000.

NO. 295 OF 2000

THE HON DR R G VALARINO

HOUSING - ALAMEDA ESTATE

Will Government provide a breakdown of the works being carried out at Alameda House and the payments made to the contractors involved?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

Yes, it is the intention to install the lifts.

The works at Alameda House include the repairs to the external rendering of the buildings including making good cracks and defective concrete works. It includes the replacement of all pitched roofs, gutters and drainpipes with new ones. It also includes repairs and repainting of all terraces and flat roofs; repairs to all communal corridors, stairways and landings, and finally it includes the repainting of the block externally and internally. The above works are being carried out in-house by staff from the Buildings and Works Department.

The only contractor involved is the scaffolding contractor and to date we have paid £29,275.

SUPPLEMENTARY TO QUESTION NOS. 294 AND 295 OF 2000

HON DR R G VALARINO:

Could the Minister say when the works started and when they will be completed?

HON K AZOPARDI:

My understanding is that the works started on the 18 September 1998 and that they are due for completion some time during summer 2001.

HON DR R G VALARINO:

As far as the constructions are concerned, I do believe that the first contractor, to put it nicely, went bust and the job was taken over by someone else.

HON K AZOPARDI:

My information is there has never been a contractor in this case. As I pointed out in the principal answer, the only contractor that arises in relation to these works is the scaffolding contractor. The principal works have always been done by Buildings and Works.

HON J C PEREZ:

Can the Minister state when is it that they intend to start the installation of lifts in the remaining blocks in Alameda Estate?

HON K AZOPARDI:

The hon Member knows there is a manifesto commitment in relation to lifts generally and a programme is being devised which cuts across all estates. It is in the process of formulation and so it is not possible at this stage to say when the lift installation programme will be completed or commenced in relation to Alameda Estate but it is in the programme once that is finalised.

HON J J BOSSANO:

Can the Minister say, the £29,275 paid to scaffolding contractors, is that for the period from September 1998 to date or is that a part payment of the amount that is payable?

HON K AZOPARDI:

I do not have that information but if the hon Member wants to write to me I can certainly supply him with that.

HON J J BOSSANO:

Does the Minister know what is the value of the scaffolding that there is there compared to the £29,000 that have been paid for hiring it so far?

HON K AZOPARDI:

The hon Members asked in the principal question what payments had been made. I do not value the equipment that people use to carry out the works. Certainly the Government do not have that information.

HON J J BOSSANO:

It is not a question of carrying out the works, it is a question of whether if the scaffolding is going to be here for three years is it that the Government believe it is cheaper to hire scaffolding for three years than to buy it and put it up and leave it there for three years?

HON K AZOPARDI:

That must be the apparent conclusion that we must reach given that these works have been estimated and costed by Buildings and Works assessors.

HON J J BOSSANO:

Does the Minister know what is the rate of payment? Does he have an idea per month or per week or per year?

HON K AZOPARDI:

The information I have is that it is a term contract for a 12-month period with the scaffolding contractor. As to the payment itself, I do not have a breakdown but that is the total I have.

ORAL

NO. 296 OF 2000

THE HON DR R G VALARINO

HOUSING – VACANT PRE-WAR FLATS

Can Government state how many pre-war flats are vacant, giving the area, room composition and date they became vacant?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

I hand the hon Member a schedule with the information requested.

Answer to Question 296 of 2000

There are 42 pre-war flats currently vacant, all of which are in the town area. The room composition and date they became vacant are as follows:

5 x 1RKB -	25/10/1994 27/06/1997 22/05/1998 02/07/2000 17/07/2000
21 x 2RKB -	25/10/1994 11/05/1996 10/01/1997 20/03/1998 24/04/1998 08/05/1998 05/02/1999 22/03/1999 04/04/1999 05/07/1999 11/10/1999 02/01/2000 x 3 28/02/2000 06/03/2000 12/03/2000 02/04/2000 04/06/2000 02/07/2000 17/07/2000
9 x 3RKB -	17/07/1995 30/01/1998 14/08/1998 08/01/1999 11/07/1999 14/11/1999 x 2 02/01/2000 x 2
6 x 4RKB -	25/10/1994 10/07/1995 18/09/1998 23/01/2000 06/02/2000 02/07/2000
1 x 5RKB -	17/01/2000

ORAL

NO. 297 OF 2000

THE HON DR R G VALARINO

HOUSING – PRE-WAR FLATS ALLOCATED

Can Government state how many pre-war flats have been allocated since the 1 April 2000, broken down by month, to date?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

Answered together with Question No. 298 of 2000.

NO. 298 OF 2000

THE HON DR R G VALARINO

HOUSING – POST-WAR FLATS ALLOCATED

Can Government state how many post-war housing units have been allocated since the 1 April 2000, broken down by month, to date and how many were allocated on a do-it-yourself basis?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

A total of nine pre-war flats have been allocated for the period 1 April 2000 to date. The breakdown of allocation is as follows:

April	-	with materials	4
May	-	with materials	2
June	-	with materials	3

As regards post-war, a total of 181 post-war flats have been allocated during the same period. The breakdown is as follows:

April	-	with materials	50	without materials	2
May	-	with materials	13	without materials	2
June	-	with materials	9	without materials	6
July	-	with materials	21	without materials	6
August	-	with materials	2	without materials	70

SUPPLEMENTARY TO QUESTION NOS. 297 AND 298 OF 2000

HON DR R G VALARINO:

Since about three years ago the number of pre-war and post-war flats empty are increasing, could Housing look into the matter and try to allocate them? I know the Minister has given me figures for allocation but could Government look into the matter to try and allocate these flats sooner rather than later?

HON K AZOPARDI:

Yes, the Government can certainly look into the matter but he should be aware that Buildings and Works, to my understanding, are dedicating their resources to the allocation of post-war flats for a variety of reasons, principally speed and also the cost of refurbishment tends to be lower for post-war flats.

HON J L BALDACHINO:

Of the 181 post-war flats that have been allocated, does that also include some at Edinburgh House?

HON K AZOPARDI:

Yes.

ORAL

NO. 299 OF 2000

THE HON DR R G VALARINO

HOUSING – RENT RELIEF AT EDINBURGH HOUSE

Can Government state how many tenants of Edinburgh House are on rent relief?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

Answered together with Question Nos. 300 and 301 of 2000.

ORAL

NO. 300 OF 2000

THE HON DR R G VALARINO

HOUSING – EDINBURGH HOUSE

Can Government state if there are flats at Edinburgh House still to be allocated?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

Answered together with Question Nos. 299 and 301 of 2000.

NO. 301 OF 2000

THE HON DR R G VALARINO

HOUSING – EDINBURGH HOUSE

Can Government state how many of the Edinburgh House allocations were given - (a) to applicants on the housing waiting list (b) on an exchange basis, and (c) on medical grounds?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

There are currently 20 tenants at Edinburgh House that are on rent relief.

A total of six flats still remain vacant. These are low level flats that will be used to house medical cases on the recommendations of the Medical Advisory Board.

The flats at Edinburgh House were allocated in the following manner – 165 were allocated to applicants on the waiting list and 30 were allocated on medical grounds. None were allocated on an exchange basis.

SUPPLEMENTARY TO QUESTION NOS. 299, 300 AND 301 OF 2000

HON J L BALDACHINO:

Can the Minister give an explanation why there are six flats vacant in Edinburgh House when I presume when they came out announcing the allocation they said that they would all be allocated in a certain manner? How is it that these six are still vacant? Is it that they were never allocated?

HON K AZOPARDI:

Yes, it is that they never were allocated. When the allocation formula was announced we wanted to target people on the waiting list and try to allocate to a bulk of medical cases, we did that. The medical cases were principally, I am told, allocated on the ground floor for mobility reasons and because they were especially designed on that basis and a residue of flats on the ground floor were left over after the medical cases had been allocated. Those, the Government decided, did not want to be allocated to the general list but rather we should have a pool of flats which can be allocated to urgent medical cases that arise from time to time, if not we would be left with none and that is the reason for that decision.

HON J L BALDACHINO:

If that is the case, I presume that these flats will only be allocated then, as the Minister has said, to persons who are medically categorised 'A' or will they go down the list to 'B' and 'C' as well?

HON KAZOPARDI:

The initial thinking is to target them for the more urgent medical cases and the rationale would be to allocate them to medical 'A'. if there are other cases of some urgency that arise in the next few months which are of a different nature then obviously there needs to be some flexibility but the initial thinking is for them to be targeted for 'A' cases.

NO. 302 OF 2000

THE HON DR R G VALARINO

HOUSING – HOUSING PENSIONER EXCHANGE LIST

Can Government state how many applicants are in the Housing Pensioner Exchange List giving a breakdown on those who are Government tenants and private sector?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

Following on from the allocation of Bishop Canilla House, the Pensioner Exchange List currently stands at 317. Of these, 250 are Government tenants and 67 live in private accommodation.

ORAL

NO. 303 OF 2000

THE HON DR R G VALARINO

HOUSING

Can Government state how many applicants are medically categorised giving a breakdown of their housing requirements and their medical category recommendation?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

Answered together with Question No. 304 of 2000.

NO. 304 OF 2000

THE HON DR R G VALARINO

HOUSING

Can Government state how many housing applicants are socially recommended, their category and how many of these are classified as homeless?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

There are seven housing applicants that are medically categorised. The breakdown of housing requirements and medical category recommendations is as follows:-

2 medical 'B's require a 3RKB

1 medical 'C' requires a 3RKB

3 medical 'C's require a 2RKB

1 medical 'C' requires a 1RKB

As regards social applicants, there are currently 10 housing applicants that are also socially recommended. Of these, four are categorised social 'A'; one social 'B' and five are categorised social 'C' of which one is also categorised as homeless.

SUPPLEMENTARY TO QUESTION NOS. 303 AND 304 OF 2000

HON DR R G VALARINO:

So, as I gather from the Minister's answer, on the medical category there is no medical category 'A', I think he mentioned 'B's and 'C's.

HON K AZOPARDI:

Yes, the reason for that is that all the medical 'A' category cases have been allocated in either Bishop Canilla House or Edinburgh House.

HON DR R G VALARINO:

Considering that there are still six empty flats at Edinburgh House, would it not be a good idea to try to upgrade the 'B's especially because I am sure that many of the 'B's are really sub-'A's, let me put it this way, and would ease the burden on some of these applicants? Obviously it is the decision of the Medical Advisory Committee and the Housing Allocation Committee.

HON K AZOPARDI:

As I said to the Hon Mr Baldachino, the initial thinking is to allocate those other houses for urgent medical cases but he should be aware that the relevant flats at Edinburgh House are large and so there is also the added factor that we are hopefully looking for urgent medical cases of a higher priority with families and it is not easy, therefore, to just take a broad view of it as he suggests.

HON J L BALDACHINO:

I understand that but on the figures the Minister gave out, of the 'B's, there is only one who would actually meet the criteria of the housing requirement that exists in Edinburgh House so we are only asking for that one, I understand that the others do not meet the housing requirement because the flats are too large for them but there is one that meets the requirements.

HON CHIEF MINISTER:

As the hon Member well knows because it used to be the response that he always used to give us when we were in the Opposition, it is the Housing Allocation Committee that allocates flats and not anybody sitting on the Government side of the House. I suppose that the Housing Allocation Committee, knowing that it has a stock of flats available, will do what the hon Member has indicated when they consider it appropriate. The thinking, as my hon Colleague has said, is to try and get away from the idea where Government never has any margin to accommodate cases as and when they arise. As we know, it has always been the case that people with a genuine need have had to wait until something has become available. The idea here is just to keep a small stock of flats which Government have available so that proper and deserving cases can be given the urgency of consideration that their condition may deserve. We will have to wait to see if such a system can work in Gibraltar but that is the thinking, in theory.

HON J C PEREZ:

I think I must have missed it in the Minister's reply. Can the Minister state of each category how many were persons categorised as homeless. Did he give that information?

HON K AZOPARDI:

Yes, one.

HON J C PEREZ:

Is that by any chance a particular family that has been evicted from a squat?

HON K AZOPARDI:

I have no information on the particular family.

HON J L BALDACHINO:

If there is only one case classified as homeless, does that mean that the persons at one time I remember when I was Minister, the persons who were put in the Devil's Tower Road Hostel were classified by the then Social Committee as homeless even though they were living there because that was not a proper house. Is that no longer the case? Are those living at the Hostel classified as homeless or do they come under the general Housing Waiting List?

HON K AZOPARDI:

They cannot be listed because there is only one and until that case is not in that realm the answer to that must be yes.

ORAL

NO. 305 OF 2000

THE HON DR R G VALARINO

HOUSING - TENANT SATISFACTION SURVEY

Can Government state how many letters have been sent to tenants from Buildings and Works asking them whether they are satisfied with the work carried out in their flats?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

The Department of Buildings and Works has sent a total of 193 letters to tenants as part of a Tenant Satisfaction Survey which commenced in June 2000.

SUPPLEMENTARY TO QUESTION NO. 305 OF 2000

HON J C PEREZ:

Is the Minister aware that at least two of the 193 letters he mentioned have been sent and the tenants have received it asking whether the work is to their satisfaction and the work has not even been done yet?

HON K AZOPARDI:

No, I am not aware of that. We have received a total of 47 letters returned in relation to works that have been carried out pursuant to the survey. It is precisely that type of case that this survey is supposed to throw up. We would like feedback from the public as to the works that are being carried out or are supposed to be carried out in their flats and I think it assists the management of Buildings and Works to have feedback generally on works or certainly on any case where works have not been carried out where they are supposed to be carried out.

HON J C PEREZ:

If the survey was to identify whether the works have been carried out or not, I presume that that would have been the first question in the survey. But the question does not say, "Have the works been carried out?", the question says, "Has the work been carried out to your satisfaction?" and the answer is, certainly on two occasions, two of these letters, the department will have a reply saying, "The works have not been carried out".

HON K AZOPARDI:

That in itself will help the department plan its works.

HON DR R G VALARINO:

Of the 47 letters received, does the Minister know how many were satisfied and how many were not?

HON K AZOPARDI:

No, I do not have that information. I am told that they are comments of a general nature but I do not have an outline.

NO. 306 OF 2000

THE HON DR R G VALARINO

HOUSING - POLICE BARRACKS

Can Government state if the further works required at the housing unit at Hospital Hill rear facing the old Police Barracks have now been completed and, if so, has this unit been allocated?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

The works have not been completed as the problem is one of severe rising dampness which keeps on recurring. Government are now considering the possibility of including this unit as part of the study being carried out for the future of the Police Barracks.

SUPPLEMENTARY TO QUESTION NO. 306 OF 2000

HON J L BALDACHINO:

This housing unit has got nothing to do with the Police Barracks, it is apart from the Police Barracks. It is not a question of repairing the unit when they repair the Police Barracks if they decide or whatever decision they take on that, what is going to happen? How much money have we already spent on repairing this housing unit?

HON K AZOPARDI:

As much money as my hon Colleague had answered in previous answers. What I can tell the hon Member is that since he last asked the question there has not been further works and the Government have taken a decision not to proceed with the works. I appreciate that the unit is not connected directly to the Police Barracks block but it is strategically placed in a location which is relevant to the Police Barracks building.

NO. 307 OF 2000

THE HON DR R G VALARINO

HOUSING - KING'S BASTION HOUSING UNITS

Can Government state what is the cost to date of the scaffolding installed at King's Bastion Housing Units?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

The cost to date of the scaffolding installed at King's Bastion Housing Units is £16,109.

SUPPLEMENTARY TO QUESTION NO. 307 OF 2000

HON DR R G VALARINO:

How long will this expenditure continue for, has the Minister any idea?

HON K AZOPARDI:

The Government's view is, obviously the building needs to have the scaffolding up at the moment. The policy of the Government is to relocate the remaining tenants, once that has happened then we will take a view on the long-term future of the building. There are plans to partially demolish part of the structure.

HON DR R G VALARINO:

The way the Minister has answered the question it seems almost as though that the scaffolding is there for safety purposes. Is that the basis of the argument?

HON K AZOPARDI:

Yes, absolutely. It was as a result of a refurbishment that I had commissioned that we assessed the building's structure and decided that the scaffolding was necessary and it has been in place since then pending the relocation of the tenants.

HON J J BOSSANO:

For what period is the payment of £16,000?

HON K AZOPARDI:

Since the scaffolding has been in place which I think, to my knowledge, goes back about 18 months or so.

HON J J BOSSANO:

Is it the case that the department does not have scaffolding and needs to hire this for long periods?

HON K AZOPARDI:

The department does not have enough scaffolding and it has to recourse to the hire of scaffolding directly and I think that is the normal practice and has always been the case.

HON CHIEF MINISTER:

I think these are perfectly understandable questions for the hon Members to be asking if only because I remember asking them myself when I was in the Opposition when scaffolding in other parts of the Alameda Estate were up interminably and we used to ask the same questions. There is no doubt that the questions are understandable. I suppose what happens is that once scaffolding gets hired and erected if the project then gets delayed or takes as long as it takes, one cannot then say, "I am not willing to hire the scaffolding any longer, take it down and put up my scaffolding" because of course the biggest cost is actually in the erection of the scaffolding in many cases. But can I just give the hon Members the following information and that is that as part of the Harbour Views remedial works, the arrangement with the contractor is that the Government have reserved the option to purchase at the written down value, to buy the scaffolding that has had to be imported into Gibraltar in great amounts and at great expense. There is enough scaffolding to cover five blocks in Harbour Views so that is a massive amount of scaffolding and the intention is that the Government will purchase all or as much of that as we want to so that problems of this sort may not reoccur to the same extent in the future.

ORAL

NO. 308 OF 2000

THE HON DR R G VALARINO

HOUSING – APPLICANTS IN PRE-HOUSING WAITING LIST

Can Government state how many applicants there are in the pre-housing waiting list giving a breakdown by room requirements?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

Answered together with Question No. 309 of 2000.

NO. 309 OF 2000

THE HON DR R G VALARINO

HOUSING – APPLICANTS IN HOUSING WAITING LIST

Can Government state how many applicants there are in the housing waiting list giving a breakdown by room requirements?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

There are a total of 211 applicants on the pre-list. The breakdown is as follows:-

1RKB	-	79
2RKB	-	24
3RKB	-	53
4RKB	-	48
5RKB	-	7

The housing waiting list currently stands at 213 applicants. The requirement is as follows:-

95	require	1RKB
42	require	2RKB
45	require	3RKB
21	require	4RKB
9	require	5RKB
1	requires	6RKB

SUPPLEMENTARY TO QUESTION NOS. 308 AND 309 OF 2000

HON DR R G VALARINO:

In the list that the Minister has given me, the number of 5RKB requirements has suddenly shot up. Can he give any reason why this is so?

HON K AZOPARDI:

The hon Member will understand that when one comes to the areas of 5RKB and 6RKB they are so rare to find anyway that there is very little movement on these lists and that therefore there is little fluctuation and because numbers are small anyway, any increase of one or two looks like a major movement in a particular direction. But it does not really reveal the state of the list itself. I can tell the hon Member that looking at the overall state of the housing waiting list itself, the number of 213 applicants on the housing waiting list is the lowest that we have ever had since records are kept and so therefore I think that it is an important mark of the work that is being done in relation to the housing waiting list.

HON J L BALDACHINO:

Yes, I fully appreciate what the Minister has said, that 213 is the lowest that we have ever had. I remember that the then Housing Minister said that we also had to add the 211, that would be 424. If nothing is done on housing the figures will increase every year from people moving from the 211 to the 213.

HON CHIEF MINISTER:

Yes, it is because this Government are concerned about the housing waiting list and not condemning to stay in them people of low financial means that we committed ourselves, unlike them, to dedicate Edinburgh House as ordinary Government housing stock for people in the housing waiting list and not do what they did throughout the whole of their eight years in office which was to force people who could ill afford to do so, into one form or other of home ownership. Therefore whilst I hear entirely what the hon Member says and he is absolutely correct, of course eventually people on the pre-list become entitled to join the list itself, the hon Member I think will recognise that to the extent that he insinuates in his question that nothing is being done for the housing waiting list, he is mistaken. There is Edinburgh House, we have built Bishop Canilla House which, as the elderly tenants of it move into it, they themselves release in many cases other larger Government flats which then become available for the 4RKB, the 5RKB and the 6RKB lists which enjoys such little movement and therefore Government are satisfied that what we have already done plus things that remain to be done during the remainder of this, our second term of office, that the hon Member will, I am sure, by the end of it conclude that whether or not the problem has been eradicated and he knows that these problems can never be totally eradicated, but the Government will be demonstrating a continuing commitment to improvements in the housing waiting list.

HON J J BOSSANO:

Given the supplementary answer that has been given that the Edinburgh House was intended for people of low incomes who could not afford to be moved into home ownership on the 50/50 schemes, can the Government now give a commitment that they will not proceed with the supplementary rent provided in the Edinburgh House contracts that no other tenant has on any other Government estate?

HON CHIEF MINISTER:

That is not the answer I have given in supplementary. The hon Member is a master at extrapolating from what he is told what he wants to hear adding a bit of his own condiments and then regurgitating his own version of what he has been told. I have not said that Edinburgh House is for people of low income. I have said that Edinburgh House is for people on the Government waiting list as ordinary Government housing stock. Ordinary Government housing stock has amongst its various and many advantages the fact that one is not subject to service charges or management charges and therefore in any Government housing list there would be people of more and less financial means. The hon Member, I am sure, is not meaning to suggest that the Housing Allocation Schemes should be means tested. Many people in Gibraltar have suggested that in the past but I am sure the hon Member is not suggesting it. But in addressing the specific part of his supplementary, let me tell him that the

Government have, at this stage, no plans to add any supplementary surcharge to the current level of housing rents in Edinburgh House. The level of rents in Edinburgh House were established, as he knows, by reference not to the highest estate but to the second category of estates and even the tenants of Edinburgh House appear to recognise that the rents have been set at a fair level because they do not appear to have been overly impressed by the Opposition's offer at election time to reduce the rents.

HON J J BOSSANO:

Is it the intention then to alter the tenancy agreement which provides for a supplementary rent?

HON CHIEF MINISTER:

No, there is no intention to alter the agreement, there is just no intention to actually invoke the clause.

HON DR R G VALARINO:

The only thing I would like to say is, the question of 4RKB, 5RKB and 6RKBs is a perennial one. Very often this is solved by the Housing Allocation Committee giving two houses of 3RKB beside each other and solving the problem otherwise the 5RKB and the 6RKB tenants are likely to be in this predicament for many years. Will the Government take that on board?

HON K AZOPARDI:

The hon Member should be aware also that obviously the Government want to see movement on all categories of the lists even though, as I explained before, it is somewhat more difficult to see larger movement in 5RKB and 6RKB but to large cost did convert four flats at Edinburgh House from 2RKB to 5RKB so that we could produce an element of movement and that did assist in some way.

ORAL

NO. 310 OF 2000

THE HON DR R G VALARINO

HOUSING – HOUSING ADVISORY COMMITTEE

Can Government state on how many occasions the Housing Advisory Committee has met since the 1 April 2000 to date?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

Answered together with Question Nos. 311 and 312 of 2000.

ORAL

NO. 311 OF 2000

THE HON DR R G VALARINO

MEDICAL ADVISORY BOARD

Can Government state on how many occasions the Medical Advisory Board has met since the 1 April 2000 to date?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

Answered together with Question Nos. 310 and 311 of 2000.

NO. 312 OF 2000

THE HON DR R G VALARINO

HOUSING – HOUSING ALLOCATION COMMITTEE

Can Government state on how many occasions the Housing Allocation Committee has met since the 1 April 2000 to date?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

(On behalf of the Minister for Housing)

During the period 1 April 2000 to date, the Housing Advisory Committee met on three occasions; the Medical Advisory Board on one occasion and the Housing Allocation Committee on five occasions.

SUPPLEMENTARY TO QUESTION NOS. 310, 311 AND 312 OF 2000

HON DR R G VALARINO:

If I remember rightly from the last meeting of the House they had met far more often, all three committees, I wonder what is the reason for the less meetings being held since the date mentioned, maybe it is because of the summer recess or because there has been a change in the people in the committees involved?

HON K AZOPARDI:

The answer is that on the 30 June the relevant committees lapsed and needed regazetting so the relevant meetings that I spoke about took place between April and June. The objective of the Housing Committees is to at least meet monthly. So if we take the April to June figure, the Housing Advisory Committee met three times from April to June on a monthly basis; the Medical Advisory Board met once which was below the three times that they should have met; but the Housing Allocation Committee met five times, two meetings above the monthly. What happened on 30 June was that the gazetting lapsed, it needed to be regazetted and it was done at the end of July. After the end of July, during the August period, the committees have been busy with the allocation of Bishop Canilla House so there have been no meetings but urgent cases have been done on a round robin basis from the end of July onwards.

NO. 313 OF 2000

THE HON DR R G VALARINO

I&D FUND – HEAD 101, SUBHEAD 1

Can Government state how much of the estimated £1.44 million in Head 101, subhead 1, in the Improvement and Development Fund has been spent to date?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

The amount of £1,001,420 has been spent to date in the relevant Head.

SUPPLEMENTARY TO QUESTION NO. 313 OF 2000

HON DR R G VALARINO:

Could the Minister give me a breakdown of what this money has been spent on?

HON K AZOPARDI:

Yes. On replacement of windows - £101,179; on Godley Mansions - £11,000; MacFarlane House - £78,234; Anderson House - £59,431; Glacis Estate - £312,786; North Depot refurbishment - £196,538; 29/6 Willis's Road - £28,167; Sandpits House - £69,309; Belvedere retaining wall - £3,500; Willis's House - £79,611. Then there is a variety of small projects totalling £1,298 and miscellaneous scaffolding projects £54,367.

HON DR R G VALARINO:

I thank the Minister. It seems quite a bit of money has been spent since the beginning of the financial year. Is it likely that the money has been underestimated and they will go over the top?

HON K AZOPARDI:

I think that certainly a lot of money could be dedicated to housing works generally and so it is always a fairly endless sum that one could dedicate or a limited sum if one wanted to. I am told that the pace of the expenditure is such that certainly the Government may have to take a view in relation to this sum.

HON J J BOSSANO:

I think the Minister said £54,000 for miscellaneous scaffolding projects. Is he saying that it is £54,000 for hiring scaffolding?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

And that is the scaffolding that has been used in these different projects which he has mentioned is it or is it in a particular project?

HON K AZOPARDI:

It is not clear whether they are for these particular projects or for other projects. It is bound to be in relation to these but it is not specified on my list.

HON J J BOSSANO:

Are these works being carried out by departmental labour or by contractors?

HON K AZOPARDI:

These are all contracted out.

HON J J BOSSANO:

Is it that the Government hire the scaffolding and provide it to the contractors?

HON K AZOPARDI:

No, I can only imagine that it is separately accounted for but that is not the practice obviously.

HON J J BOSSANO:

But it would normally be the practice that if they give somebody a contract to do a job they would expect him to provide the scaffolding, is that not the case?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

Can the Government say whether these contracts are being done on the basis of one contract for several projects or is it they are each let out individually?

HON K AZOPARDI:

They are all individual contracts with individual contractors.

HON J J BOSSANO:

Does the Minister know whether the scaffolding is all provided by one contractor even if it is accounted as one vote, is it that each contractor is providing scaffolding as well?

HON K AZOPARDI:

No, that information is not with me.

HON CHIEF MINISTER:

If the hon Member is asking whether the Government whatever contractor we choose for a particular project, whether the Government as it is called in the trade "nominates" a scaffolding subcontractor which that main contractor is then obliged to subcontract, the answer to that is most certainly not.

HON J J BOSSANO:

Given the fact that the £54,000 has been given as a separate figure, what I am trying to establish is whether there is one scaffolding contract which provides the scaffolding for everybody or whether in the sums that have been given for, say, MacFarlane House, the amount paid for scaffolding in MacFarlane House has been deducted somehow and shown separately? That is what I am trying to establish.

HON CHIEF MINISTER:

No, I do not believe but we will have to obtain clarification on this for him, but I do not believe that that figure of £54,367 represents the scaffolding element extrapolated from the contract value of all the other contracts relating to the other list, I do not think that that is the case. But if he wants a breakdown of what that £54,000 is we can obtain it.

HON J J BOSSANO:

That was the indication given in an earlier supplementary, that this was not scaffolding for one project but the scaffolding element in all the projects.

HON CHIEF MINISTER:

It is clearly not scaffolding for one project because the item is miscellaneous scaffolding projects and miscellaneous scaffolding projects necessarily relate to more than one project and to a miscellany of them. So it is not that. I do not know what my hon Colleague indicated to him. My own guess is that that is not the scaffolding element of contracts that have been put out to the private sector. My guess would be that it is more likely to be scaffolding brought in for contracts that have been done in-house using departmental labour but we will provide, by this afternoon if possible, the breakdown of that item for him.

HON K AZOPARDI:

Mr Speaker, with your indulgence, if I can go back to Question No. 313 I can now give the Leader of the Opposition a breakdown in relation to scaffolding costs. The hon Member was asking on the breakdown of the £54,367. I can tell the hon Member that it is broken down into a variety of small sums across Gibraltar. All the works have been done in-house by Buildings and Works and the scaffolding jobs were paid to Eurotec Hire Services which is the term contract holder for the hire of scaffolding. I do not know if the hon Member wants the list but if he wants the list I can read it. There is a list of about 15 different properties around Gibraltar. they are mostly housing estates, Laguna Estate, Alameda House, Schomberg, et cetera.

HON J J BOSSANO:

The fact that this company has been named as the term contract holder, does that mean that they also then are the suppliers of the King's Bastion and Alameda House scaffolding? Is this term contract for all Government scaffolding?

HON K AZOPARDI:

I think the term contract came later. I was told by Housing that the term contracts are for a period of 12 months so it cannot be older than 12 months and, of course, the scaffolding at King's Bastion was before that. It is certainly not on this list.

HON J J BOSSANO:

I would be grateful if the list is passed, he does not have to read it out.

CONTD Q. 313/2000

ANALYSIS OF MISCELLANEOUS SCAFFOLDING PROJECTS

Schomberg House	-	£ 9,826
George's Lane	-	£ 4,558
59 Flat Bastion Road	-	£ 1,732
3 Main Street	-	£ 4,034
Castle House	-	£ 6,787
9 Witham's Road	-	£ 3,973
Elliott House, Laguna Estate	-	£ 6,211
Governor's Lane	-	£ 957
7 Flat Bastion Road	-	£ 325
Sea View House, Catalan Bay	-	£ 500
Hermes House, Varyl Begg Est	-	£ 418
Sortie House, Laguna Estate	-	£10,790
2 Medview Terrace	-	£ 221
15 Mauretania House	-	£ 207
Alameda House	-	£ 440
Lopez Ramp	-	<u>£ 3,388</u>
TOTAL		£54,367

NOTE:- All the above scaffolding jobs have been paid to Eurotec Hire Services which is the approved Government contractor for the hire of scaffolding.

NO. 314 OF 2000

THE HON DR R G VALARINO

HOUSING – BISHOP CANILLA HOUSE

Can Government state whether the cost of building Bishop Canilla House has exceeded the original estimate and if so, by how much?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS
(On behalf of the Minister for Housing)

The projected final account for the Bishop Canilla House project will be £2,486,154. The original estimate of £2,385,723 will be exceeded by £100,431.

SUPPLEMENTARY TO QUESTION NO. 314 OF 2000

HON DR R G VALARINO:

Has the Minister any idea why there has been extra expenditure? At the last meeting of the House the Housing Minister mentioned the fact of water seepage, can he assure the House that this will not occur next winter?

HON K AZOPARDI:

I certainly cannot recall, it is a fairly unrelated question and I would have to have notice of it but I certainly cannot recall that my hon Colleague said that there was water seepage at Bishop Canilla House, it is a matter that perhaps he can take up with my hon Colleague bilaterally on that. In relation to the additional cost, the additional cost element – 11 flats at Bishop Canilla House had to be fitted with special needs baths. Then there was the additional recreational area for the sole use of residents and apart from that a new link road was built through Europort Road and Edinburgh Estate together with the construction of a bin store for Bishop Canilla House. So all of that meant that the project cost was exceeded by the figure that I gave him.

HON CHIEF MINISTER:

Can I just add to what my hon Colleague has said, that the original delay in accepting hand-over of the building from the contractors was because there were problems with the plumbing. In other words, the plumbing was in certain parts of the building, basically springing leaks as it was being tested and the Government said that we would not regard that as snagging and that we wanted all that fixed before the Government could take possession of the building. The architects and other technical people working for Government subsequently conducted and indeed Lyonnaise des Eaux on behalf of the Government subsequently conducted the appropriate British Standard pressure tests on more than one occasion to the whole system. When the whole system was seen to pass the pressure tests prescribed by British Standards, conducted by Lyonnaise des Eaux, the building was accepted finally and allocations were able to begin. So the hon Member is right in his supplementary in suggesting that the delay had been due to plumbing problems.

HON J C PEREZ:

I think really the issue is whether the extra cost incurred were relevant to those repairs but the answer to that is no. So the extra cost had to do with things that had not been envisaged at the beginning and were added to the works at the end and had nothing to do with the length of the contractor or extra things that the contractor had to do as a result of those leaks?

HON K AZOPARDI:

Yes.

NO. 315 OF 2000

THE HON J L BALDACHINO

UNEMPLOYED GIBRALTARIANS

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 years and over from 1st January 2000 to the 30th June 2000 receiving -

- (a) unemployment benefits
- (b) social assistance
- (c) no payments?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question No. 316 of 2000.

NO. 316 OF 2000THE HON J L BALDACHINO**SOCIAL ASSISTANCE**

Can Government state of the persons receiving social assistance from the end of January to the end of July 2000, how many were registered with the Employment Agency as seeking employment giving a breakdown by sex and age and a breakdown for each month?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The information requested is as follows:

	MALE			FEMALE		
	U/B	S/A	NO PAYMENT	U/B	S/A	NO PAYMENT
January	26	69	82	6	24	67
February	33	67	74	10	22	64
March	25	77	80	11	27	51
April	22	67	70	8	27	56
May	27	67	75	9	26	69
June	21	69	71	13	22	50

SUPPLEMENTARY TO QUESTION NOS. 315 AND 316 OF 2000

HON J L BALDACHINO:

In the information there is no indication of how many registered are seeking employment with the ETB.

HON H CORBY:

We are unable to give the information requested as this would involve a disproportionate amount of manual work.

HON J J BOSSANO:

Is it that the new computer system is not able to do what the old one used to do?

HON H CORBY:

My information is that giving this information would involve hours and hours of manual work.

HON J J BOSSANO:

Presumably that has to be done manually?

HON H CORBY:

Yes, a case by case basis.

HON J L BALDACHINO:

The information given by the Minister is in answer to Question No. 315, is that correct?

HON H CORBY:

That is right.

HON J L BALDACHINO:

So the Minister is not able to give me an answer to Question No. 316, is that correct?

HON H CORBY:

Yes, that is correct.

HON J J BOSSANO:

Is it that the problem is because of the breakdown that is being asked? Is it possible to provide the number without the breakdown? The question asks for the persons receiving social assistance giving a breakdown by sex and age which I can understand may be problematical without looking at each individual, but is it possible to give the number of people registered with the ETB without that breakdown?

HON CHIEF MINISTER:

There are, as he will see from the information given, people receiving social assistance, just males, just by way of example, 69, 67, 77, 67, 67 and 69, each of those individuals would have to be checked on a file by file basis with the ETB records to see if in addition to receiving social assistance they are registered as unemployed. I know that with the procedures that were being prepared for the Job Seekers Agreement which, in respect of many people, linked the issue of payments with being actively seeking work, the intention was that this information should be readily available. In other words, when somebody goes to the Social Services Department asking for social assistance that they should be able to find out rapidly whether the person is supposed to be in work or seeking work but we are not there yet.

HON J J BOSSANO:

That does not sound quite right. Is it not the case that persons who are obtaining social assistance are capable of working, registered with the ETB have always done so and indeed the traditional historical procedure since time immemorial was that they had to report fortnightly to the ETB in order to continue to qualify for social assistance. Is that no longer the case?

HON CHIEF MINISTER:

It is the case.

HON J J BOSSANO:

It is the case. Then if, for example, in June 50 female persons were unemployed and claiming social assistance, presumably they ought to have been registered otherwise they would have not been paid the social assistance. That is why I am asking whether the problem may be the sex and the age rather than the number.

HON CHIEF MINISTER:

It would include the age but, of course, not all social assistance payments are linked to employment or seeking employment. Remember we are talking social assistance and not statutory benefit.

HON J J BOSSANO:

No, I accept that. All the more so, statutory benefits would not be linked to employment, it is the other way round, no? How does the department then know if somebody is working or not working if they are not seeking employment?

HON CHIEF MINISTER:

The information is available. The answer is not that the information is not available. The answer has been that it cannot be provided without a disproportionate administrative effort in compiling it all into one answer. But of course I am sure it is available, as he is indicating, in both departments. In other words, the Social Services Department that administers the Social Assistance Scheme as part of its questionnaire or presumably asks people, "Are you employed?" "Are you registered?" That information is unquestionably available but it cannot be extrapolated for statistical purposes without looking at each file. I hear what the hon Member has said that the answer should be all of them are registered because he is saying, "do they not all have to be registered in order to get social assistance?"

HON J J BOSSANO:

Well they do not necessarily all have to be registered but the department knows how many of them are and, in fact, is it not the case that when the Minister was responsible for Social Services as opposed to being responsible for Employment, he used to be able to give the answer? Why is it they cannot anymore? We are asking the same question.

HON CHIEF MINISTER:

I can only assume that it is a product of the amount of time officials have, given other questions and given other research that they have to do for other questions, in effect civil servants have two or three days to prepare these answers and time that might be available at one stage, when they last asked the question, may not be available to them on this occasion. There is no reason why the Government should wish to withhold, having given all the information that we have given, when there is no reason why we would wish to withhold this information.

HON J J BOSSANO:

I am not suggesting it is being deliberately withheld. All I am doing is questioning the explanation given why it is not available, it does not seem to be quite correct. The point that I wish to make is, is it that the answer has been prepared by the ETB as opposed to the Social Services Department and that when we used to get it in the past it was from them?

HON H CORBY:

Yes.

NO. 317 OF 2000

THE HON J L BALDACHINO

TERMS OF ENGAGEMENT

Can Government state how many terms of engagement were registered with the Employment Agency - (a) on 31st March 2000, and (b) on 31st August 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The number of terms of engagement registered with the Employment Service is as follows:

31 st March 2000	-	17,314
30 th June 2000	-	17,702

NO. 318 OF 2000

THE HON J L BALDACHINO

WORK PERMITS

Can Government state the number of work permits issued from 1st January 2000 to 31st July 2000 giving a breakdown for each month, the nationality of the employee and the job that the permit was requested for?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I now hand the hon Member a list giving the information requested.

Cont Q3 18/2000

WORK PERMITS ANALYSIS

MONTH: January 2000

NEW

[illegible]RENEWAL

NATIONALITY	TRADE	NUMBERS
Moroccan	Catering	3
	Professional	2
	Domestic	2
	Skilled	11
	Semi Skilled	9
Indian	Professional	4
	Semi Skilled	2
	TOTAL	33
	GRAND TOTAL	43

Cont.....

Contd Q3 18/2000

WORK PERMITS ANALYSIS

MONTH: February 2000

NEW

NATIONALITY	TRADE	NUMBERS
Moroccan	Managerial	2
Swiss	Managerial	2
Israel	Managerial	1
Pakistani	Medical	1
	TOTAL	6

RENEWAL

NATIONALITY	TRADE	NUMBERS
Moroccan	Skilled	10
	Unskilled	2
	Semi Skilled	8
	Domestic	2
	Catering	1
Indian	Domestic	1
	TOTAL	24
	GRAND TOTAL	30

Cont.....

Contd Q3 18/2000

WORK PERMITS ANALYSIS

MONTH: March 2000

NEW

[illegible]RENEWAL

NATIONALITY	TRADE	NUMBERS
Moroccan	Unskilled	7
	Semi Skilled	3
	Skilled	2
	Catering	6
Russian	Professional	2
Brazilian	Catering	1
Canadian	Profesional	1
	TOTAL	22
	GRAND TOTAL	27

Cont.....

Contd Q3 18/2000

WORK PERMITS ANALYSIS

MONTH: April 2000

NEW

NATIONALITY	TRADE	NUMBERS
	TOTAL	

RENEWAL

NATIONALITY	TRADE	NUMBERS
Moroccan	Labourer	6
	Semi-skilled	2
	Skilled	2
	Catering	3
Swiss	Professional	1
	TOTAL	14
	GRAND TOTAL	14

Cont.....

Contd Q3 18/2000

WORK PERMITS ANALYSIS

MONTH: MAY 2000

NEW

NATIONALITY	TRADE	NUMBERS
Thai	Professional	1
Canadian	Professional	1
Indian	Director	1
Swiss	Managerial	1
	TOTAL	4

RENEWAL

NATIONALITY	TRADE	NUMBERS
Moroccan	Catering	4
	Skilled	4
	Semi-Skilled	3
	Domestic	5
Russian	Semi-Skilled	1
	TOTAL	17
	GRAND TOTAL	21

Cont.....

Contd Q3 18/2000

WORK PERMITS ANALYSIS

MONTH: June 2000

NEW

[illegible]RENEWAL

NATIONALITY	TRADE	NUMBERS
Indian	Managerial	1
Moroccan	Semi-skilled	5
	Catering	5
	Self Employed	1
	TOTAL	12
	GRAND TOTAL	16

NO. 319 OF 2000

THE HON J L BALDACHINO

EMPLOYMENT CONTRACTS REGISTERED

What was the number of employment contracts registered with the Employment Agency in respect of private employers excluding Government-owned and joint-venture companies as at 1st February, 1st March, 1st April, 1st May, 1st June and 1st July 2000 giving a breakdown by nationality of employees?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I now hand the hon Member a list giving the information requested.

SUPPLEMENTARY TO QUESTION NO. 319 OF 2000

HON J J BOSSANO:

This obviously consists of contracts that have been opened but not necessarily persons in employment, is that correct?

HON H CORBY:

This excludes the non-paying directors and self-employed including the MOD.

HON CHIEF MINISTER:

It is a number of open positions.

HON J J BOSSANO:

Given the fact that legislation was brought to the House with very stiff penalties if people did not inform the ETB when persons left their employment and that an amnesty was declared and that was supposed to produce a more accurate figure, in fact it apparently has not happened yet because there is no reflection here of any change in the historical position.

HON CHIEF MINISTER:

I agree. As the hon Member correctly points out the legislation is supposed to act as a deterrent for non-compliance so that higher levels of compliance in the closing contracts would result in more reliable information. We think there has been some, I do not know if the hon Member is right in saying that there has been no reflection but it is going to take longer than this. If it does not work we will have to try something else. The Employment Service certainly is doing all that it can with the resources available to it to try and improve the quality of the snapshot, this is important not just for the information to the House but for economic management information by the Government. That is the position but I agree, it does not suggest a great improvement.

HON J J BOSSANO:

In answer to Question No. 317 we were told the terms of engagement for the whole of Gibraltar, as it were, was 17,000. If we take March and it is 17,300 for the whole of Gibraltar and 9,400 for the private sector, that leaves a difference of around 8,000 which seems to be much bigger than what the public sector is according to the Employment Surveys, much, much bigger. Is it that there is a problem in getting the public sector to notify the ETB when people leave their employment?

HON CHIEF MINISTER:

I do not think that necessarily follows. It is a very clever attempt at a process of deduction but I do not think it follows from the figures, 17,000 terms registered means that there are 17,000 open positions, if we just take one of the months, let us take March, there is 9,500 in the private sector defined as excluding Government-owned and joint-venture companies and Government.

HON J J BOSSANO:

Is it then that the Government and the joint venture companies and the MOD account for 8,000 jobs now?

HON CHIEF MINISTER:

Well it is about 50 per cent.

HON J J BOSSANO:

Fifty per cent of what, of the figure in the Employment Survey of 13,000 or of the figure of 7,000?

HON CHIEF MINISTER:

We think it is more than that, we think it is about 14,500. But yes, there is a gap there of about 2,000 but we do not know whether the non-compliance is shared equally between all the contributors to the statistics or that they all belong in the private sector. There may be many years of historical closed positions. I understand that he is relying, as he is I suppose entitled to on a purely statistical sense on the fact that of the 17,000 we are telling him that only 9,482 of those are actually the private sector so that caps the limit of their non-compliance to the difference between the real jobs in the private sector and 9,482. I would be very surprised to answer his quip if the public sector was also in breach of its statutory obligations.

HON J J BOSSANO:

Presumably if the surprise is not justified and they are it would be easier to correct?

HON CHIEF MINISTER:

Indeed. As he has raised the issue we shall certainly do a trawl amongst not just the Government but indeed the Government-owned and joint venture companies remember which is quite wide, the telephone company, the water company. No entity that falls into the excluded category should be contributing to the pollution of the statistics, they ought to be complying with their obligations, certainly.

HON CHIEF MINISTER:

With Mr Speaker's indulgence, in relation to the debate that the hon Member and I were having in respect of the previous question and the difference between 17,000 and 9,000, and really just to clarify any potential misunderstanding he may draw from the original answer, my hon Colleague, the Hon Mr Corby did mention it in answer to the first supplementary that the figure that he has been given, for example, March of 9,482 is only those who are liable to pay the fees, it does not include the individuals who are not required to contribute towards the Insolvency Fund, for example, company directors and self-employed persons. So just to give an example, if the figure for March of 9,482 which includes only contributors to the Insolvency Fund were to be given in respect of all persons, whether they are contributing or not, the figure would be 13,025 open positions, registrations.

HON J J BOSSANO:

If I may ask a supplementary on that, Mr Speaker, does that mean then that the 17,000 is relevant in relation to the 13,000, is that what we are being told?

HON CHIEF MINISTER:

Yes, that is all. It may still be possible for the hon Member to deduce mathematically that there is an element of public sector contribution but I would say it would now be much smaller than it first appeared.

HON J J BOSSANO:

What I would point out to the Chief Minister is that now the error seems to have moved in the opposite direction, that this would indicate that the public sector have got illegal unregistered labour because the number now is too small.

Answer to Question 319 of 2000

Private Sector (excluding Gov. Owned and Joint-Venture Companies)

	1 st Feb	1 st March	1 st April	1 st May	1 st June
GIBRALTAR	4681	4698	4681	4707	4773
U.K.	1907	1951	1970	1981	2036
MOROCCAN	822	832	832	836	838
SPANISH	1467	1515	1539	1585	1616
OTHER EEC	234	237	240	245	254
NON-EEC	246	249	253	254	256
TOTAL	9357	9482	9515	9608	9773

ORAL

NO. 320 OF 2000

THE HON J L BALDACHINO

VACANCIES REGISTERED WITH THE EMPLOYMENT AGENCY

Are Government now in the position to state how many of the 513 vacancies registered with the Employment Agency as at the end of August 1999 by offshore betting shops have been filled giving a breakdown by nationalities and sex, in the case of Gibraltarians whether they were registered as unemployed at the time?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 324 and 325 of 2000.

ORAL

NO. 321 OF 2000

THE HON J L BALDACHINO

EMPLOYMENT CONTRACTS

Are Government now in the position to provide now a breakdown by nationality of the information on employment contracts given in answer to Question No. 35 of 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I now hand the hon Member a list giving the information requested.

Answer to Question 321/2000

Private Sector (excluding Gov. Owned and Joint-Venture Companies)				
	01/10/1998	01/10/1999	01/01/1999	01/01/2000
GIBRALTAR	4296	4553	4337	4628
U.K.	1528	1794	1532	1844
MOROCCAN	831	829	835	811
SPANISH	1078	1417	1043	1409
OTHER EEC	186	206	190	224
NON-EEC	186	231	190	243
TOTAL	8105	9030	8127	9159

ORAL

NO. 322 OF 2000

THE HON J L BALDACHINO

QUESTION NO. 36 OF 2000

Are Government in a position now to provide the information requested in Question No. 36 of 2000 on self-employed persons?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question No. 332 of 2000.

ORAL

NO. 323 OF 2000

THE HON J L BALDACHINO

EMPLOYMENT CONTRACTS TERMINATED

Can Government give a breakdown by nationality and industry for each month for the year 2000 from January to July in respect of employment contracts terminated?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I now hand the hon Member a list giving the information requested.

Answer to Question 323 of 2000

Terminations Breakdown by Nationalities/Industry Group Table

Date Range : 01/01/2000 to 31/01/2000

Industry Groups	NATIONALITY GROUP CODES							TOTAL
	GIB	BRI	SPA	POR	MOR	EEC	OTH	
Electricity Supply			1					1
Water Supply								
Shipbuilding etc.	5	1	1					7
Other Manufacture	3				1			4
Construction	8	8	12		2			30
Wholesale Trade	12	2	2			1		17
Retail Trade	26	7	9		2			44
Hotel Trade	1	1			2			4
Restaurant, Bars, etc	8	10	9	1	2			30
Repairs of Consumer Goods	2	1						3
Sea Transport & Related Services	6							6
Air Transport & Related Services								
Road Transport & Related Services		1			1			2
Post & Telecommunications	3							3
Banking, Finance & Insurance	17	3	2		1	2		25
Public Admin. & National Defence	8				2			10
Police & Fire Services	7	2						9
Sanitary Services	1							1
Education	1	1						2
Medical & Health Services	2							2
Other Services	18	15	7		3	1		44
Any Group								
TOTALS	128	52	43	1	16	4	0	244

Cont...

Terminations Breakdown by Nationalities/Industry Group Table

Date Range : 01/02/2000 to 29/02/2000

Industry Groups	NATIONALITY GROUP CODES							TOTAL
	GIB	BRI	SPA	POR	MOR	EEC	OTH	
Electricity Supply								
Water Supply								
Shipbuilding etc.	4	2	1					7
Other Manufacture	2	3						5
Construction	9	23	9		6	2		49
Wholesale Trade	2	2	3		1			8
Retail Trade	22	11	13		2			48
Hotel Trade	2	1	3				1	7
Restaurant, Bars, etc	10	10	7	1		1		29
Repairs of Consumer Goods	1	3			1			5
Sea Transport & Related Services	4		1					5
Air Transport & Related Services								
Road Transport & Related Services								
Post & Telecommunications		1						1
Banking, Finance & Insurance	24	5	4			2	1	36
Public Admin. & National Defence	3	2						5
Police & Fire Services	3	1						4
Sanitary Services								
Education	1							1
Medical & Health Services	2	1						3
Other Services	29	9	5		2		2	47
Any Group								
TOTALS	118	74	46	1	12	5	4	260

Cont.....

Contd. Q323/2000

Terminations Breakdown by Nationalities/Industry Group Table

Date Range : 01/03/2000 to 31/03/2000

Industry Groups	NATIONALITY GROUP CODES							TOTAL
	GIB	BRI	SPA	POR	MOR	EEC	OTH	
Electricity Supply	1							1
Water Supply								
Shipbuilding etc.	7	1			1			9
Other Manufacture	2		1					3
Construction	13	14	22		3			52
Wholesale Trade	6	2						8
Retail Trade	25	5	14		2			46
Hotel Trade	1	2	8	1	1	2		15
Restaurant, Bars, etc	10	10	11	3		1		35
Repairs of Consumer Goods	3	1			1	1		6
Sea Transport & Related Services	1		1			1		3
Air Transport & Related Services								
Road Transport & Related Services	1							1
Post & Telecommunications	1							1
Banking, Finance & Insurance	58	26	2			1	5	92
Public Admin. & National Defence	7							7
Police & Fire Services	2	4						6
Sanitary Services								
Education								
Medical & Health Services		1						1
Other Services	39	19	6		4	3		71
Any Group								
TOTALS	177	85	65	4	12	9	5	357

Cont....

Terminations Breakdown by Nationalities/Industry Group Table

Date Range : 01/04/2000 to 30/04/2000

Industry Groups	NATIONALITY GROUP CODES							
	GIB	BRI	SPA	POR	MOR	EEC	OTH	TOTAL
Electricity Supply								
Water Supply								
Shipbuilding etc.	3	5	1					9
Other Manufacture	1	1						2
Construction	4	7	14		6	1		32
Wholesale Trade	1	1	2					4
Retail Trade	17	7	9		2			35
Hotel Trade		3	3		1	1		8
Restaurant, Bars, etc	9	15	18	1	2		2	47
Repairs of Consumer Goods	1							1
Sea Transport & Related Services	3							3
Air Transport & Related Services								
Road Transport & Related Services			3					3
Post & Telecommunications								
Banking, Finance & Insurance	23	5				1	1	30
Public Admin. & National Defence	4	4						8
Police & Fire Services	1	2						3
Sanitary Services								
Education								
Medical & Health Services	3	3						6
Other Services	25	20	3				2	50
Any Group								
TOTALS	95	73	53	1	11	3	5	241

Cont.....

Contd. Q323/2000

Terminations Breakdown by Nationalities/Industry Group Table

Date Range : 01/05/2000 to 31/05/2000

Industry Groups	NATIONALITY GROUP CODES							TOTAL
	GIB	BRI	SPA	POR	MOR	EEC	OTH	
Electricity Supply								
Water Supply	1							1
Shipbuilding etc.	1	1	2					4
Other Manufacture					1			1
Construction	19	12	23		2	1		57
Wholesale Trade	4							4
Retail Trade	22	5	18		2		2	49
Hotel Trade	2		3		2	2		9
Restaurant, Bars, etc	2	7	8		1		1	19
Repairs of Consumer Goods	4	1	1		1			7
Sea Transport & Related Services	1	1				1		3
Air Transport & Related Services								
Road Transport & Related Services	1		2					3
Post & Telecommunications								
Banking, Finance & Insurance	24	4	2			4	1	35
Public Admin. & National Defence	2							2
Police & Fire Services	1							1
Sanitary Services		1						1
Education								
Medical & Health Services	1							1
Other Services	25	15	7		2	2	1	52
Any Group								
TOTALS	110	47	66	0	11	10	5	249

Cont.....

Terminations Breakdown by Nationalities/Industry Group Table

Date Range : 01/06/2000 to 30/06/2000

Industry Groups	NATIONALITY GROUP CODES							TOTAL
	GIB	BRI	SPA	POR	MOR	EEC	OTH	
Electricity Supply								
Water Supply								
Shipbuilding etc.								
Other Manufacture			1					1
Construction	14	10	10	2	5	1		42
Wholesale Trade	1						1	2
Retail Trade	11	2	7	1				21
Hotel Trade	1				1			2
Restaurant, Bars, etc	1	1	5		1	1		9
Repairs of Consumer Goods	1	6	1					8
Sea Transport & Related Services	2							2
Air Transport & Related Services								
Road Transport & Related Services								
Post & Telecommunications								
Banking, Finance & Insurance	9	4	2			2		17
Public Admin. & National Defence	2							2
Police & Fire Services	1							1
Sanitary Services								
Education								
Medical & Health Services								
Other Services	10	9	5	1			3	28
Any Group								
TOTALS	53	32	31	4	7	4	4	135

NO. 324 OF 2000

THE HON J L BALDACHINO

VACANCIES FILLED

Can Government state of the 479 vacancies filled in the first quarter of this year by Gibraltarians, how many were persons registered unemployed with the Employment Agency?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 320 and 325 of 2000.

NO. 325 OF 2000

THE HON J L BALDACHINO

VACANCIES FILLED

Can Government state of the 540 vacancies filled by Gibraltarians in the second quarter of this year, how many were persons registered with the Employment Agency as unemployed?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The information requested is not readily available since the Employment Service computer is not set up to report on the basis of the distinctions requested.

Obtaining the information would require a manual analysis of the papers relating to each vacancy. This requires disproportionate administrative effort and resources.

I would tell the hon Member that in Question No. 44 the question received a similar answer.

SUPPLEMENTARY TO QUESTION NOS. 320, 324 AND 325 OF 2000

HON J J BOSSANO:

Yes, but the fact that the answer that was given then gave the impression that it would be possible to deliver the information at a later date. It is never going to be possible then?

HON H CORBY:

Yes.

HON J J BOSSANO:

So that means that the Government are satisfied with the situation where they have no clue as to how many of the vacancies that get filled get filled from the unemployment list as opposed to people changing jobs? They are happy with that situation.

HON CHIEF MINISTER:

The fact that we cannot provide the information in the foreseeable future does not mean that we are happy with the situation. The hon Member again draws conclusions from the answer which I do not think he is entitled to draw. All I can add is a very general comment that we have exchanged across the floor of the House before which is that an enormous amount of work needs to be done and is being done, namely, in the computer field, to try and get on top of the lack of statistical information which the Government suffer. For a very long time we will find areas of statistics which are inept and this reflects the situation in Gibraltar.

HON J J BOSSANO:

In terms of the persons who get removed from the unemployment list because they have found employment, is it that the ETB does not have a record at the end of the month of how many people have found jobs?

HON CHIEF MINISTER:

Yes, the ETB has that information.

HON J J BOSSANO:

Therefore if we say 450 Gibraltarians have been employed and they know how many of the people on their books have now been employed, surely they can provide the answer to the question on the Order Paper? That is the question. The question is, if 450 persons got employed last month, of those how many were persons who were unemployed and how many were persons who were working elsewhere? If the ETB removes somebody from their list when they get employed, they ought to be able to count at the end of the month how many they have removed, one does not need a computer to do that, one needs a pencil and a piece of paper.

HON CHIEF MINISTER:

Yes, and access to the individual files to get the names of the people who have indeed found jobs. The answer is not that the information is not available, all the information to which the hon Member refers is available in the filing room of the ETB. The question is not whether the information is available but how can one extract it from where it lies in a few days in order to produce the statistical answer to the question. That is the answer, it is not that it is not available. Of course the ETB have a list of the people that have found jobs, or rather it is not that the ETB have a list of the people that have found jobs, the ETB record in the person's file when they have found a job. But to extract that information they need to go to the person's file.

HON J J BOSSANO:

If a person gets removed from the unemployment list because he has found employment, is it not a relatively simple exercise, for example, as from Monday to say, "Can you say each day how many people have been removed?" and then one just adds the number, one does not need to go back and look into everybody's file, it can be done at least for the future no, quite simply?

HON CHIEF MINISTER:

I do not know whether it is a relative simple matter or not. All I can tell him is that the system in operation today is the one that he devised, which he implemented and which continues to operate. It is as easy or as difficult to provide the information that he asks today as it was prior to May 1996 and it is the same officials who used to tell him what the information was and whether they could produce it easily or not and now tell us whether they are able to produce it. We rely on our officials to tell us whether information is available or not. If the hon Member has information that he wants, this one for example, and he believes that there is an easy way of collating it which everybody else is overlooking, he is very welcome to write to the Minister and

the Minister will certainly confront the officials in the ETB about why it is obvious and simple and very clever way of collating the information that they say cannot be produced can be provided. If he is right we shall certainly apply his system to provide the information to him in the future.

HON J J BOSSANO:

I welcome the opportunity of doing so, it was done before because we did not take no for an answer, basically.

HON J L BALDACHINO:

But the Minister for Employment actually gets returns daily, does he not, on jobs filled?

HON H CORBY:

Yes, I get the jobs filled daily. For the past three weeks I am not getting it because we have got the Profile 2000 now which is changing and inputting into the system. So at the moment I am not but I used to get the progress.

ORAL

NO. 326 OF 2000

THE HON J L BALDACHINO

VACANCIES FILLED BY BRITISH NATIONALS

Can Government state of the 325 vacancies filled by British nationals in the first quarter of this year, how many were new entrants to the labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 327, 328 and 329 of 2000.

ORAL

NO. 327 OF 2000

THE HON J L BALDACHINO

VACANCIES FILLED BY BRITISH NATIONALS

Can Government state of the 273 vacancies filled by British nationals in the second quarter of this year, how many were new entrants to the labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 326, 328 and 329 of 2000.

NO. 328 OF 2000

THE HON J L BALDACHINO

VACANCIES FILLED BY SPANISH NATIONALS

Can Government state of the 292 vacancies filled by Spanish nationals in the first quarter of this year, how many were new entrants to the labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 326, 327 and 329 of 2000.

ORAL

NO. 329 OF 2000

THE HON J L BALDACHINO

VACANCIES FILLED BY SPANISH NATIONALS

Can Government state of the 304 vacancies filled by Spanish nationals in the second quarter of this year, how many were new entrants to the labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I will now hand the hon Member a list giving the information to this question.

Answer to Question 329 of 2000

	BRITISH		SPANISH	
	TOTAL	NEW ENTRANTS	TOTAL	NEW ENTRANTS
JANUARY 2000	101	77	102	91
FEBRUARY 2000	112	91	96	79
MARCH 2000	112	91	94	83
APRIL 2000	82	61	88	76
MAY 2000	108	80	114	100
JUNE 2000	83	68	102	92

ORAL

NO. 330 OF 2000

THE HON J L BALDACHINO

MOROCCAN NATIONALS EMPLOYED

Can Government state of the 66 Moroccan nationals employed in the first quarter of this year, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question No. 331 of 2000.

NO. 331 OF 2000

THE HON J L BALDACHINO

MOROCCAN NATIONALS EMPLOYED

Can Government state of the 39 Moroccan nationals employed in the second quarter of this year, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Three Moroccan nationals were new entrants to the labour market in the first quarter and nil in the second quarter.

SUPPLEMENTARY TO QUESTION NOS. 330 AND 331 OF 2000

HON J J BOSSANO:

The amnesty, for want of a better word, that was given at one stage in respect of people who were not supposed to be here but were here, is that now finished?

HON CHIEF MINISTER:

Yes.

HON J L BALDACHINO:

The three new entrants to the labour market, is that because the skills that they have were not found anywhere else in Gibraltar or for what other reason is it that they were given permits?

HON H CORBY:

They are married to Gibraltarians.

ORAL

NO. 332 OF 2000

THE HON J L BALDACHINO

PERSONS REGISTERED AS SELF-EMPLOYED

Can Government state how many persons were registered as self-employed with the Employment Agency on 31st July 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The number of persons registered as self-employed as at the end of January 2000 is 595 of which 92 commenced after 1 January 1999.

The number of persons registered as self-employed at the end of June 2000 is 619.

NO. 333 OF 2000

THE HON J L BALDACHINO

VACANCIES FILLED IN THE HOTEL INDUSTRY

Can Government state in respect of each month since 1st February 2000 to the 31st July 2000, how many vacancies were filled in the hotel industry giving nationalities and job titles?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I will now hand the hon Member a list giving the information requested.

SUPPLEMENTARY TO QUESTION NO. 333 OF 2000

HON J L BALDACHINO:

Is this for the six months?

HON H CORBY:

Yes.

HON J L BALDACHINO:

The question asked in respect of each month, is it that the department is not able to provide it in that form?

HON H CORBY:

If that is the case I will have it available for the hon Member. I will find out for him and if I can give him that information I will certainly do so.

HON J J BOSSANO:

I think the figure for January was given on a previous meeting and that is why we are asking from February.

HON J L BALDACHINO:

The question also asked for the 1st February because the January figure was given in a previous question.

HON H CORBY:

So the hon Member wants for five months.

Answer to Question 333 of 2000

Vacancies filled in the Hotel Industry by Nationality and Job Title – 1st January 2000 to 30th June 2000.

TRADE	Gibraltar	British	Morocco	Spain	Italy	France	Sweden	Norway	Finland	Holland	TOTAL
WAITER/ESS	2		1	14	2				1		20
PORTER	4	3		4							11
CHEF/COOK		4	1	7		1					13
CHAMBERMAID	4			7							11
CREW MEMBER		2	2								4
RECEPTIONIST	3	2	1				1		1	1	9
GEN ASST.		1		3			1	2			7
ADMIN		1		1	1	1					4
BAR PERSON	2	5		2							9
POOL ATTN.	3	3	1								7
STUDENTS					12						12
CLEANER			1	4							5
TOTAL	18	21	7	42	15	2	2	2	2	1	112

ORAL

NO. 334 OF 2000

THE HON J L BALDACHINO

**EMPLOYMENT REGULATIONS (OFFENCES) ORDINANCE - INSPECTIONS
CONDUCTED**

Can Government state how many inspections, broken down by month, have been conducted under the Employment Regulations (Offences) Ordinance, in the months of October 1999 to July 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question No. 335 of 2000.

NO. 335 OF 2000

THE HON J L BALDACHINO

FIXED PENALTIES IMPOSED ON EMPLOYERS

Can Government state how many fixed penalties have been imposed on employers, in respect of how many employees in each month since 1st October 1999 to 31st July 2000, under the Employment Regulations (Offences) Ordinance, and under which section of the Ordinance? Furthermore, whether the penalties have been paid or the matter is being pursued through the courts?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I will now hand the hon Member a list giving the information requested.

SUPPLEMENTARY TO QUESTION NOS. 334 AND 335 OF 2000

HON J L BALDACHINO:

I notice from the answer given that no inspection was carried out in December 1999, is there an explanation for that?

HON CHIEF MINISTER:

I think it is worthy to note that these officers do have other legislation to administer.

Answer to Question 335 of 2000

October 1999

Number of inspections carried out was 8.

4 Fixed Penalty Notices were issued in respect of 4 employees on 3 employers (this includes 2 terminations and one fine from an inspection in September)..

4 Fixed Penalty Notices were paid.

November 1999

Number of inspections carried out was 4.

No Fixed Penalty Notices were issued.

December 1999

No inspections were carried out.

No Fixed Penalty Notices were issued.

January 2000

Number of inspections carried out was 14.

3 Fixed Penalty Notices were issued in respect of 3 employees on 3 employers (this includes one termination).

3 Fixed Penalty Notices were paid

February 2000

Number of inspections carried out was 11.

2 Fixed Penalty Notices were issued in respect of 2 employees on 1 employer.

2 Fixed Penalty Notices were paid.

March 2000

Number of inspections carried out was 30.

No Fixed Penalty Notices were issued

April 2000

Number of inspections carried out was 20.

1 Fixed Penalty Notice was issued in respect of 1 employee on 1 employer.

No Fixed Penalty Notices were paid.

1 Pending court case.

May 2000

Number of inspections carried out was 27.

2 Fixed Penalty Notices were issued in respect of 2 employees on 2 employers.

2 Fixed Penalty Notices were paid.

June 2000

Number of inspections carried out was 17.

Cont....

5 Fixed Penalty Notices were issued in respect of 5 employees on 4 employers (this includes two terminations).

4 Fixed Penalty Notices were paid.

1 Pending court cases.

July 2000

Number of inspections carried out was 21.

5 Fixed Penalty Notice was issued in respect of 5 employees on 2 employer (this includes three terminations).

1 Fixed Penalty Notice was paid.

4 Pending cases with the Attorney General.

The provisions are as follows:

- 1) Regulation 8(2a) of the Income Tax (PAYE) Regulations 1989 (Duty to Register).
- 2) Regulation 3 of the Employment Injuries (Contributions) Regulations (Duty to Register).
- 3) Regulation 3 of the Employment Injuries (Contributions) Regulations as applied by Regulation 3(1) of the Social Security (Open Long Term Benefits) (Contributions) Regulations 1997 (Duty to Register).
- 4) Regulation 6 of the Employment Regulations 1994 (Duty to notify Director of intention to engage an entitled worker).
- 5) Regulation 7 of the Employment Regulations 1994 (Duty to apply to the Director for a permit in relation to a non-entitled worker).
- 6) Regulation 13 of the Employment Regulation 1994 (Duty to notify Director of termination).

NO. 336 OF 2000THE HON J L BALDACHINO**DATABASE "PROFILE 2000"**

Can Government state if the Database "Profile 2000" is now installed at the Employment Agency and fully operational?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The database "Profile 2000" is now installed as the data information system of the Employment Service.

It is operational to the extent that all data in the old system, which it is replacing, has been converted and transferred to "Profile 2000", and since July all data registered by the Employment Service has been inputted into this new system.

It is still not fully operational in the sense that in order to extract data from this new system not all the necessary programmes have yet been compiled. Put in other words, whilst the system's data input is now operational, that for data output is in the process of becoming operational. This is an exercise which is being undertaken in-house by the Employment Service officer tasked with the writing and compiling of all the necessary computer programmes. This officer is a registered systems analyst and programmer.

These programmes will enable the system to output the combination of statistical information that will be demanded of it and so much of which ends up reflected in the Question and Answer sessions of the House. Naturally, the greatest priority in this respect has been allocated to being able to continue compiling and presenting end of quarter employment statistics.

SUPPLEMENTARY TO QUESTION NO. 336 OF 2000

HON CHIEF MINISTER:

Mr Speaker, with your indulgence, could I just at this point suggest to hon Members that given that the programmes for the outputting of information are being drafted, that this provides a useful opportunity for the hon Members to indicate to the Government the sort of information they want and the form in which they want it so that it can be taken into account when the programmes are being written. What would be unhelpful is for programmes to be written in the way that the hon Members seek the information only to find that they then switch the information they want in the manner in which they want it. I hope the hon Members have appreciated that we do try and our policy is to give out information. We are quite happy for them to contribute to the reporting programme so that if they are able to produce information in the manner that they are likely to be asking for it.

NO. 337 OF 2000

THE HON J L BALDACHINO

BRUCE'S FARM DRUG REHABILITATION CENTRE

Can Government state how many persons have been admitted to as in-patient and how many persons been given help as out-patient at Bruce's Farm Drug Rehabilitation Centre since the 30th September 1999?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The total of in-patients and out-patients admitted and helped since 30th September 1999 are as follows:-

In-patients	-	51
Out-patients	-	30

Let me give the hon Member a little bit of information. We have a Helpline for families who phone up for advise and we also have family therapy where they come in and they are with the patients themselves.

SUPPLEMENTARY TO QUESTION NO. 337 OF 2000

HON J L BALDACHINO:

How many persons can be catered for at the same time as in-patients?

HON H CORBY:

The maximum that the house can take in is 15.

NO. 338 OF 2000

THE HON J C PEREZ

COST OF DAY-TIME TRANSMISSIONS

Can Government state what is the cost of the day-time transmissions of GBC/TV?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

The estimated cost of the day-time transmissions provided by GBC Television is £177 per day.

SUPPLEMENTARY TO QUESTION NO. 338 OF 2000

HON J C PEREZ:

Is this because the staff is there anyway and no extra staff needs to be deployed in order to be able to put out a day-time transmission? Have Government with GBC done a costing to see whether a profit is made on the day-time transmissions rather than a loss taking them by themselves?

HON LT-COL E M BRITTO:

There is both an element of programming and of human resources costs in that figure. It breaks down roughly to £158.90 per day in programming and £17.81 in human resources. It is for two persons crewing the extra transmissions during the day, a technical grade and a programme control operator.

HON J C PEREZ:

But that would be there anyway, I presume. If there is a two or three-hour day-time transmission that is not going to cost £17 in labour if it were particularly for that, the labour element must be there anyway and is used better to cover day-time transmission.

HON LT-COL E M BRITTO:

No, it is extra people brought in for this particular purpose. For example, the programme control operator is a freelance employee who comes in for that specific purpose. The whole thing, to answer the second half of the question, is under review. The weekend transmissions themselves were about to be stopped in the middle of the summer, there have been certain developments in certain types of programmes which have led GBC to keep them on for the time being. They are also looking whether to cut down the midday transmissions completely in order to save on operating costs because they are not meeting their sales targets on advertising and they are under pressure if they cannot meet the target income then obviously they have to make savings somewhere else and this is an obvious target for savings.

HON J C PEREZ:

I took the day-time transmissions in particular because there was already criticism as to the South American soaps being put out and if on top of that we are making a loss instead of a profit and the type of programme that is going out is not acceptable to a lot of people, that is why I was mentioning this one. But I take it that the Minister is saying that other aspects of it are being looked at as well in respect of whether they are meeting the targets of advertising around those schedules?

HON LT-COL E M BRITTO:

The advent of a new Board and a new Chairman has brought in its wake a more detailed approach to the subject and they are reviewing the whole of the business plan and the whole of the financial performance.

NO. 339 OF 2000

THE HON J C PEREZ

STATUTORY BODY FOR ELECTRICITY DEPARTMENT

Can Government confirm that they have made proposals to the staff side of the Electricity Department to create a statutory body to take over the functions of the department?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

No specific proposals have as yet been made to the staff side of the Electricity Department. The creation of a statutory body is, nevertheless, one of the matters that is under consideration in regards to the future of this department.

SUPPLEMENTARY TO QUESTION NO. 339 OF 2000

HON J C PEREZ:

Is the Minister saying that the other matters which are being negotiated arising out of the report are not conditional to the Electricity Department becoming a statutory body out of the Government service? Is the Minister saying that this is a separate matter which might not infringe on the gradings and salary scales that are being negotiated?

HON CHIEF MINISTER:

The emphasis is on the word 'yet' although it does not appear in the print. No proposals have been put on any issue. What has happened so far and indeed what the hon Member calls the negotiating process has not yet started on any point. All that has happened so far is that the Government, as its own internal process, have worked out certain proposals. The Government have been assisted by members of management, as management not as employees, in the formulation of those proposals on behalf of Government. There is now a formal negotiating process or discussion process in terms of working groups which are jointly composed of management and staff, so to speak, where the process is going to be discussed. One of the issues which the report recommends and which the Government welcome and which indeed many members of staff in the department also welcome because they feel that they lack corporate identity and they feel that they lack a sense of belonging, is some way of giving the electricity function, let us call it to avoid the use of the word department, a more obvious free-standing, visible structure within which to operate without taking it out of the public sector. There is in the Government's internal paper which has not yet seen the light of day officially, a proposal that there should be some sort either of agency or of statutory body or statutory corporation rather like whoever initially originated the idea of GibElec as an agency. That is where it is but negotiation has not begun, nothing in the package is conditional on anything else. Obviously there are things in the package that are there because the Government want them and like them, there are things in the package which the Government have put in to accommodate some of the grievances on some of the issues that the

staff side want there and what will emerge, hopefully, is a consensus in the interests of an electricity supply and generation and distribution of service which will remain in the public sector.

HON J J BOSSANO:

Are these proposals..... *[HON CHIEF MINISTER: I would not call them proposals.]* Well, is it at the stage where the Government have made up their mind what they would like to see and are ready to put it forward?

HON CHIEF MINISTER:

Yes.

HON J J BOSSANO:

The question of an agency as opposed to a statutory body which the question asked, the Government have been using the word agency in connection with other sectors where all that appears to have been happening is that it is being called an agency as opposed to being called a department but it is still civil service and subject to General Orders and all the rest of it. Is that what we are talking about here?

HON CHIEF MINISTER:

No, because what emerges once proposals have been put may be different terms to what is enjoyed elsewhere in the current public sector and therefore the Government's ideas to eliminate what are usually referred to by employees as "las discriminaciones", the discrimination in the department, in order to deal with those we stray into a whole new and different grading structure and pay structure which takes it away from or makes it different from the civil service wide pay structure. That is why it is necessary to find some alternative structure in which to sit this new undertaking, so to speak, and in a sense take it off from the Government in every sense including management. The Government's thinking is that the new electricity agency would be responsible also for the collection of electricity fees, for every aspect, the sort of things that an electricity company does in England but without privatising it. In other words, without putting it outside public ownership and the public sector. It becomes very difficult, as I am sure he knows, to address historic stresses and strains in the straightjacket of the system that then has to be applied to the whole public sector as they found when they did the Gibtel and the Nynex and the Lyonnaises of this world.

ORAL

NO. 340 OF 2000

THE HON J C PEREZ

ELECTRICITY CHARGES - COLLECTION

Can Government state how much has been collected in electricity charges in the current financial year up to 31st July 2000?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 344 and 345 of 2000.

NO. 341 OF 2000

THE HON J C PEREZ

POTABLE WATER

Can Government confirm that a bowser of potable water is supplied regularly to residents at Poca Roca because the water supplied by the MOD is unfit for human consumption?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

The potable water supplied to residents at Poca Roca comes from the MOD mains. On occasions, when this water has not met the quality standards, Lyonnaise has made a bowser of potable water for dietetic purposes, available to the residents at Poca Roca.

SUPPLEMENTARY TO QUESTION NO. 341 OF 2000

HON J C PEREZ:

Is the Minister aware that it is not only people in Poca Roca that have to deal with this problem but that there are other people in traditional MOD areas who are without potable water and who have to buy bottled water to drink because they are unable to take the MOD water and can the Minister confirm that the MOD is subject to the same strict regulations on the supply of water by the Health Department as is the Government of Gibraltar or whether the MOD is immune from that?

HON LT-COL E M BRITTO:

The hon Member is indeed right in that the same problem affects other areas, for example, and I am glad to say before I became Minister with responsibility for it, when his hon Colleague was Minister, the area of Elliott's Battery had the same problem. It is a problem of colour and taste in many cases and in the area of Elliott's Battery, Lyonnaise installed special filters to eliminate that problem. It is not that the water is unfit for consumption but that we are used to a different type of water and the Gibraltarians object and do not like the water that they get from the MOD. So Lyonnaise is looking at the whole situation and trying to see how it can be overcome but it does mean heavy investment in pipework to take water to areas where there is not any infrastructure at the moment.

HON J C PEREZ:

I think the Chief Minister referred this morning to a study that the MOD had recently conducted about keeping themselves to particular areas in Gibraltar. I think perhaps the time has come to include Lyonnaise in that process to see what parts of it Lyonnaise is able to take over, given that at the end of the day the responsibility for supplying the water to customers belongs to the Government and to Lyonnaise and the MOD supplies them on our behalf.

HON CHIEF MINISTER:

I accept that the hon Member is asking the question in a perfectly reasonable manner. The hon Member is straying into difficult areas. There are many instances where the Government take the transfer of an estate, for example, Edinburgh House most recently, the logical thing would be, all else being equal, for Edinburgh House to become part of the civilian provision for utilities, water and electricity. Government tread very carefully in this area because in liaison with the unions and they do remind us not to take our eye off this ball from time to time, they see that their DEL jobs in the MOD are threatened if as a result of hand-over of estates the MOD is able to say, "I do not need so many people generating electricity or distributing water now because my estate is shrinking". So it is the MOD's own employees that say to the Government, "Do not press to take over the supply of utilities to this or that area which we are servicing because ultimately it threatens our jobs". So the answer is that the Government do not press, for example, Edinburgh House and then there are accounting arrangements separately but that is a different matter. On the question of water is less problematic from that point of view because if Lyonnaise and the MOD could do the right deal, Lyonnaise would be happy to take over MOD employees engaged in water supply, (a) because there are not so many, and (b) because it makes economic sense to do so. They have been talking for some time, it has not been possible for them to do a deal, the Government's position is that we do not discourage Lyonnaise, indeed we encourage Lyonnaise to do that deal provided that the result of it is not that the civilian consumer is substituting the MOD's capital investment in the production of their own water. In other words, they cannot just become privileged consumers and relieved of the need to make the capital investment in order to supply that. So the matter is proceeding but the negotiations are complicated.

HON J C PEREZ:

I understand everything that the Chief Minister has said and really I was not pushing towards that in particular. My concern is basically that today there are households being supplied with water which might be unfit for human consumption according to some notes that some people received in what were pre-MOD houses, they say, "Please do not use the water because it is unfit for drinking".

HON CHIEF MINISTER:

The MOD has to comply with Public Health legislation in relation to the quality of water even in respect of their own people, let alone when they supply civilians who are connected up to their networks. I am speaking without having specifically asked but I would be very surprised if the Environmental Health Agency does not subject the MOD supply to the same tests that it subjects the Lyonnaise supply.

HON J C PEREZ:

Could the Minister please check that? I think it is important to know that specifically. There are some people who are still in MOD quarters, like people in the Gibraltar Regiment and so on, getting that type of water and there are people whose quarters have now passed to the Government and they are now Government tenants supplied by Lyonnaise through the MOD and each seem to receive different indicators as to the quality of the water. I am not sure whether that is also in the area concerned rather than whether it is the same supply or not.

HON LT-COL E M BRITTO:

There is no need to check. I can confirm to the hon Member that any consumer who is supplied by Lyonnaise and pays Lyonnaise even though he receives his water from the MOD has his water supply checked. It is implicit in my original answer. It is on those occasions when that analysis shows that the water is not up to Lyonnaise's standard which is higher than the MOD standard, but both have to meet the directives anyway but because Lyonnaise's standard is higher, if the water supplied by the MOD does not meet the Lyonnaise standards then Lyonnaise supplies the bowser. That is the position at the moment.

NO. 342 OF 2000

THE HON J C PEREZ

NEW ELECTRICITY DEPOT AT ROSIA ROAD

Can Government state when they now expect the new Electricity Depot at Rosia Road to be ready for occupation by the sections concerned?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

The new Electricity Department Depot is expected to be ready for occupation by the sections concerned during this autumn.

NO. 343 OF 2000

THE HON J C PEREZ

WATER AND ELECTRICITY

Have Government now looked at creating a common location for the public to apply for connection and disconnection of water and electricity?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

The advice that Government have consistently received from the Electricity Department is that there is a need for consumers to call at the Electricity Department Offices so that applications may be correctly processed. Once the depot under construction at Rosia Road is occupied, consumers of electricity will be required to go there in order to process applications for connection and disconnection. This depot is within easy walking distance of the offices occupied by Lyonnaise des Eaux.

SUPPLEMENTARY TO QUESTION NO. 343 OF 2000

HON J C PEREZ:

I accept that the new location will be much easier for customers but I certainly do not accept that they have to be in the Electricity Department. At one stage it was mooted that the installation staff should be moved to a room in Lyonnaise so that they would be physically there although they would still be part of the Electricity Department. The people needed to process that are the Installation Inspectors and the clerk. I accept the point being made by the Minister that Rosia Road and Lyonnaise are quite near to each other and is not as is the case today, Waterport and Lyonnaise.

NO. 344 OF 2000

THE HON J C PEREZ

ELECTRICITY ARREARS - COLLECTION

Can Government state how much electricity arrears has been collected in the period 31st March 2000 to 31st July 2000, and of the total, how much has been collected by Lyonnaise des Eaux, by Land Property Services and by the Government's Arrears Unit?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 340 and 345 of 2000.

NO. 345 OF 2000

THE HON J C PEREZ

ELECTRICITY ARREARS

What was the level of electricity arrears as at 31st July 2000?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

Treasury advises that there is no distinction between charges and arrears, therefore, it is not possible to provide separate amounts for charges and arrears.

The total amounts collected for this financial year to 31st July 2000 is £2.86 million.

The collection of this amount is broken up as follows:

Lyonnaise	-	£2,710,000
LPS	-	£600,000
Arrears Unit	-	£139,000

Total arrears in electricity as at 31st July 2000 stood at £6,078,423.12.

SUPPLEMENTARY TO QUESTION NOS. 340, 344 AND 345 OF 2000

HON J C PEREZ:

This is new, on other occasions there has not been a problem in identifying arrears collected and in differentiating it from the current bills of the year.

HON CHIEF MINISTER:

But only on the basis of an irrational distinction. When is a charge an arrear? The moment the bill is issued it is due. When does it become an arrear, a month later, two months later, three months later, four months later? If we can agree a definition it may be possible, we would have to check with the Treasury, I do not know what the definition has been in the past. I certainly remember that in the past we have spoken of arrears, I cannot remember about charges, but certainly we have spoken of arrears in the past.

HON J C PEREZ:

Certainly it might be the subject of another question which is down in the Order Paper on Land Property Services but I recall that one of my past questions was exactly that, when does it become an arrear and is passed on either to Land Property Services or to the Government's Arrears Unit. Certainly what has been collected by the Government's Arrears Unit has to be identified as arrears.

HON LT-COL E M BRITTO:

I think what the Treasury is saying is that on the Treasury's books there is a balance outstanding at any month's end. To that balance we add the new charges and it increases by £X and then during that coming month there are amounts collected which are deducted from that increased balance and at the end of the second month there is a new balance. As far as they are concerned it is money coming in and defraying the amount. That is what they mean by not distinguishing but if we look at what is collected by LPS then that can be attributed to arrears, and the Arrears Unit of course.

HON J J BOSSANO:

Would the Minister not agree that on the basis of simple arithmetic and the example that he has given in month one there is, for example, £1 million outstanding and in month two there is £900,000 it would suggest that it went up by so much and it came down by more than it went up which means that the outstanding arrears was down by £100,000. If they know how much they have collected they know they have reduced arrears by the difference in the balance, surely from one month to another? If they are owed less money at the end of the month and at the beginning it means that they have collected the equivalent of current bills and eaten into the arrears.

HON CHIEF MINISTER:

Equivalent but not necessarily arrears.

HON J J BOSSANO:

It may not be necessarily for each individual customer but the net effect is that they have collected the amount billed that month plus an amount eaten into the arrears.

HON CHIEF MINISTER:

As a net calculation that is inescapably true but one cannot be sure by that simple process of subtraction that one's revenue has grown from bills that one had categorised as arrears. One may have a month in which one gets more revenue for arrears and yet people are delaying on their current. So yes, one can do a running net balance and if that net balance is reducing one can say, "I am making an impact" but one does not know whether the net balance is being reduced by payments of bills which are classified as being in arrears or by current bills.

HON J J BOSSANO:

That would require that if they are not arrears they are actually collecting more in current bills than they are billing. If they send out £1 million of bills and they collect £1.5 million the other £0.5 million of necessity must be arrears because they cannot be £1.5 million current because the current is only £1 million.

HON CHIEF MINISTER:

I am suggesting the opposite. I am suggesting that one can never tell how much one is collecting in arrears, it might be £1 million of arrears and only £0.5 million of current.

NO. 346 OF 2000

THE HON J C PEREZ

CEMETERY

Can Government state whether the cemetery is the subject of daily maintenance or whether the task of removing weeds, et cetera is carried out at irregular intervals?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Maintenance of the cemetery is undertaken on a daily basis by a gang of Gibraltar Community Projects Ltd workers deployed exclusively at the cemetery for this purpose.

I may add that this is a relatively new development. It was put in place at my instigation around March or April this year.

SUPPLEMENTARY TO QUESTION NO. 346 OF 2000

HON J C PEREZ:

Then perhaps that explains why sometimes before the cemetery was well kept and at other times it was not and the point of the question was basically what the Minister has done. If it is done on a continuous basis we should get a better result all round.

NO. 347 OF 2000

THE HON J C PEREZ

CREMATIONS FOR HINDU COMMUNITY

Can Government state whether they have identified an alternative site for cremations acceptable to the Hindu Community?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Yes, the site currently used by the Gibraltar Clay Shooting Association has been identified and is acceptable to the Hindu Community for cremations.

SUPPLEMENTARY TO QUESTION NO. 347 OF 2000

HON J C PEREZ:

Does that mean that the Clay Pigeon Shooting Association will be moved out or will their activity be suspended whilst there is a cremation?

HON LT-COL E M BRITTO:

Obviously the Clay Pigeon Shooting Association will need to be relocated. An area again has been identified at the south end, in the area of the Lighthouse and it is a little bit of musical chairs. We cannot move them out yet, when we do then the Hindu Community will take over the site.

ORAL

NO. 348 OF 2000

THE HON J C PEREZ

INCINERATOR

For how long has the incinerator been out of service in the last 12 months?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 349, 350 and 351 of 2000.

ORAL

NO. 349 OF 2000

THE HON J C PEREZ

INCINERATOR

Can Government explain how they have been disposing of medical waste whilst the incinerator has been out of service?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 348, 350 and 351 of 2000.

ORAL

NO. 350 OF 2000

THE HON J C PEREZ

INCINERATOR

Can Government say whether they have decided to operate the incinerator directly or via a management contract?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 348, 349 and 351 of 2000.

NO. 351 OF 2000THE HON J C PEREZ**INCINERATOR**

Can Government state whether the incinerator will continue to produce water as a by-product, and if so, how many cubic metres per annum?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

The incinerator has been out of service since the 14th April 2000.

Clinical waste is currently being exported from Gibraltar to a specialist plant for treatment and subsequent disposal.

Government currently have a short-term management contract for the operation of the incinerator whilst we consider proposals for the long-term future of the plant.

It is EU policy for there to be recovery of energy in all such incinerators in the form of either water or electricity production. There will therefore continue to be water production at the incinerator which, with the current volumes of refuse, is able to produce 275,000 cubic metres of water or thereabout.

SUPPLEMENTARY TO QUESTION NOS. 348, 349, 350 AND 351 OF 2000

HON J C PEREZ:

Can the Minister state who they are negotiating the long-term contract with? If I understood him correctly he said that there is presently a short-term contract, I presume with Kruger whilst a long-term contract or a more permanent solution is looked at for the future? Can the Minister state with whom is the Government negotiating that long-term operational contract?

HON CHIEF MINISTER:

Part of the Kruger empire that used to have the contract for the Gibraltar operation as a result of a major restructuring of shareholders at multi-national levels, that operation has ended up being owned by a large Spanish construction company called FCC, a company in which Vivendi which used to be called General des Eaux now called Vivendi has in effect swapped a shareholding in FCC for a whole range of business activities that it had in the Iberian Peninsula. Included in that parcel of businesses is this. The Government have therefore invited proposals from interested parties and have received proposals which we regard as serious enough from two entities, FCC and Lyonnaise des Eaux itself. Both have very different philosophical approaches to what can happen to the plant in the immediate future, indeed in the medium to long-term future and the Government are at present considering those different philosophical approaches. When we did a deal to settle the dispute the hon Members spoke of the Government having done a marvellous investment. I remember amongst the many comments that we were exchanging at that time, I said, "You may think it is an investment but if what we are being told about the condition of

the plant is anything to go by, it is not an investment". We tried to keep the plant open for as long as possible after that. The boiler has now, in effect, given up and it needs a major, major, major capital investment running into several millions of pounds before we could even contemplate using it again for the incineration of refuse.

HON J C PEREZ:

So what the Chief Minister is saying is that whatever proposals they accept would include an investment of a type given that the two proposals seem to be at loggerheads of where to go which is quite normal given that if we go to the original they are international competitors, General des Eaux and Lyonnaise des Eaux.

HON CHIEF MINISTER:

This company is no longer General des Eaux. I think General des Eaux had a 20 per cent shareholding in FCC. FCC is a very large Spanish construction company, I think it is the third or the fourth Spanish construction company by size with a municipal services division, cleaning, contracts and things of that sort. I do not think Vivendi regards FCC as being it in another form, it is a strategic shareholding rather than part of the Vivendi operation.

HON J C PEREZ:

Are we then saying that whatever proposals the Government accept they do not envisage the incinerator to be operational until, say, a year from now or something like that?

HON CHIEF MINISTER:

Depending on which proposal we accept, we are talking at least six months from the date that the Government make the decision and I think that that is optimistic, frankly. Yes, this is a major crossroads in the history of the future of this plant.

HON J C PEREZ:

Can I ask whether this export of medical waste to a specialist plant has been something which has been there for a long time or something which has been there recently given that our information was that the medical waste was being accumulated at the site of the incinerator at one stage and that there seemed to be no solution of that issue? Could the Minister confirm that the normal refuse is being taken to the tip in Los Barrios?

HON CHIEF MINISTER:

In respect to the last question yes, it is. In respect to the rest of it, would he relieve me of the need to answer it in public and I will certainly give him the answer to his question in private when we adjourn. When he hears my reasons for that request he would then be free, as far as I am concerned if Mr Speaker is willing to indulge us, raise it again across the floor if the reasons which I will offer to him for not wanting to do not persuade him.

HON J J BOSSANO:

Is anybody employed at the incinerator currently?

HON CHIEF MINISTER:

Yes, the local recruited people are still there. That is part of this temporary contract that my hon Colleague referred to.

HON J J BOSSANO:

Does that mean that the amount provided in the budget for the disposal.....

HON CHIEF MINISTER:

It is £100,000 a month I think that we are paying.

HON LT-COL E M BRITTO:

The amount provided in the budget was of the order of £100,000 a month which was what we were paying before for incineration. Now we are on a holding contract with Onyx, the present operator, it used to be Kruger, on a cost-plus basis and it is far less than £100,000. If I am not mistaken it is of the order of £25,000 although I am not sure. That is a holding contract with the workforce in place, remember that the rubbish is still being accumulated in the quarry and it has to be handled and it has to be looked at et cetera.

HON J J BOSSANO:

Is the indication then that the temporary arrangements are not costing more than what the permanent were, in terms of running costs?

HON CHIEF MINISTER:

Absolutely.

ORAL

NO. 352 OF 2000

THE HON J C PEREZ

DESALINATION PLANT

Can Government state whether the new desalination plant being installed by Lyonnaise des Eaux is a replacement for existing plant or extra capacity?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question No. 353 of 2000.

NO. 353 OF 2000

THE HON J C PEREZ

DESALINATION PLANT

Can Government state where the new Lyonnaise desalination plant is to be installed and what is the capacity of the plant?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

The refuse incinerator/power/desalination plant cannot produce the 650,000 cubic metres of water envisaged under the contract between In Town Development Ltd and the Gibraltar Government. As a consequence, Lyonnaise des Eaux (Gibraltar) Ltd is investing in two reverse osmosis plants to increase their own production capacity to cover the deficit in the amount of water they were entitled to under their Licence Agreement.

The new desalination plants will be installed inside the tunnel system behind the refuse incinerator. This will permit the use of existing infrastructure, for example, sea water intakes, product water pipeline to Waterworks, et cetera.

SUPPLEMENTARY TO QUESTION NOS. 352 AND 353 OF 2000

HON J C PEREZ:

Can the Minister confirm that the two existing reverse osmosis plants at Waterport have been mothballed for some time despite the incinerator not producing the 600,000 cubic metres which it has not produced since it was installed?

HON LT-COL E M BRITTO:

No, I cannot confirm that, in fact, the contrary is the case. The hon Member is correct insofar as the two reverse osmosis plants at Waterport were mothballed some time in the past, probably in his time in office but they were taken out of mothballs and put in service some time, I think it was in 1999 but I cannot vouch for the accuracy of that date, but certainly some time ago, not now that the incinerator has broken down. They were put back into service to relieve the problem that could be seen arising.

HON J C PEREZ:

I do not think the Minister has told us what the capacity of the new reverse osmosis plant is?

HON CHIEF MINISTER:

Enough.

HON J C PEREZ:

What, the shortfall between the 275,000 and the 600,000?

HON LT-COL E M BRITTO:

I am not sure whether I have that information at hand but if he will bear with me I will look for it and if I have it I will give it to him later on.

HON J C PEREZ:

Given that one of the expensive elements in Gibraltar of reverse osmosis is the use of electricity and given the location of the plant, is it intended to use the waste heat in connection with the power needed for the reverse osmosis plants?

HON CHIEF MINISTER:

I do not know about in connection with the reverse osmosis plants, certainly it is the intention to use it to continue to produce water at the incinerator itself. If the reverse osmosis plant and whatever modifications are going to be done to the incinerator can be designed in a way that allows the reverse osmosis plants to benefit from the incinerator's steam production then obviously that will be done. But I do not think they have got a lot of spare steam production because the problem is that they have not got enough refuse to produce enough steam to produce more than 275,000 cubic metres themselves at the incinerator.

HON J C PEREZ:

Could the Minister say whether the place that they intend to install them has room for expansion given the age of the plant in Waterport now and looking at future replacement capacity?

HON LT-COL E M BRITTO:

I am not entirely sure of the answer to that question, I would need notice of it but I would say that there is not any room for expansion in the particular place where the two reverse osmosis plants are going to be put which is a cavern in itself, it is where the laundry used to be. But of course there are other caverns in the area which can be used for expansion. So the answer is yes and no.

HON J J BOSSANO:

In one of the original supplementaries the Minister said that the need for the two reverse osmosis plants was the shortfall between the 650,000 and the 275,000. Since it is producing nothing at the moment, is it that the plant will be capable of producing 650,000?

HON LT-COL E M BRITTO:

The hon Member is partly right and as his hon Colleague said 650,000 was the magic figure in the contract which In Town could never achieve. I think the maximum they ever produced was something like almost 300,000 but not quite, let us say 250,000 in round figures. Of course that 250,000 is no longer there because the incinerator is not working so in theory we could run and over peak periods we do run into a negative supply situation. The Government are assisting by hiring auxiliary boilers which have either just been received or are about to be received to produce water over the period between now and when the new reverse osmosis plants are in place. At the moment we are on the limit of the supply and demand equation. In fact,

we have on occasions used oil in the incinerator at a cost, I have to admit, to produce water to take the pressure off Lyonnaise to allow them to service the existing desalination plant. We are in that situation, we have been burning oil occasionally to help Lyonnaise. Lyonnaise otherwise have been working at full stretch on the desalination plants to keep up the demand and the Government are bringing in auxiliary boilers on hire short-term to increase the supply of water being desalinated to meet the demand.

HON CHIEF MINISTER:

Just to clarify that, the fact that refuse is not being incinerated at the incinerator means that steam is not being produced so that the water production capacity in the incinerator cannot be produced because there is no steam. These machines that the Government are hiring hopefully for no more than about a year, are skid mounted boilers, in other words, they are boilers to be plugged into the incinerator's water production plant to produce steam that would otherwise have been produced from the burning of the refuse. These are not skid mounted desalination plants, these are skid mounted boilers to produce steam for the incinerator's existing desalination plant.

HON J J BOSSANO:

Is that then being met out of the budget for incineration? Is that how it is being funded?

HON CHIEF MINISTER:

The cost of hiring those incinerators is extra cost and if he wanted the back of the envelope costing it is the cost of hiring the plant which is considerable, I cannot give the hon Member details now but it is very considerable minus the proceeds from the sale of water to Lyonnaise that we can now resume producing and selling to them at the contract price. There is a difference and that difference is the extra cost to the Government of this operation. He asks whether it comes out of the incineration costs. The incineration costs vote is meeting the cost of running the temporary Onyx contract that the hon Member discussed earlier with my hon Colleague and also the fees for transporting the refuse to the incinerator in Los Barrios and the burning fee in Los Barrios.

HON J J BOSSANO:

Are these boilers already here or is it something that is planned?

HON LT-COL E M BRITTO:

They are on order. I tried to check earlier today but did not have time to see whether they had already arrived but if they have not arrived they are about to arrive. They have been on order now for a while.

HON J J BOSSANO:

Will the operation of this equipment be done by Onyx?

HON LT-COL E M BRITTO:

No, it will be done by Lyonnaise. I can almost guarantee that they have not yet arrived because we were burning oil this week so they must be about to arrive next week, that sort of time-scale.

HON J J BOSSANO:

So the hiring of these boilers is in substitution of burning oil to produce water at the incinerator?

HON LT-COL E M BRITTO:

It is in substitution of the burning of refuse in the incinerator.

HON J J BOSSANO:

But given that there is no refuse and at the moment it is oil what will happen is that instead of burning oil.....

HON CHIEF MINISTER:

It will be prohibited to burn oil for a year.

NO. 354 OF 2000

THE HON J C PEREZ

LETTER BOX AT MAIN STREET POST OFFICE

Can Government explain why the letter box at the Main Street Post Office has been sealed off since the works on the building commenced?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

The pillar box at the Main Street Post Office is sealed off for the safety of the public during the works which include the re-roofing of the building and replacing window frames above Main Street. Meanwhile posting facilities are available via Irish Town.

SUPPLEMENTARY TO QUESTION NO. 354 OF 2000

HON J C PEREZ:

Does the Minister expect us to believe that? There are no signs warning the public of any danger by passing by the booth. The booth is there, the people are passing just beside and there is no sign of any danger at all to the general public or any signs put up cordoning off the area. If the area had been cordoned off for safety purposes one could believe him. Certainly the suggestion in a letter by a member of the public in the Gibraltar Chronicle was that there were problems in servicing it from the Post Office which is one of the reasons for the question.

HON LT-COL E M BRITTO:

I suppose there is an element of that as well. I must admit that when I asked for the answer myself I came to the conclusion that the sealing off may have been premature. What the hon Member is saying is correct because the work on the roof I understand has not yet started, the scaffolding is not up. I think it may have been premature to seal it. It would have made more sense to seal it at a later stage when the dangerous work was actually taking place. Be that as it may, there were other complications like the fact that most of the staff is down in the old Health Centre and there are staff problems, there are other problems in the Post Office so it is probably a little bit of a number of other issues as well. Once the scaffolding is removed we will try to put the pillar box back into service.

ORAL

NO. 355 OF 2000

THE HON J C PEREZ

STUDY INTO GENERAL POST OFFICE

Have the consultants engaged by the Government now completed the study into the General Post office?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question No. 356 of 2000.

NO. 356 OF 2000

THE HON J C PEREZ

TEMPORARY POSTAL WORKERS

Why have Government not recruited temporary postal workers to cover for the incidence of leave during the summer?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

The study at the General Post Office is due to commence on the 4th September 2000.

Any temporary officer recruited to carry out the delivery of mail needs a period of training, thus it is not considered a feasible proposition to take on temporary staff.

SUPPLEMENTARY TO QUESTION NOS. 355 AND 356 OF 2000

HON J C PEREZ:

I did not need to do it when I was in office but I understand that in the United Kingdom it is customary for students to take over the distribution of mail in a lot of post offices and if they can do it there, in a small geographical location like Gibraltar, despite the inconveniences of alleyways and steps, I do not see that there is such a big period of training in order to be able to do that.

HON CHIEF MINISTER:

The hon Member may be right, that is what management tell us. The hon Member added that he did not need to do it whilst he was in office, the current delay in the delivery of mail is wholly unacceptable to the Government. The Government intend to tackle this issue next week. However, that said, I have been informed by the Postal Services Manager that the problems of an accumulation of undelivered mailbags as a result of absenteeism during the summer months has been rife for many, many years including, I was told, at the time of the previous administration. *[INTERRUPTION]* Absenteeism due to sick leave which always increases for some reason during July and August. It may be that the situation is worse this year than in one of his years, certainly I have asked whether this is a new problem and I have been told that it was not and that the hon Member faced the same problem, it is unacceptable. Come June, July and August every year, but mainly July and August, and the incidence of uncertificated sick leave sky rockets. We will have to consult the World Health Organisation to see whether there is any medically justifiable reason why the summer months attract more absentees due to sickness. But certainly there is a problem there that the Government are not willing to sustain for any longer. I got a letter delivered to me at home – this is not the reason why this is no longer sustainable – the other day with a June postmark. That is wholly unacceptable and if there was anybody who thinks that Gibraltar can survive economically with the postal system that takes four weeks for letters to be delivered locally then they will have to think again.

HON J C PEREZ:

The Chief Minister says the Government intend to tackle this issue immediately, will this be before the conclusion of the study taking place?

HON CHIEF MINISTER:

Absolutely.

HON J C PEREZ:

Can the Chief Minister state when does he think the study will be completed, has he got an idea?

HON CHIEF MINISTER:

We are meeting the consultants on Monday morning and that is precisely the sort of issue that arises.

HON S E LINARES:

May I suggest that students be recruited during these times because like my hon Friend said they do do that in UK and it would be good because students tend to have jobs like lifeguards which they do quite well and doing the postal services and helping out the postal services during the summer break and also during the Christmas break, where there is an increase in post, could do well for them.

HON CHIEF MINISTER:

Thank you for the hon Member's suggestions. When and if we ever have to resort to that sort of technique, I am glad to know that we will enjoy the wholehearted support of the Opposition in that. The point is that this is not a question of seasonal, this is not seasonal because of volume, this is seasonal because of the absence of sick leave, uncertified sick leave and of course that is unpredictable. What happens is that one morning four postmen do not turn up for work so there are four walks which are not being done and if the next morning three postmen do not turn up for work, not only is there another three added to the previous day's four of undelivered bags but there is no sufficient staff to deal with the previous day's backlog either and it goes on and on and on. There is more to it than meets the eye, the hon Member should be aware.

HON J J BOSSANO:

Are the consultants people who have been dealing with the Post Office in UK?

HON LT-COL E M BRITTO:

Yes, the consultants are British Postal Consultancy Services which I am told have long and great experience in this type of work. They are, of course, from the British Post Office, the consultancy arm of the British Post Office.

ORAL

NO. 357 OF 2000

THE HON J C PEREZ

COST OF GOVERNMENT WEBSITE

What was the total cost of setting up the Government Website since the original tender was awarded to Gibraltar Nynex?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question No. 366 of 2000.

ORAL

NO. 358 OF 2000

THE HON J C PEREZ

REDUCTION IN LOCAL TELECOMMUNICATION CHARGES

Do Government expect Gibraltar Nynex to introduce reductions in local telecommunication charges during the current financial year?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 359, 360, 361, 362, 363, 364, 365 and 367 of 2000.

ORAL

NO. 359 OF 2000

THE HON J C PEREZ

TELEPHONE NUMBERS

Can Government confirm that Gibtel now has no telephone numbers available and that there is a customer waiting list for mobile telephones?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 358, 360, 361, 362, 363, 364, 365 and 367 of 2000.

ORAL

NO. 360 OF 2000

THE HON J C PEREZ

TELEPHONE NUMBERS

How many of the 1,250 telephone numbers still unallocated in March this year have now been used up by Gibraltar Nynex?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 358, 359, 361, 362, 363, 364, 365 and 367 of 2000.

NO. 361 OF 2000

THE HON J C PEREZ

CUTS IN INTERNATIONAL TELECOMMUNICATION CHARGES

Can Government state whether they expect Gibtel to introduce further cuts in international telecommunication charges during this financial year?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 358, 359, 360, 362, 363, 364, 365 and 367 of 2000.

ORAL

NO. 362 OF 2000

THE HON J C PEREZ

DISCUSSIONS BETWEEN GIBTEL AND GIBRALTAR NYNEX

Can Government state whether the discussions between the shareholders of Gibtel and Gibraltar Nynex have now finalised?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 358, 359, 360, 361, 363, 364, 365 and 367 of 2000.

NO. 363 OF 2000

THE HON J C PEREZ

CALLS MADE FROM FIXED NETWORK PHONES

Of calls made from fixed network phones to Gibtel mobile phones what share of the charge is retained by Nynex and how much is paid to Gibtel?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 358, 359, 360, 361, 362, 364, 365 and 367 of 2000.

ORAL

NO. 364 OF 2000

THE HON J C PEREZ

INTERNET CALLS

Can Government say how much of the revenue received by Nynex in its last financial year was due to internet calls?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 358, 359, 360, 361, 362, 363, 365 and 367 of 2000.

NO. 365 OF 2000

THE HON J C PEREZ

TELEPHONE CHARGES

Have Government now sought an explanation on why there is such a large discrepancy between the charge for a nine minute call to a mobile after 6 pm which stands at £1.80 and the charge for a similar call to a fixed phone which is five pence?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Answered together with Question Nos. 358, 359, 360, 361, 362, 363, 364 and 367 of 2000.

NO. 366 OF 2000

THE HON J C PEREZ

UPGRADING OF GOVERNMENT WEBSITE

Are there any plans to upgrade the Government Website to make it of use to residents?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

The total cost to date of setting up the Government Website is £21,720.34.

The Government's Website is already accessible and has been since its inauguration in April this year, by anybody anywhere in the world, including residents, so there is no need to upgrade it.

NO. 367 OF 2000

THE HON J C PEREZ

INTERNATIONAL TELEPHONE CHARGES

Are Government in a position now to say whether international telephone charges on calls from a fixed telephone in Gibraltar to a Gibtel phone outside the jurisdiction are payable by the owner of the mobile or by the person making the call?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT AND YOUTH

The direct discussions between British Telecom and Verizon, formerly Bell Atlantic, are continuing and have not yet finalised.

The level of tariffs for telephone calls, either on fixed lines or mobiles, is a matter for the Boards of GNC and Gibtel to decide. However, the Government do not expect that there will be any further adjustments to the level of these tariffs until the on-going discussions between Verizon and British Telecom are finalised.

The level of the tariff of a telephone call from a fixed line to a mobile after 6 pm is in line with that charged in UK for the same type of call and is a matter of commercial judgement for the company to decide. Comparison of the cost of a similar call between two fixed phones must take into account that the local cost of such a call is much lower than in UK.

As I advised Opposition Members in answer to a similar question earlier this year, Gibtel has no telephone numbers currently available and has a customer waiting list for mobile telephones.

Out of the 1,250 telephone numbers still unallocated by GNC in March this year, 454 have been used leaving a balance as at Friday 25th August of 796 numbers.

The information sought in Question No. 363 of 2000 forms part of a commercial agreement between GNC and Gibtel and the information sought in Question No. 364 of 2000 is also commercially sensitive.

The cost of a call from a fixed telephone in Gibraltar to a Gibtel mobile phone outside the jurisdiction is charged as a local call to the fixed line caller and the mobile owner receiving the call is charged the cost of international call from Gibraltar to the country where he is roaming. This was explained to Opposition Members in answer to Question No. 729 of 1999 and they challenged the accuracy of the answer. With respect to Opposition Members, it was explained to them as it says here, by myself and by the Chief Minister and they chose to challenge the answer and to say that it was not accurate and I undertook to investigate to see whether they were right and they were wrong. They were wrong then and if they think the answer is wrong here they are wrong now.

SUPPLEMENTARY TO QUESTION NOS. 358 TO 364 AND 367 OF 2000

HON J C PEREZ:

What action are Government contemplating in respect of the lack of numbers in Gibtel and the running out of numbers in Nynex which is happening quicker than one would expect given the figure given by the Minister now?

HON LT-COL E M BRITTO:

There are contingency plans which I would not like to disclose publicly but we are awaiting the promised action by the Commission which was due at the beginning of August but which we understand, unofficially, August being a dead month in the Commission as well as in many other places, was not really expected on the 1st August but is expected now in September.

HON J J BOSSANO:

Can I read from Hansard of September when the Minister told us in relation to what he has just said that he was right then and we were wrong then and that he is right now, he said, "The other side of the coin, Mr Speaker, is that if the mobile owner happens to be in London or in China then the cost of the call is still £1.80", that is that there was no international charge, "whereas if he calls from a fixed line to another fixed line it is the cost of an international call". I said, "No, there are international charges on top if he is somewhere else because of the roaming agreement which is payable by the mobile owner" which I take it is the answer he has just given us. That is what I said, he did not say it, I said it, it is on page 343 and he said, "I beg to differ but I shall investigate and see whether it is the case".

HON LT-COL E M BRITTO:

He is quoting a selective bit, if he reads the paragraph that goes before that he will find that they were arguing that the cost to the fixed line phone was higher than £1.80.

HON J J BOSSANO:

No, the Minister says on page 342, "The other side of that coin, Mr Speaker, is that if the mobile owner happens to be in London or in china then the cost of the call is still £1.80". [*HON LT-COL E M BRITTO: To the fixed owner.*] No, he says if the mobile owner is in.....

HON LT-COL E M BRITTO:

Is in China the cost to the fixed owner is £1.80.

HON J J BOSSANO:

I see, he was not saying the cost to the mobile owner?

HON LT-COL E M BRITTO:

No, of course not.

HON J J BOSSANO:

Well, that is what it sounded like. Obviously I went on to tell him that there was an extra cost payable by the mobile owner and his reply was that he begged to differ.

HON LT-COL E M BRITTO:

The thrust of the question was why is it so expensive to make a mobile call and so much cheaper to make a local call, £1.80 as opposed to five pence and I was saying the reverse of that is that when the mobile owner is away in China the fixed line owner can still call him, it still costs him £1.80 but the balance between the £1.80 and the cost of the phone call for China is paid by the mobile owner. That was the other side of the coin that he is quoting.

HON J C PEREZ:

I wonder why it is that it should be commercially sensitive for the House to know what share of the charge is retained by Nynex and how much is paid to Gibtel in respect of percentages?

HON LT-COL E M BRITTO:

Because it has not changed from the time the hon Member was Chairman.

HON J C PEREZ:

If it has not changed from the time I was Chairman then why does he not say that.

HON CHIEF MINISTER:

He must not ask questions to which he knows the answer.

HON J C PEREZ:

No, I do not know the answer, I do not know whether it has changed or not that is why I am asking but the Minister is not telling me it has not changed, he is telling me it is commercially sensitive to tell me. Why is it commercially sensitive?

HON LT-COL E M BRITTO:

That is the advise I have from the companies, that they consider it commercially sensitive in view of possible competition in the near future and they have requested that the answer not be released. However, as I have done in the past, I am quite willing to give the information to the hon Member on a commercial in confidence basis but I do not want to disclose it publicly.

HON J J BOSSANO:

Is it also commercially sensitive to say how much of the revenue on local calls was from internet?

HON LT-COL E M BRITTO:

Very much so, yes.

HON J J BOSSANO:

In other jurisdictions this information is not considered commercial in confidence, it seems to be normal in a competitive environment that the volume of business available should be known.

HON CHIEF MINISTER:

I will say what does not happen in other jurisdictions despite the fact that we are quite happy to do it differently here and that is for the Government to be questioned in the House for matters for which we are not responsible. In other words, these arrangements are commercial arrangements between two companies which they chose to put into the private sector. Those companies enter into commercial arrangements between themselves and then the hon Members submit Ministers to questions about the commercial affairs of the companies which they created including the commercial arrangements on which they are now questioning us. *[HON J C PEREZ:reply to these questions when we were in Government.]* We are very happy to do as much answering as is possible but when the owners of information for which we are not accountable in this House tell us that they do not want us to put it into the public domain, we cannot override that.

HON J J BOSSANO:

So the Minister does not know when the internet revenue started? He does not know in relation to 1996 that there was virtually nothing before 1996 in internet calls which is the question I am just asking?

HON LT-COL E M BRITTO:

Not virtually, there was nothing because internet in GNC was introduced by me.

HON J J BOSSANO:

In that case I can ask that question which has nothing to do with any arrangements that were done before 1996 which apparently is what the Minister just thinks we should not be asking. If he is responsible for the arrangements of internet we cannot be presumed to have known about it before 1996. Can he tell us why this information which in other jurisdictions, people would know how much volume there is on internet business. If he does not want to give us the money can he say..... *[Interruption]* Well, would it not be the case that the Government role in another jurisdiction would not be as a shareholder but as a controller which would ensure that there was a level playing field and that in that level playing field information would be publicly available?

HON CHIEF MINISTER:

No, the hon Member is not correct. What the Regulator does in other jurisdictions as he will do in this jurisdiction when the House legislates legislation that is about to be published, is that the Regulator ensures that the European Union directives on telecommunications are applied. Those directives include ensuring interconnectivity rights, ensuring access rights, tariff supervision rights, the Regulator has the right to establish and to approve tariffs; all that which is what the Regulator does in the United Kingdom is what the Regulator does here. What the Regulator does not do in the United Kingdom and what the Minister responsible for Telecommunications in the United Kingdom does not tell Parliament in the United Kingdom is how many minutes

of internet time British Telecom is selling to its customers and at what rate it is charging them and at what rate is British Telecom charging Cable and Wireless for providing inter-company services. That does not happen. We have another culture here. We have had another culture here and we are not seeking to move to the UK situation. It has been the practice for quite some time in this House, at least it is our policy because if the Minister is Chairman of these companies, we consider that in the greatest possible measure the Government consider that we are answerable in the House to a large extent as a matter of voluntary submission. But the Government are not answerable in Parliament for the commercial affairs of Nynex. If the Government had power to control the tariffs and the hon Member thought that the tariffs were too high and why are the Government not exercising their power to reduce tariffs, that would be a legitimate issue for the hon Members to scrutinise and to hold us to account but there is no statutory right for the Government to interfere in the question of tariffs. There will be a right on the part of the Regulator to establish interconnectivity charges under the new legislation and I have no doubt that the Regulator will wish to exercise those powers. I cannot now remember if the right is given actually to the Regulator or to the Regulator with the agreement of the Minister but there will be a statutory framework for tariff supervision.

HON J J BOSSANO:

Given that the Government consider that the increase in units sold of telephone is an indicator of the performance of the economy which I think the Chief Minister quoted in a debate on television in February, is it not reasonable to try and find out whether that increase is the result of economic activity or internet activity?

HON CHIEF MINISTER:

No, the hon Member does not need to do that in order to put that statistic to the purpose to which I put it because internet traffic is generated by Nynex. International telephone traffic, which is the one that I cite for the purposes of indicating economic activity, is charged by Gibtel and therefore one does not need to extrapolate the internet statistics from any statistics that I have ever quoted for the purposes of suggesting increased economic activity.

HON J J BOSSANO:

But is it not the case that in the figures that I have been given an indication has been given of a very substantial increase in local traffic.

HON CHIEF MINISTER:

Yes.

HON J J BOSSANO:

And presumably if businesses are calling each other locally.....

HON CHIEF MINISTER:

As well as international.

HON J J BOSSANO:

Therefore is it unreasonable to ask for an indication of the proportion or the percentage of the traffic that is being generated from internet, five percent, 10 per cent, 50 per cent?

HON LT-COL E M BRITTO:

That is not what is being asked. What is being asked is the value in pounds, not the percentage or the number of minutes which is implicit in the previous supplementary question.

HON J J BOSSANO:

But then if the information cannot be given in terms of turnover in cash because that is commercially sensitive and that might be prejudicial to the company's interest then the information can be given in a way that is not prejudicial but we cannot ask other than in supplementaries because we did not know the answer we were going to get until we got it.

HON CHIEF MINISTER:

Ask next time. Perhaps my hon Colleague will agree to seek it for the hon Member and give it to him.

HON J J BOSSANO:

If he will agree to that then that is enough for us.

HON LT-COL E M BRITTO:

I would suggest, for the avoidance of doubt, that I do what I always do and that is invite hon Members to write to me specifically asking the question and then I will give as much information as I can as I usually do.

HON J C PEREZ:

Are the talks between Verizon and British Telecom talks between those two shareholders only without Government participation?

HON LT-COL E M BRITTO:

Yes.

HON J C PEREZ:

One takes it then that although originally they were talking about a possible "merger", what they are talking about now is something different, they are talking about one of them taking over the other, is that not the case?

HON LT-COL E M BRITTO:

Yes.

HON J C PEREZ:

Have Government any indication at all at what stage those talks are?

HON LT-COL E M BRITTO:

At a very advanced stage.

HON J C PEREZ:

A very advanced stage of one of the shareholders negotiating to take over the other?

HON LT-COL E M BRITTO:

Yes.

HON J C PEREZ:

Can we know which of the two?

HON LT-COL E M BRITTO:

Not yet. I think the hon Member having been Chairman of the companies will appreciate what I am going to say, I think the first people to learn that information have to be the employees of the companies themselves and I would not like them to hear it on the radio, they have to hear it from me or from the directors of the company.

NO. 368 OF 2000

THE HON MISS M I MONTEGRIFFO

NEW SPORTS CITY

Can Government now confirm what sporting facilities will be provided in the new Sports City being built in the area of Bayside?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

At present it is intended that the following facilities will be provided:

1. A full international standard water-based synthetic turf hockey pitch and similar training pitch. The tender for these works will be awarded shortly.
2. Reprovision of the cricket training nets.
3. Permanent specialist facilities for high jump.
4. A large multi-sports hall, double the size of the existing hall, with a playing area approximately double the size of the existing sports hall playing area at the Stadium.
5. New administration and reception area which will include areas for lecture/meeting rooms and a cafeteria.
6. A multi-sport outdoor play area to reprovide the existing facilities at the USOC hockey pitch, which will be converted into a car park.
7. A multi-sport casual use area to provide "playground style" play facilities for young people.
8. A fitness/jogging trail.
9. It has also been agreed, in principle, pending further details to be studied, to provide a water sports centre, an archery range and a golf training area, that is, driving nets and a pitch and putt area.
10. There are still some areas on the site which are pending a final assessment and recommendation from the Sports Advisory Council whose advice has been sought throughout on the facilities required to meet the needs of the sports community.

SUPPLEMENTARY TO QUESTION NO. 368 OF 2000

HON MISS M I MONTEGRIFFO:

I asked this question because I am sure the Minister remembers that I have asked it before and he answered exactly the same as he has answered now, I believe, because he said that he needed to consult the Sports Advisory Body. Are the facilities that he has mentioned the same facilities he mentioned in the budget because we still require to know exactly whether what he has answered now is what he has answered the last time that I asked the question?

HON LT-COL E M BRITTO:

I cannot remember off the top of my head what I said at the budget but this is a much more detailed list, that I know, that I have ever given out in the past and I am able to do that now because all the items I have mentioned, with the exception of some areas that are still pending advise from the Sports Advisory Council, all the list from one to nine are now things that have been agreed, in principle, by the Government on the advise of the Sports Advisory Council and some of which are already on-going. The two hockey pitches are on-going, the grand stand to accommodate 1,000 spectators is on-going; the eight dressing rooms and meeting rooms that go under the grand stand is already on-going but subject to tenders and the tenders are about to be awarded. So we are at a much more advanced stage. The sports hall I mentioned before but we are way down the line now negotiating but not finalised on what is going to happen but we know what it is going to look like both externally and internally so we are much further down the line than any information I have given her previously.

HON MISS M I MONTEGRIFFO:

Does the Minister have an idea of more or less when these facilities will be made available to the general public?

HON LT-COL E M BRITTO:

As I said before, the ones that are subject to tender, the hockey pitch, for example, I am told, I say this a little bit tongue in cheek, three months from when the works start. I hope that that is accurate but I find it a little bit fast. The sports hall, all things being equal, again I am told six months from when we decide to go ahead, at least the outer shell and the internal basic things. The cricket nets, the facilities for the high jump, that sort of thing is part of the original tender so we will see a lot of progress between now and the end of the financial year.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether there will be any modification to the present indoor facilities at the Victoria Stadium?

HON LT-COL E M BRITTO:

None are planned at this moment in time but I think of essence it follows that there will be some adjustment once we have the new facilities in place there will be room for refurbishment, for example, but if she is going to ask me whether there are going to be more stands or repainted, I do not know at this stage. I am reminded that one of the things that we have already agreed to do is to lay the volleyball floor which the

hon Member helped the Volleyball Association to acquire for the Island Games in Gibraltar, to laying that on the current sports hall.

HON MISS M I MONTEGRIFFO:

I must confess I have an interest in the following question, as regards the squash court which has not been repaired for last three or four years, does the Minister intend to do any repairs there seeing the state it presently is?

HON LT-COL E M BRITTO:

The hon Member is absolutely right. The reason why the repairs have not been carried out despite financial provision having been made in the past is that there was an offer of sponsorship which would have included the construction of a new court and the repairs were held up because it would have been a waste of money to spend the money on refurbishment and then find that we needed to knock the wall down. As part of the overall refurbishment of the Stadium, that will be a high priority and yes, it is something that needs to be done and needs to be done quickly. I am not sure whether I have any money for it in the current year but it is certainly something that I feel uneasy at not having achieved already.

NO. 369 OF 2000

THE HON MISS M I MONTEGRIFFO

CONVERSION OF OLD KING'S BASTION GENERATING STATION

Are Government now in a position to give an indication as to when they expect works to commence at the site of the Old King's Bastion Generating Station for its conversion to a leisure centre?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

No.

SUPPLEMENTARY TO QUESTION NO. 369 OF 2000

HON MISS M I MONTEGRIFFO:

Will the Minister at least give a commitment that the works will commence before this term of office?

HON LT-COL E M BRITTO:

We have had this discussion before and I think, in fact, with respect to Opposition Members, there are some questions in my list that seem to come every time we have a Question Time. It is a manifesto commitment, I explained this last year. There seems to be some perception in the Opposition that we were not going to do it. We are going to do it, it is a manifesto commitment, the works will at least start in this term of office, we are considering the options of the way ahead already but we are not in a position yet to say when it is going to start.

HON MISS M I MONTEGRIFFO:

The reason why I am asking this question is because precisely what the Minister has said, that the last time I asked this question he said no, that he would not give a commitment but then he said he would check on Hansard but I do not think that Hansard has been published yet but I am sure that he said that the last time but I am grateful for his answer.

HON LT-COL E M BRITTO:

It is a manifesto commitment and this Government have a very good record in meeting our manifesto commitments, I am glad to say.

NO. 370 OF 2000

THE HON MISS M I MONTEGRIFFO

SPORTING AREA AT EUROPA POINT

Is it now possible for the Government to state when they can expect the sporting area at Europa Point to be handed over to them by the MOD?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

No.

SUPPLEMENTARY TO QUESTION NO. 370 OF 2000

HON MISS M I MONTEGRIFFO:

Can the Minister then tell the House what it was that he said to the media that he was very pleased that the MOD would be handing over the site to the Government?

HON LT-COL E M BRITTO:

Yes, with pleasure. Not to the media, I may say, but to a group of cricketers gathered together for an international under 18 cricket competition. What I said was that at a recent meeting with the MOD agreement, in principle, was reached regarding the details of the hand-over by MOD of the Europa sports ground. A date has not yet been set, the actual hand-over document has not yet been given to the Government and this would then have to be considered, so far it has only been dealt with by myself and one of my Colleagues. The actual terms of the hand-over would then have to be approved by Government Ministers collectively. So agreement in principle yes, we are waiting for the document, approval by the Government as a whole and then following that we should have a date. I am not expecting problems at this stage, I think we have managed to overcome slight hiccups that we were having and subject to my Colleague's agreeing with any luck, before the end of the year.

HON S E LINARES:

Is it still the case that the MOD were putting conditions for the school that needed playing grounds as was stated in the last House?

HON LT-COL E M BRITTO:

Yes, indeed, that was the main problem but we have managed to evolve a formula which I will not go into at this stage but I would be happy to describe at a later stage once I have seen the hand-over document and explain it to Opposition Members. I think we found a formula that satisfies both the Government concerns and the MOD requirements.

HON CHIEF MINISTER:

But the hon Member in the meantime can be assured, Mr Speaker with your indulgence, that it remains Government policy not to accept conditional transfers of land. An exception will not be made in respect of this. So the formula that my hon Colleague has referred to is squarely within the parameters that I have just now described.

NO. 371 OF 2000

THE HON MISS M I MONTEGRIFFO

DISCUSSIONS WITH LOCAL FISHERMEN

Can Government state whether discussions have taken place with local fishermen so as to provide them with alternative premises close to the waterfront?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT
AND YOUTH

Once again, as phrased the strict answer is no.

SUPPLEMENTARY TO QUESTION NO. 371 OF 2000

HON MISS M I MONTEGRIFFO:

I cannot rephrase it but I will rephrase my supplementary, can the Minister confirm whether he intends to meet local fishermen to provide them with alternative premises close to the waterfront?

HON LT-COL E M BRITTO:

A meeting was held some months ago at the request of the Gibraltar Federation of Sea Anglers, the governing body of fishing in Gibraltar, who do not have premises and the Gibraltar Branch of the European Federation of Sea Anglers, who currently enjoy premises at Queensway. The meeting which, as I said, was at the request of the fishermen, the main object of the meeting was to clarify Government policy on the allocation of premises and to explore possibilities for the future for premises for the two groups. The two associations agreed to go away, talk amongst themselves and come back to Government with proposals. Such proposals would not necessarily include the provision of alternative premises near the waterfront but they agreed to go away and talk about it. As yet, no firm proposals have been received by Government and therefore the matter remains, as far as I am concerned, open and ready for discussion and for further meetings if these proposals come forward.

HON MISS M I MONTEGRIFFO:

Is it that the premises will not be close to the waterfront because the Government are not able to identify a site for them near the waterfront?

HON LT-COL E M BRITTO:

The fishermen themselves were not setting it as a sine qua non that they had to be by the waterfront. They were looking for premises, my understanding and I hope I am not wrong but the feedback that I have is that after the meeting there was a change of mind amongst the two associations themselves and whereas they came jointly they now seem to be wanting to go separately, they are still trying to decide amongst

themselves what they want and how they want to go about it. The position is that I am waiting to meet them. If in the meantime premises come up that are considered suitable for the fishermen, they will still be offered to them even if they have not made the approach and they can decide whether they are suitable or not but the ball at the moment, as far as I am concerned, is very much in their court.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm, having heard what he has just said that the Government have available premises that they think would be acceptable to them?

HON LT-COL E M BRITTO:

There is a possibility of premises for GFSA which are nowhere near the waterfront but which are office space basically and I think when we have the next premises committee meeting if we decide to allocate it to them we will invite them to view them and decide whether they would like to accept them maybe on an interim basis until something near the waterfront or more suitable is found but I am not yet at that stage.

ORAL

NO. 372 OF 2000

THE HON S E LINARES

COST OF WORK SUMMIT ON SMALL BUSINESSES

Can Government provide a breakdown of the cost to the taxpayer of the Work Summit on Small Businesses which took place in Singapore in April?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 373, 374, 393 and 412 of 2000.

ORAL

NO. 373 OF 2000

THE HON S E LINARES

COST OF EXPOVACACIONES

What was the cost of attending Expovacaciones in Bilbao?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 372, 374, 393 and 412 of 2000.

ORAL

NO. 374 OF 2000

THE HON S E LINARES

COST OF SEA TRADE CONFERENCE

What was the cost of attending the Sea Trade Conference in Miami in March 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 372, 373, 393 and 412 of 2000.

ORAL

NO. 375 OF 2000

THE HON S E LINARES

COST OF NEW COACH PARK

What has been the total cost of the new coach park?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The total cost of the new coach park building and the coach park itself is £932,000.55.

ORAL

NO. 376 OF 2000

THE HON S E LINARES

TRAVEL AGENTS FLOWN TO GIBRALTAR

How many travel agents were flown to Gibraltar on the week starting 16 July for a three-day visit and what was the total cost of the exercise?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 398 and 399 of 2000.

NO. 377 OF 2000

THE HON S E LINARES

SCHOOL OF TOURISM

Can the Minister state in relation to the School of Tourism what is the completion date for students in Intakes 2, 3, 4 and 5?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The students in Intakes 2 and 3 completed their courses in February and May 2000 respectively.

Those in Intakes 4 and 5 are expected to complete their courses in October 2000 and February 2001 respectively.

SUPPLEMENTARY TO QUESTION NO. 377 OF 2000

HON S E LINARES:

Is it possible to get the figures of each Intake? The Minister said Intakes 4 and 5 finishing in October 2000, is it possible to get a breakdown?

HON J J HOLLIDAY:

As far as the information I have available, in Intake 1 which is not covered by this question, there were nine trainees who completed their courses and subsequently found employment in the hotel and catering and service industry. In Intake 2 there were four trainees who completed their course; Intake 3 there were seven who completed their courses and the hon Member may have seen that towards the end of August there was a presentation of diplomas at the School of Tourism so that covered students that have completed their courses in Intakes 2 and 3. Intake 2 only covered four students and therefore we decided that we would carry out a ceremonial presentation of diplomas in a joint event for both Intakes. Intake 4 at the moment has 10 trainees and Intake 5 has nine trainees and I believe that there has recently been advertisements in the press inviting applications for what would be Intake 6.

HON J J BOSSANO:

Is it left entirely to people answering advertisements or is any effort made with those who are registered as unemployed with the ETB to encourage them to go to these courses if the Government think it is such a good thing?

HON DR B A LINARES:

I am sure that in the Training Unit which looks globally at the situation of unemployment generally they will, as far as is possible, encourage potential trainees who come to the Training Unit, very often seeking for training schemes, I am sure that they will be directed and addressed to the possibility of training courses in the School of Tourism as they do in all other training schemes which are available but, of course, at the end of the day, the choice will be with the trainee himself or herself

particularly in such an area, such as catering and tourism, which as we discussed yesterday is essentially very vocational, it is not just another job and it requires a great deal of on-hand training in hotels which involves shifts, et cetera and requires a certain commitment which is not entirely forthcoming from every potential trainee. But I am sure that in broad terms the Training Officer and his monitors will encourage young people looking for a job, looking for a training opportunity to channel themselves into the School of Tourism if, of course, it suits their temperament and their approach.

HON J J BOSSANO:

Are the students in the School of Tourism, the places there limited to people who are unemployed or, in fact, if an employer wants to release somebody is it possible for him to do a course?

HON DR B A LINARES:

The School of Tourism is open-ended in terms of acceptance of trainees. It is not just limited as one of the conditions to be unemployed. There could be young people who are employed in one particular industry not of their liking but vocationally and by inclination they decide to avail themselves of the opportunity of a structured training course for catering or for tourism studies.

NO. 378 OF 2000

THE HON S E LINARES

SHUTTLE SERVICE

Can Government say whether there are any discussions going on with a view to establishing a shuttle service from the cruise and coach terminals to the town centre?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There are no discussions currently taking place.

SUPPLEMENTARY TO QUESTION NO. 378 OF 2000

HON J C PEREZ:

Have there been or does the Minister envisage such discussions to take place in the near future?

HON J J HOLLIDAY:

It is a subject that has been raised to us by individual traders for a concerted effort and, in fact, I believe it may have even been raised by the Chamber of Commerce and the Federation of Small Businesses but no discussions have actually taken place with any particular operator to be able to consider. We believe it is something that could be considered and something that may be considered when we study possible options that are now being looked at in terms of transportation generally in Gibraltar. We believe that there is the opportunity for us to be able to establish this particular link on a shuttle service basis which may assist and distribute the influx of tourists not just concentrating on the north end of Main Street due to the geographical location of the frontier, the cruise terminal, the ferry terminal, the coach terminal and actually have a more equally distributed influx of tourists along the full range, not just of Main Street but side streets as well.

ORAL

NO. 379 OF 2000

THE HON S E LINARES

ST MICHAEL'S CAVE

When is the new computerised sound and light system for St Michael's Cave going out to tender?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

It is anticipated that the tender will issue within the next four weeks. However, since the preparation of that answer the tender was actually published, I believe, in the press on the 31st August.

NO. 380 OF 2000

THE HON J C PEREZ

EMPLOYEES IN ROAD SECTION

Can Government state whether they have increased the number of employees in the Road Section since 1 April 2000, either by internal transfer or direct recruitment?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There has been no increase in the number of employees in the Road Section since the 1 April 2000.

SUPPLEMENTARY TO QUESTION NO. 380 OF 2000

HON J C PEREZ:

Does the Minister intend that there should be an increase between now and the end of the financial year?

HON CHIEF MINISTER:

The Government, amongst the list of several departments and of sections that we wish to restructure in discussion obviously with the Staff Side, is the Road Section. The hon Members know that the Road Section has, over the last 10 years, been understaffed if it is to do all the things that theoretically fit in that department. The Government have put proposals to the union for a complete restructure of the make-up and functions of that section. The position at the moment is that whether there are more people recruited or not would be a product of the results of those discussions. I could tell the hon Member now that there is currently no intention which is the position but I think it is also correct to alert the hon Members that that is a section which is under review. So the answer is to concentrate into it certain activities for which the staff sizes are appropriate and relieve it of certain other responsibilities and we are putting proposals to the union, that is on-going, those proposals have already been put with a view to doing something that satisfies what the Government want to achieve whilst at the same time ensuring that the security of employment of the existing staff is preserved and that their earning potential is not reduced by the restructure.

NO. 381 OF 2000

THE HON J C PEREZ

PORT AUTHORITY

Can Government state whether all staff matters relating to the establishment of the Port Authority have now been agreed with the unions concerned?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO. 381 OF 2000

HON J C PEREZ:

Can the Minister state whether there are fundamental issues pending or there are minor issues pending, whether the Government have put proposals which they are seeking a reply from the union, what stage are we at?

HON J J HOLLIDAY:

I can tell the hon Member that we have had lengthy discussions with the Staff Side and I think all major issues have now been agreed to. There are still a number of lesser important issues that are currently being given consideration and there is an on-going process of meetings under which these issues are being addressed. I am confident that we will soon have full agreement on most of the issues that are still outstanding in the very near future.

NO. 382 OF 2000

THE HON J C PEREZ

SURVEILLANCE CAMERAS

Is it Government's policy to install surveillance cameras in areas around Gibraltar, and if so, where do they intend to install them and when?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Government are considering the installation of closed circuit cameras in areas which are subject to vandalism. A final decision has not yet been taken.

SUPPLEMENTARY TO QUESTION NO. 382 OF 2000

HON J C PEREZ:

Has the Council of Ministers still not taken a decision or is it hard to identify the areas concerned?

HON J J HOLLIDAY:

What the Government are considering are the various options that are open to us which will then be taken to Council of Ministers for approval and decision. Whether in the process one will have to consult or discuss the different alternatives with interested parties, obviously that will come as part of the on-going consideration process.

HON J C PEREZ:

Would there be a need for legislation if the Government decided to install these cameras or would the present legislation allow them to do so?

HON CHIEF MINISTER:

That is one of the issues that is being looked at. We think tentatively that there is no need for legislation except to the extent that it might be required to endow the footage with evidential value for use in court. In other words, there is no need for legislation, the Government can put up a camera on a lamppost in a public place, we do not need legislation for that. The technicalities of what use one can put the film to in the various different circumstances that it might become useful, is a different issue and that is being looked at. If I can just add to what my hon Colleague, Mr Holliday, has said, I think it is fair to say that the Government have taken the policy decision in areas which are subject to repeated and extensive vandalism to install these cameras. What is really being considered are the various technical options for how one does it, who one links up to, where one controls the cameras from, what sort of cameras, on what basis they form, in other words, the technicalities of implementing the decision to have surveillance cameras rather than the decision to have surveillance cameras or not.

NO. 383 OF 2000

THE HON J C PEREZ

HARBOUR VIEWS PROMENADE

Will Government consider demarcating an area for swimming in front of the Harbour Views Promenade so that people may swim in safety next year?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The area in front of Harbour Views Promenade is not a designated swimming area.

SUPPLEMENTARY TO QUESTION NO. 383 OF 2000

HON J C PEREZ:

Although it is not a designated swimming area and there are signs saying "Prohibited Swimming" it is a well-known fact that everybody is swimming from there. What I am telling the Minister either to make sure that the law is applied and prohibit the swimming which is a reflection of what the Government policy seems to be or he demarcates the area so that people swim in safety. At the moment we have got the worst of both worlds, there are steps leading to the sea encouraging people to swim, there are signs telling people that it is prohibited and it is a dangerous thing. People are swimming in the area, there are small crafts passing in the area and it is a dangerous thing and it happens on a daily basis in summer.

HON CHIEF MINISTER:

The Government's position has not changed since any of the last three occasions on which we debated this at length in Question Time in previous meetings of the House.

HON J C PEREZ:

To the detriment of those who swim there without the necessary safety requirements, I regret to say.

NO. 384 OF 2000

THE HON J C PEREZ

SIR HERBERT MILES ROAD

Will Sir Herbert Miles Road need to be closed at some stage as a result of the works being carried out by the MOD on the stabilisation of the catchments?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The MOD does not intend closing Sir Herbert Miles Road as a result of the catchment stabilisation works, for any considerable length of time. However, as happened on 24th August 2000, there may be the occasional need to close a section of the road for short periods, in the interest of safety.

NO. 385 OF 2000

THE HON J C PEREZ

GREEN LANE

Have Government now explored the possibility of buying back the lease of Green Lane from the present leaseholders?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The future of Green Lane and the land adjacent to it is under continuing consideration but with a low level of priority.

SUPPLEMENTARY TO QUESTION NO. 385 OF 2000

HON J C PEREZ:

Have the Government sought a figure from the leaseholder as to what they would expect to get in return for the release of the lease which is something that they said they would explore?

HON CHIEF MINISTER:

I was recently persuaded to perch myself precariously on the roof of a nearby hotel to view this area of land in all its glory, not a course of action that I would recommend to the hon Questioner. The Government have no intention of buying back the lease. The Government are interested in facilitating the development, by others, of that area in a way which will result in Green Lane becoming a public thoroughfare but the Government are not willing to buy back the whole area, that has a considerable value to its current leaseholders and the Government are not minded to buy chunks of development land simply for the benefit of acquiring a title to their road. What the Government are channelling their input into this issue is in ensuring that when there are developments in the future, if it could result in Green Lane becoming a public highway, that is the extent of the public interest in that, the Government would also like to see the land developed. The Government always prefer to see land developed rather than lying there idle but the Government have no intention of buying back the leasehold area nor would the owners, and nor would it be reasonable to expect them to sell back to the Government the rights over the road until they know what they are going to do with the development site.

HON J C PEREZ:

Let me just say that I am moved by the concern the Chief Minister shows towards my safety. Let me remind him..... [INTERRUPTION] Well, that was a simpler task, we had the clubs helping us as well. Let me say that the Chief Minister has said exactly the opposite of what the House was told in the meeting in September. In September we were told that the possibility of buying the road was there and that the Government wanted to explore the price to see whether the Government were in a position of purchasing it. The answer we got this afternoon is that they are not interested in buying the lease, that they are interested in developing it, if possible, without buying the lease which is fair enough. It is up to the Chief Minister to decide

what the policy is. But my question and my supplementary was related to what the Government had said before. They were going to explore with the owner the possibility of buying it and they were going to see what is it that was required, whether it was too much money or a reasonable amount or nothing at all given the goodheartedness of the leaseholder.

HON CHIEF MINISTER:

I have always found him to have a reasonable good heart but, of course, good hearts in giving away valuable things are two different things. I cannot agree with the hon Member that the answer that he has been given is the opposite to what he was told. The answer that he has been given is the continuation and the natural succession of the answer that he was given. Last time he was told that the Government were considering it and that we were exploring it. The exploration has taken me to a precarious cliff face and a precarious rooftop and to discussions, as a result of all of that the position of the Government following that exploration is the one that I have just given him. I do not see that it is inconsistent or the opposite of what he was told last time. I think it is the natural progression of what he was told last year. If he was told last time that the Government were exploring it, he was not entitled to assume from that that the Government were exploring it in order to acquire it. An exploration may result in striking gold or not striking gold.

HON J C PEREZ:

In exploring it the Government have probably sought a price from the developer and have now decided that the price is so steep that it is not worth exploring any further in that direction. Is that the case or not?

HON CHIEF MINISTER:

I am not prepared to ventilate in this public place the contents of confidential commercial discussions, people that conduct business with the Government are entitled to know that their affairs are being dealt with confidentially. If any discussion with Government results in a deal being done then it is the policy of this Government that all such transactions are placed in the public domain in all their splendour and detail, which has not always been the case, as the hon Member knows. I hesitate to say this too firmly because he has the benefit of having Hansard in front of him which I do not. I do not think that the Government ever gave a firm indication that it was thinking of buying the land. Let us make sure that we are not at cross purposes here, there is a road that leads down and there is a land to the east of it. It was never the Government's intention to buy the lease of the land, of the development land, the Government were always exploring and considering in relation only to Green Lane as an alternative to bringing traffic down from the Upper Town and that is what has been explored, the possibilities of doing that in isolation from the land has been looked into, discussed, considered and it is not viable except in the context of a development of that land. When that land is developed I think that what the hon Member has been trying to achieve for many, many years now may become a possibility.

NO. 386 OF 2000

THE HON J C PEREZ

EXTENSION OF EASTERN BEACH AND CATALAN BAY

What is expected to be the cost of the feasibility study into the extension of Eastern Beach and Catalan Bay?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

£382,850.

SUPPLEMENTARY TO QUESTION NO. 386 OF 2000

HON J C PEREZ:

Is that the cost of the study alone or the extension of the beaches too? Does the Minister not think that it is a bit steep to have a study on the extension of beaches costing £380,000?

HON CHIEF MINISTER:

The hon Member asks questions on whatever basis he sees fit and then assumes that the basis of his question is correct. He speaks about an extension of beach and of course, I do not know who has told him that that is the extent of the project. There is a project which certainly includes the extension of the beach but which includes many other things as well and if he understands what the project is, it involves the construction of models, the constructing of tests to establish certain things in relation to the behaviour of the sea which cannot be done..... [INTERRUPTION] It is not quite that simple. If this project goes ahead it is a very, very major project but I acknowledge the gist of his rhetorical question and that is yes, it is a large investment in finding out whether something else can be done or cannot be done. It is not unusual in projects of this magnitude and of this type. Put it this way, the project could not even be contemplated without doing a study of this sort.

HON J C PEREZ:

So what the Chief Minister is saying is that it is a project for a much bigger thing which could possibly involve the land between Eastern Beach and Catalan Bay and the use made of that land. Can the Chief Minister state whether the extension of the beaches could go ahead independent of the rest of the project regardless of whether the study needs to be done for the whole overall area?

HON CHIEF MINISTER:

Yes, it could go ahead. In other words, bits ashore could be done, the bits in relation to the beach and the sea could not be done. Obviously before agreeing to spend this amount of money on this phase of the project, a smaller pilot investigation had been done which gave an indication of the likely prospects of success of the original investigation. So this was not £382,000 invested on a completely speculative basis. The decision to invest £382,000 in respect of the in-depth study was itself made on the basis of an assessment of a preliminary and much cheaper investigation.

HON J J BOSSANO:

When did that cheaper early investigation take place and who carried it out?

HON CHIEF MINISTER:

I think it was, the hon Member will not hold me to the detail of this answer, I think it was about two years ago and it was done jointly by the local promoters and their I think Dutch or Danish technical advisers or partners or whatever.

HON J J BOSSANO:

Who is doing the project study now which came as a result of the earlier one?

HON J J HOLLIDAY:

The project managers are Gibraltar Land Reclamation and they are carrying out the various studies that need to be done in order to bring to fruition the complete feasibility study. At each stage all the different surveys that need to be completed, and models in order to test the viability of the particular project have been put out to tender in order to be able to size down the cost of the different stages in order to be able to bring this within the agreed budget and Gibraltar Land Reclamation is actually working on a management fee based on the cost of the different survey costs.

HON J J BOSSANO:

So is the fee to Gibraltar Land Reclamation included in the £382,000?

HON J J HOLLIDAY:

Yes, it is. I am quite happy to give a breakdown of the final cost of all the studies that have either been undertaken or will be completed shortly. For example, item 1 – detailed topographical study on shore, £4,200, that is the maximum cost; the survey over the water, do not ask me what the details are but they did a survey, £8,200; the in survey which will be done prior to the works on site for accuracy, £3,971; the borehole test beaches and borrow pit, £55,950; the model testing which is the waves study all completed and certified, at an equivalent of Dutch guilders of 571,500 which is roughly about £160,000; the study design, £69,891.07; the work method planning estimates, et cetera, £21,200; and then the actual preparation of the tender documents and contract work which has not been charged yet obviously because a decision has not been taken. To take this further it is £9,500. So based on that, that adds up to £332,912.07 and there is a management fee of 15 per cent on that which is £49,936.81 which totals the £382,849.

HON J J BOSSANO:

I find it rather odd that the Government should need to pay somebody 15 per cent of the tender prices in order to go out to tender on its behalf. It seems that Gibraltar Land Reclamation itself is not doing any work other than marshalling everything else, is that not correct? That is impression at least that I have got.

HON J J HOLLIDAY:

I do not think that is quite correct because the reality is that Government do not have the in-house capability to be able to conduct some of the in-house preparatory work. I know for a fact that most of the work although undertaken by Gibraltar Land Reclamation has actually been taken by outside Dutch experts who have been out at different points in order to prepare because these are areas of specialised work, it is not something that the Quantity Surveyors within the Technical Services Department have the expertise to be able to do even though we have had officials within the Technical Services Department representing the Government at all these meetings and at each stage in order to ensure that we were aware of any progress that was being achieved, any decisions that were being taken to ensure that it met with Government's requirements and policy in this particular section.

HON J J BOSSANO:

Are the Government aware that a number of years ago there were proposals to develop that area along the lines of joining the two beaches but privately financed and that that involved a number of preliminary studies and if they are aware, have they not been able to make use of any of that prior information?

HON J J HOLLIDAY:

I cannot really tell him whether some of the information that may have been available in the past has been made available now. What I do know is that when we were in preliminary discussions with Gibraltar Land Reclamation they said they had information available at the time which would serve and eliminate a lot of the preliminary costs and in fact it was some of that information that enabled us to prepare the first model that the Chief Minister was mentioning before, in order for us to come up with the concept and decision for that particular area and then make it comfortable for us to decide to proceed with a much wider and more in-depth study that needed to be done before we were able even to take a decision because all this information will have to be made available at tender stages when we are to consider whether the project will go out to tender to the private sector, whether it is going to be done in-house by the Government but once we take a decision as to how we are going to finance the project in due course.

NO. 387 OF 2000

THE HON J C PEREZ

DEVELOPMENT OF ROSIA BAY

How many different proposals are Government considering for the development of Rosia Bay?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were four proposals made to Government.

SUPPLEMENTARY TO QUESTION NO. 387 OF 2000

HON J J BOSSANO:

At what stage is the consideration on these four proposals? Is it that they are competing proposals in the sense of different people wanting to do the same thing or are they suggesting different uses for the area?

HON J J HOLLIDAY:

When we issued the official notice, I think it was some time late last year or early this year, we invited outline tenders for the development of the area but the outline was basically leisure and one of the pre-conditions was that it should include the provision for free bathing facilities for the general public and that obviously the plans should be fully sensitive to the historic area of Parson's Lodge and the sea wall that surrounds the area. We received four proposals; two were quite basic in their general embellishment of the area and basic from the point of view of amenities; two were far more ambitious proposals and the Government have given consideration to these but a decision has not yet been reached at basically because of the sensitivity of the historic areas around it and we are giving consideration as to where we should go. There has been a preference to go for the more ambitious projects but a decision has yet not been concluded.

HON J J BOSSANO:

So, in fact, strictly speaking, all four are still in the running, is that the case?

HON J J HOLLIDAY:

Absolutely, all four are still in the running and nobody has yet been turned down.

HON J J BOSSANO:

Does property development in the sense of residential use of some of that land form part of any of the proposals?

HON J J HOLLIDAY:

The two more ambitious projects do include an element of residential in the area and that is particularly why a decision has yet not been taken. We have not reached a conclusion as to whether we wish to see residential in this particular area, nevertheless the two more ambitious project developers do tell us that it is an essential part of their proposals because otherwise the whole project does not become viable. So therefore we are now considering to see how we can meet their requirements but on the other hand meet the sensitivity of possible development in this particular area.

HON J J BOSSANO:

Do the proposals include an offer of a price for the land that is going to be leased and would there be a different valuation of the bits that might be used for residential development?

HON J J HOLLIDAY:

I wish to remind the hon Member that the notice was actually for an outline tender proposal and did not actually include a valuation on price. Therefore there will be, I am sure, the time when once a decision is taken as to which angle to take that that consideration will obviously be very much in the forefront of a decision.

NO. 388 OF 2000

THE HON J C PEREZ

REFURBISHMENT AND BEAUTIFICATION AT LAND FRONTIER

What is the projected cost of the planned refurbishment and beautification works at the land frontier?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This project has just gone out for re-tender. It would therefore be imprudent to give bidders an indication of how much Government expect to pay.

SUPPLEMENTARY TO QUESTION NO. 388 OF 2000

HON J C PEREZ:

Re-tender meaning to say that it went out to tender, was awarded and has been withdrawn for some reason?

HON J J HOLLIDAY:

This project went out to tender some time last year. Upon receipt of the tenderers it was found that the tenders received exceeded the allocated funds for this project. At the time there were also negotiations with the MOD in respect of the lease for part of the land behind what we know as the frontier building in order to extend the building backwards and extending the building or the surroundings of the building up to the entrance into the RAF Officers' Quarters where the taxi rank is because what we wanted to do was to move the taxi rank back off the road in order to allow a much more user friendly system within that area. At the time we were negotiating that with the MOD, there were delays there and therefore we were unable to proceed with the allocation of this tender irrespective of whether we were amenable to the price of the tender or not. Due to the delays that that has caused, we went back to the tenderers and requested whether they wished to keep their original tender price. Obviously the time that had elapsed meant that most of them came back saying that obviously they wished to have the opportunity of increasing the cost. Government felt that due to the time that had elapsed and the fact that we had tinkered around with the details of the project in order to meet the requirements of what we believe is better for us today went down the route of re-tendering and this was done. My understanding is that new proposals have now been submitted from successful tenderers and I am confident now that we will be able to accept one of the tenders at a more realistic price level.

NO. 389 OF 2000

THE HON J C PEREZ

WORLD WAR II TUNNELS

What is the projected cost of opening part of the World War II Tunnels to the public?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The budget being allocated for Phase 1 of this project is £1 million.

SUPPLEMENTARY TO QUESTION NO. 389 OF 2000

HON J C PEREZ:

Can the Minister explain in the context of the whole project what is Phase 1 and what is the bulk of the expenditure involved?

HON J J HOLLIDAY:

I would like to remind the hon Member that 40 per cent of this project is European Union funded. Phase 1 basically covers the area from Casemates to Princess Caroline's Battery, then along to Hayes Level. Phase 1 is basically the clearing of the area and making it safe. The working inside the actual tunnels themselves would need work to be done and the creation of entry points, barriers, a shop and toilet facilities, et cetera in order to make it user friendly for visitors.

NO. 390 OF 2000

THE HON J C PEREZ

MOT

Can Government state how many private vehicles were required to have taken an MOT test by June this year, how many passed the test, how many failed, and how many have not taken the test at all?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Twelve thousand seven hundred and ninety private motor vehicles were required to take a test by 1 June 2000; 8,330 private motor vehicles passed the test and 2,281 failed the test. Of these, 1,702 were re-tested and passed. Three thousand eight hundred and eighty-one private motor vehicles had not taken the test as at that date.

NO. 391 OF 2000

THE HON J C PEREZ

BUS SERVICE

Can Government confirm that they intend to provide public funds to bus operators for the improvement of the bus service in Gibraltar?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO. 391 OF 2000

HON J C PEREZ:

In his discussions with the bus operators for the improvement of the bus service, is the Minister not involved in either financing part of the capital expenditure or the Government themselves providing the buses?

HON J J HOLLIDAY:

The hon Member would know that the Government are not satisfied with the current service being provided by bus operators in Gibraltar and this is being made known to them by myself. I have held meetings with both operators and have informed them that Government were looking at different options as to what we would like it to be in terms of the service that we wish to see implemented in Gibraltar. Both operators were asked to submit proposals as to where they could see themselves within a new system and the Government have given consideration to both proposals and in all fairness to the hon Member's comment, both operators are asking for a level of injection of funds from the part of the Government but the Government are not of the view that we wish to do this and is at the moment considering different options as to the way forward. In fact, I understand that although I am meeting one of the operators, I believe later this week, that they are actually in discussions themselves into a possibility of either amalgamation or take-over, I still do not know the details and they wish to come to me with a new proposal but that is the details of which I will not know until I meet them later this week.

HON J C PEREZ:

So other than what the Minister has explained there is no other independent proposal for the improvement of the bus service other than the current discussions taking place, am I right?

HON CHIEF MINISTER:

It depends what he means by independent?

HON J C PEREZ:

Independent by the Government. Independent from the operators.

HON CHIEF MINISTER:

In that case the answer to his question is no. Again the hon Member formulates his question on the premise that if the Government want to tackle the bus service we can only do so through the medium of the existing licensees and that is not necessarily a safe premise to make. The Government have many options open to us. I think what the hon Member has confirmed to him today is that the Government do not see the way ahead as capitalising the existing company's operations.

HON J C PEREZ:

Exactly because of what the Minister has said is why I am asking the question. The premise of my question which he tends to question every time I question something is precisely because the Government might have other plans independent of the operators now and I am asking whether there are existing plans other than the discussions with the operators to do something about the bus service. That is what I am asking.

HON CHIEF MINISTER:

That is what he is asking now.

HON J C PEREZ:

No, that is what I asked before.

HON CHIEF MINISTER:

Before he said, "There are no other independent plans". The answer to that question is no. If independent excludes the Government then as far as I am aware there are not any but if independent includes plans that the Government

HON J C PEREZ:

Plans that the Government, that is what I have been asking the Minister.

HON CHIEF MINISTER:

Yes, the Government are formulating plans, are considering all the options including all the external options as well as formulating our own options.

HON J C PEREZ:

We have known that since 1996. The Government have been studying this since 1996, we have known that. I have heard the Minister say this all the time. When are we supposed to be the wiser of what the Government's plans might or might not be?

HON CHIEF MINISTER:

Again, we are back to where we were this morning. This is an area which is a matter of this Government's policy, it was not his policy and really it is quite rich that he should rush me or suggest that we are moving too slowly on something which we have decided to do and which formed no part of his, the sum total of his contribution to the improving of the bus service in Gibraltar was to change the law increasing the maximum age of buses. Does he remember? He changed the law saying.....

HON J C PEREZ:

I did much more than that but carry on.

HON CHIEF MINISTER:

Does he not remember passing a law to say that buses from now on could be 50 years old and when we were in Opposition we said, "Look Minister this is moving in the wrong direction, should we not be making buses newer and not older?" and he went into, as was then his style.....

HON J C PEREZ:

It continues to be my style.

HON CHIEF MINISTER:

The serious answer to his question is that the Government spend a long time assessing the problems with the existing service. We spent a long time with the review study carried out, as he knows, the report into the bus service. The elections intervened, it remains in our manifesto. We have a commitment to do this and the Government are actively engaged in the final phase which is deciding on the implementation option, it is not true to suggest, as he has just done, that the Government have been four years deciding on which option to implement. The Government did not do anything in the first year, then we did the bus study, then the Minister has been spending time discussing with the existing operators, then we have been formulating options. What is planned is not tinkering, it is a major tackling of what I think we should all be able to agree is a substandard service delivered in substandard vehicles and it is not what Gibraltar needs, it is not what the people of Gibraltar want, it is not what they require and it certainly does nothing for the image of Gibraltar in the face of the many millions of visitors that we receive a year.

HON J C PEREZ:

Well, the image bad or not I think demand has a lot to do with it. The purpose of my question is because just prior to leaving office Mr Britto was the one that was telling me that he had to open the umbrella inside the buses because he used to get wet inside the bus and if there was so much concern at the time and they have taken five years to study the study, I thought they would have given it more priority.

HON CHIEF MINISTER:

As I keep on telling him, it is simply

HON J C PEREZ:

I have not finished my question. The question is Hansard will show that there have been commitments of studying and of doing this and doing that and nothing has happened for five years. I am questioning whether it is still a priority of this Government to do something about it or not?

HON CHIEF MINISTER:

Absolutely, it is one of our flagship projects for this term of office. And as I keep on telling him, I am sorry that he thinks that we are too slow at doing things and very often we are but what we have discovered in office is that it is just not possible to put right eight years of neglect as quickly as we would have hoped.

HON J C PEREZ:

Well, if it were only eight years of neglect it would be easy, in some cases he must be tackling 40 and 50 years.

NO. 392 OF 2000

THE HON J C PEREZ

PARKING AND TRAFFIC PROBLEMS AT WILLIS'S ROAD

What steps have Government taken to deal with the parking and traffic problems at Willis's Road?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The parking and traffic problems at Willis's Road remain the same ones as the hon Member failed to tackle in the eight years for which he was the Minister responsible. In contrast, this Government are working on a scheme to alleviate both problems highlighted in his question.

SUPPLEMENTARY TO QUESTION NO. 392 OF 2000

HON J C PEREZ:

If the Minister would care to look at the petition written by the residents there signed in 1999 and in the year 2000, he would know that it was not the same problem that I encountered eight years ago and I am asking the Minister whether he has done something about it because at the time of the budget he promised he would. I cannot understand the sarcasm or cynicism as to what happened during my eight years in Government given that the problem has arisen last year and that the people in the area have written to the Commissioner of Police only this year about the problem and he has been made aware of it this year, so what has it got to do with my term in office?

HON CHIEF MINISTER:

The mistake that we have made is that we have given him far too much credit in the question that we thought he had formulated. If the hon Member thinks that the problems of parking and traffic at Willis's Road are limited to the fact that recently the police started to enforce the law in respect of parking in certain places where it was dangerous, *[HON J C PEREZ: So he knows what the residents are complaining about.]*if that is what he thinks is the extent of the problem of parking, for a start there would be a problem of parking, it would not be a problem of traffic because he asked, "What steps have Government taken to deal with the parking and traffic problems at Willis's Road?" Traffic problems have not been created by that issue. We thought that the hon Member was identifying the very longstanding structural problem of parking and traffic in Willis's Road and in other areas of the Upper Town, for that matter. The hon Member, I am sure, will understand that if he really understands the nature of the problem of parking and traffic in Willis's Road that to expect the Minister to have done something about it from budget time to now is wholly silly if he understands the nature of the problem. The only way that one can resolve the problems of parking and traffic is to provide more purpose-built car parks up there which if the hon Member has read, as I am sure he has, carefully our manifesto, there are several large projects to deal structurally and *[HON J C PEREZ: In the future.]* Well, our manifesto is a four-year commitment and if the hon Member thinks that one can build two multi-storey car parks between May and

September in one year, I appreciate that they used to rush their projects through and we are still picking up the bill for their haste and their lack of planning and their lack of supervision. This Government prefer to study things properly and make sure that when we invest millions of pounds of taxpayers money that we are not leaving a legacy for the next Government to have to double the expenditure just to put it right. The hon Member will forgive us if we do not follow their advice as to how and how quickly one should rush multi-million publicly funded projects. *[HON J C PEREZ: The Chief Minister should be grateful of the legacy we left behind.]* The hon Member will know from our manifesto that we intend to build two multi-storey car parks in the Upper Town area. The hon Member will also be pleased to know that we are giving serious consideration to a possible traffic re-routing system that will convert Willis's Road into a one way road to alleviate that particular aspect of the problem. These are not things that can be done in a rush. Like all our solutions to Gibraltar's traffic problems, when they eventually emerge they work as the hon Member will have noticed at the junction of Winston Churchill Avenue, Glacis Road and Corral Road. It is better that it takes a bit longer and works than be half-baked, expensive and unsuccessful.

HON J C PEREZ:

In traffic such as what? He is implying that this is what used to happen before and that is not true. Let me tell the Chief Minister that the Hon Mr Holliday in his budget speech said that he would be tackling the problem of the parking and traffic in Willis's Road and the question I am asking is out of a commitment from his own Minister in his own Government to do something about it. I would have expected to be the immediate problem that the people are complaining about instead of the longwinded explanation about all this beautiful plans for the future that the Chief Minister invents while he is on his feet every time he wants to in this House. Let me say that if we are talking about long-term planning in Willis's Road, Hansard will show that the first constructive suggestion about traffic in Willis's Road came immediately after the election in 1996, he will see from Hansard that one of the main suggestions from the Opposition was how to tackle the traffic problem in the Upper Rock and in Willis's Road as far back as May 1996 and it is in Hansard for him to see. If the Chief Minister says that everything is going to be left long-term and we had a commitment from the Minister that this was going to be tackled, then I cannot understand why commitments are given in this House about anything.

HON CHIEF MINISTER:

The Government do not give commitments in this House at all. The hon Member appears to have misunderstood the role of Governments and Oppositions. The Government give commitments to the electorate in their manifesto. The Government do not give a commitment to the Opposition to build a car park or not to build a car park. The Government give a commitment to the people of Gibraltar in their manifesto which if the hon Members want to make sure that we comply with our manifesto they are perfectly welcome to keep us on our toes, as they are doing today, to make sure that we deliver. Any help that the hon Member can give me to push me along to make sure that come the next election day I will have complied with all my election manifestos the more he does that the better. But I do not do this out of commitment to them, I do this out of commitment to the electorate. The hon Member is quite right that I invent these things but I do not invent them on my feet in the House, I invented them when I wrote the manifesto because that is where they are. The commitment to build car parks in the Upper Town is in the manifesto. *[HON J C PEREZ: I am not talking about car parks.]* The hon Member tried to tease me by saying, "When have they done anything to do with traffic, bad planning and in haste?"

Well, I will answer his questions. *[HON J C PEREZ: Everything he has said about planning is a disaster. We have got traffic chaos in Gibraltar.]* Mr Speaker, I will answer his question. I appreciate that when discussing traffic matters with the hon Member one has to give due allowance for the fact that he has never sat behind a steering wheel in his life, that he is a non-driver and that he has no concept of matters of traffic. I will answer his question. When did the Opposition do something which has contributed to traffic chaos through hasty bad planning? I will tell him. It was an act of monumental stupidity having made the very good political decision to extend the reclamation, to go for home ownership, to increase the size of the population that were to be concentrated in the west side area, all political decisions which I have always applauded and continue to applaud..... *[INTERRUPTION]* No, what I do not applaud is the negligent, not to say reckless manner in which they oversaw the implementation of the policy but the original policy was perfectly sound. Having done all that, it was an act of monumental stupidity to channel all the traffic down a two lane road, one in either direction down Europort Avenue emerging into Queensway and not to have provided for other exits from the estate. I do not know where but the hon Member must know that it takes the average resident of Westside to get out of Westside into Queensway at least 20 minutes a day. *[HON J C PEREZ: Not because of the problem the Government have created at Waterport fountain.]* Mr Speaker, I live just opposite there and long before the Casemates project was even conceived as a twinkle in my eye, long before that ever happened, there is a nightmare to quote his own colourful language, traffic chaos every morning..... *[HON J C PEREZ: Created by the Chief Minister.]*at the junction of Queensway and Europort Avenue and it is all as a result of failure to plan for the traffic that the number of people that they were transferring into that area was bound to generate. But he should not worry because we are going to solve even that problem for him. *[HON J C PEREZ: Even that one, incredible.]* Absolutely, we are going to solve even that difficult problem for him.

To go back to the one about what he regards the problem at Willis's Road, the answer is that this Government will not issue instructions to the police to fail to implement the law as they think fit. The police..... *[HON J C PEREZ: Have been clamping, he has said it here in the House.]* Mr Speaker, the police do not do the clamping for a start, clamping is done by GSS. *[HON J C PEREZ: They do get instructions from the Chief Minister.]* I have never issued any clamping instructions in my life but I will say one thing, there are certain circumstances in which there ought to be more clamping than there is today. I have just come today driven down Governor's Street down the Three Roses Bar and there were five cars parked outside what used to be the Stricklands stationery shop, traffic heading north and traffic heading south, all these cars parked there and the ambulance unable to get through. Clamping, frankly, is not enough of a sanction for people who abuse but if the police and let us not forget responding to pressure from residents of the area, the police did not wake up one day to say, "Today I am going to go and victimise the residents of the Upper Town and make their life a misery". The police, in response to calls from residents of the area, remember that the police are very often accused of not dealing with problems complained of by local residents. They go in and they decide and they say, "Fine, we are receiving complaints from residents of the area about the indiscriminate parking which is making the traffic flow worse and which causes potential danger in the event of the need of the ambulance or the fire brigade to pass", the police responding to those representations from the law abiding public decide to apply the law in the interests of safety and the hon Member must have taken temporary leave of his senses if he thinks that the Government are going to pick up the phone in those circumstances and say to the police, "do not do it". I am sorry, Mr Speaker, that is not the way this Government function. *[HON S E LINARES: Except in the fishing.]* When this Government were confronted with a problem of

parking or a problem of traffic circulation, we get to the problem at source and if it is a long expensive and difficult problem to solve it takes time. The hon Member's worry is not about the time it takes, he is worried that we will solve it and everyone will think that the Government have done well. Fine, I do not mind, so long as the solution is the right one let it take a bit longer. The solution to the problem in Willis's Road..... *[HON J C PEREZ: The Chief Minister thinks we are as petty as he is.]* Mr Speaker, the solution to the parking and traffic problem..... *[HON J C PEREZ: He measures us by his own measurement.]* The solution to the parking problem and the traffic problem in the Upper Town area, if the hon Member wants to be serious and sincere for a moment, are structural, they flow from the configuration of the Upper Town, from the narrowness of the roads, from the lack of open parking spaces, these are the causes of the problem and those have got to be the areas which deliver the solution and that is the Government's approach. I know that at another time in another place and on another occasion and in another moment he really would want to do that.

HON J C PEREZ:

No, five years ago Hansard will show that I advised the Chief Minister to get in touch with the MOD which is what I was doing when I was in Government, to open the tunnel that gets vehicles down from Willis's Road to the area by the Casino, to Europa Road, five years ago I advised him of this as a solution to the problem and he is telling me that this is a solution and they are now looking at it long-term. The problem has been there for a long time, we have tried to find solutions to it, we have not had time to finish it and I advised him in the first meeting of the House after we lost the elections what he needed to do and he is just thinking about it.

HON CHIEF MINISTER:

We are not thinking about it. The solution that the Government are working on does not involve the tunnel because indeed we took his advice on his suggestion and we investigated the technical feasibility of his idea of the Great North Road and it was found to be completely and utterly not viable from any number of reasons – ventilation, size, access. The whole idea of using the Great North Road as a public thoroughfare is completely not viable and far from ignoring his advice, we took his advice as a new incoming Government and we looked into it and we had to drop it as we have told him in the House more recently when we last debated what he calls traffic chaos and we found that it was not viable and having found that that is not viable we are now looking at other alternatives. He should be patient. All these problems will be solved but they will be solved properly albeit with funding that will require the diversion of resources from other projects that the Government might also have wanted to do but this is an important social priority for the Government as part of our Upper Town urban renewal scheme.

MR SPEAKER:

One last question by the Leader of the Opposition.

HON J J BOSSANO:

I would like to ask the Minister, given that he mentioned in his budget speech his intention of doing something and one assumes that that implies doing it in the current financial year which is what the budget is about, what is it he proposes to do between now and March?

HON J J HOLLIDAY:

The project to improve the problems at Willis's Road includes the diversion or redirection of traffic and building of car parks and these are matters that will be initiated during this financial year.

HON J J BOSSANO:

So there is provision in this year's estimates for the start of this work, is that correct?

HON CHIEF MINISTER:

There is sufficient provision for that part of the work which we expect to result in expenditure during this financial year.

HON J J BOSSANO:

Does that involve a commencement of physical work or is it a question of a feasibility study taking place this year?

HON CHIEF MINISTER:

No, the feasibility study for one of the two parts of the project is done and that is ready to go. The other project has not yet got so far because the Government are still deciding whether it is going to be wholly public sector, wholly private sector or hybrid. I am referring to the second one, it is no secret I think we said so publicly before now, is the proposed multi-storey car park in the old Police Barracks block.

ORAL

NO. 393 OF 2000

THE HON J C PEREZ

COST OF EUROPEAN INCENTIVE BUSINESS TRAVEL MARKET EXHIBITION

What was the cost of attending the European Incentive Business Travel Market Exhibition in Geneva in May?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 372, 373, 374 and 412 of 2000.

ORAL

NO. 394 OF 2000

THE HON J C PEREZ

I&D FUND - HEAD 103, SUBHEAD 6

Can Government state how much of the estimated £2 million in Head 103, subhead 6, in the Improvement and Development Fund has been spent to date and in what projects?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 395 and 396 of 2000.

ORAL

NO. 395 OF 2000

THE HON J C PEREZ

I&D FUND - HEAD 103, SUBHEADS 4 AND 5

Can Government state how much of the estimated £ 530,000 in Head 103, subheads 4 and 5, in the Improvement and Development Fund has been spent to date?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 394 and 396 of 2000.

NO. 396 OF 2000

THE HON J C PEREZ

I&D FUND - HEAD 103, SUBHEAD 1

Can Government state how much of the estimated £1.6 million in Head 103, subhead 1, in the Improvement and Development Fund has been spent to date?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The amount spent to date in Head 103, subheads 1, 4 and 5 is as follows:

Subhead 1	£546,552
Subhead 4	£9,895
Subhead 5	£151,777

In respect of subhead 6, £403,088 has been spent as follows:

1.	Western Arm Phase 1	£17,363.36
2.	North Mole Road widening	£103,955.90
3.	Waterport Road and Devil's Tongue Road	£135,917.38
4.	Sir Herbert Miles Road widening	£142,986.42
5.	USOC Hockey Pitch car park	£2,865.00

NO. 397 OF 2000

THE HON J C PEREZ

BREATHALYSER TESTS

Have Government now cleared the technical details surrounding the drafting of legislation for the introduction of breathalyser tests?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No, the possible terms and scope of such legislation is still under review and no policy decision has yet been made.

ORAL

NO. 398 OF 2000

THE HON DR R G VALARINO

COST OF BRINGING UK JOURNALISTS

What was the cost of bringing 18 UK journalists to Gibraltar on or around 3 April 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 376 and 399 of 2000.

NO. 399 OF 2000

THE HON DR R G VALARINO

COST OF BRINGING SPANISH TRAVEL JOURNALISTS

What was the cost of hosting 15 Spanish travel journalists in Gibraltar from 8 May?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The cost to Government of bringing out 18 travel journalists to Gibraltar from the UK in April 2000 was £8,380.

The cost to Government of bringing out 15 Spanish travel journalists to Gibraltar in May 2000 was £4,583.

The cost to Government of the educational visit for seven UK travel agents in the week commencing 16 July 2000 was £282.10.

SUPPLEMENTARY TO QUESTION NOS. 376, 398 AND 399 OF 2000

HON DR R G VALARINO:

Were the journalists from UK from national newspapers or from local periodicals and as far as the 15 Spanish travel journalists are concerned, from what part of Spain were they and has any material been published by them on Gibraltar?

HON J J HOLLIDAY:

The Press on the Rock which is journalists from the UK, they covered a wide range of journals and newspapers including newspapers like The Guardian, The Sun and some of the leading tabloids. In addition to that, there were also specialist newspapers and magazines concentrating basically on tourism. They have published, in fact, as at the 10 August I have here a list of the different publications and the different radio and television coverage that we received as a result of this. Out of the 18 travel newspapers that came from the UK we have already had 14 articles or programmes on radio as a result of this. As far as the Spanish press is concerned, mainly from Madrid, there were some from Barcelona as well and I believe some from the area of Bilbao. I have not got the details here of exactly what has been published as a result of that but I know that some things have which I have seen myself with photographs in the Spanish press. But the intention of that was that we would start getting coverage after the summer in the lead up to the Christmas period when most of the general public look at possible opportunities for travel in the new year.

HON DR R G VALARINO:

I thank the Minister. If he has got the time I would be grateful for a copy of the papers.

HON J J HOLLIDAY:

Would he like the actual magazines or actual press reports?

HON DR R G VALARINO:

No, last year at the same time he gave details.

HON J J HOLLIDAY:

I am quite happy to pass this on to him now, I do have the information available.

NO. 400 OF 2000

THE HON DR R G VALARINO

IDEAS FOR "GIVE-AWAYS"

How many persons or organisations supplied the Government with ideas for "Give-Aways" in response to the Government Tender Notice published on 5 May 2000, and what were the ideas?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Fourteen persons or organisations submitted ideas in response to the Tender Notice. It is not possible to submit details of the ideas proposed until such time as the tender is awarded.

SUPPLEMENTARY TO QUESTION NO. 400 OF 2000

HON DR R G VALARINO:

When will the Minister think he will be able to give an idea to the Opposition on the question asked?

HON J J HOLLIDAY:

A decision has yet not been taken because these "give-aways" which are intended to use at trade fairs et cetera are not a priority from the point of view of expenditure so once the first half of the year is over, at the end of September we will be able to assess our expenditure during the first half of the year, estimate what it is likely to be committed to the second half and then see whether there are funds available for us to be able to renovate what are the current existing "give-aways".

HON J J BOSSANO:

Am I right in thinking that these 14 are the people who would supply whatever is selected?

HON J J HOLLIDAY:

Absolutely. The different persons or organisations who have submitted this have submitted samples with costings and then it is up to the selection board to choose what they feel is more attractive, cost effective for us to be able to contract.

HON J J BOSSANO:

Is it the case that a decision has to be taken on one to the exclusion of the others or is there anything to stop more than one of the proposed "give-aways" being found acceptable?

HON J J HOLLIDAY:

Absolutely, I think this is what I was trying to explain to the Hon Dr Valarino. We wish to start off on the premise of the budget that is actually going to be available to us and then there are likelihoods that we will probably be selecting more than one item. We need different items depending on the occasion. We cannot, for example, give "give-aways" to visiting journalists as we do at trade fairs when people come to our stand and we give them cost effective "give-aways" which they will take away with them as a reminder of Gibraltar.

NO. 401 OF 2000

THE HON DR R G VALARINO

NEW HOTEL

With how many interested parties are the Government having discussions in order to provide a new hotel in Gibraltar as announced in April?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

What I announced in April 2000 was that Government would be giving priority during this term of office to increasing the number of hotel beds in Gibraltar. In this connection, five parties have approached Government with proposals. These are being considered.

SUPPLEMENTARY TO QUESTION NO. 401 OF 2000

HON J J BOSSANO:

Can the Minister elaborate a bit more on what he means by increasing the hotel beds, does it mean then that he is talking to the existing hotels in order to add space to the hotels?

HON J J HOLLIDAY:

No, this was not a Government official announcement in a press release. This was quoted in the press as a result of a presentation or an address that I gave after dinner when Press on the Rock was in Gibraltar in early April and I said that one of the priorities in this term of office for the Government was to attract new hotels in anticipation of the fact that Government feel that it is important to forward plan and judging by the performance of hotels and how they have performed in recent months and how expectations are building up, it is clear that there is a need for us to start advocating the idea of increasing the availability of hotel beds in Gibraltar, possibly in two years time. Obviously we need to forward plan and anticipate and promote and flag the idea in order to get possible investors looking at Gibraltar and the fact that I was in an audience of UK press I felt it was sound for me to make that noise so that when reporting on their visit to Gibraltar they would actually quote me as doing that and obviously hoping that some chain of hotel or interested party would pick up the comment and say, "Let us look at Gibraltar, the Government wish to promote the idea of increasing hotel beds" and possibly bringing a hotel chain. The reality is that it was obviously picked up by local interested parties, not from existing hoteliers but other investors that are considering possible opportunities but in actual fact it also got picked up from outside. Out of the five that I have mentioned there are three which are not local and therefore I think that the exercise did its job.

HON J J BOSSANO:

The point really that I would like clarification on is the distinction that the Minister has made in the original answer when he said he was not talking about a new hotel, he was talking about more hotel beds. Well, where exactly are the beds going to be if they are not in a hotel?

HON J J HOLLIDAY:

The number of hotel beds can only be increased by either the existing operators or actually bringing in new ones. My preference is to actually bring in new ones than increasing the current hotel stock by the current operators. Competition I believe is good and I think we need an impetus of fresh ideas into the hotel industry.

HON J J BOSSANO:

I am not disputing any of that. Perhaps I misunderstood his original answer, I thought he had said in the original answer that he was not talking about a new hotel, he was talking about increasing hotel beds. He has just said fresh blood and bringing in new and competition, all that is a new hotel or is it not?

HON CHIEF MINISTER:

I think he has misunderstood now that he says that. The question is, "With how many interested parties are the Government having discussions in order to provide a new hotel in Gibraltar as announced in April?" The Minister just began his answer by saying, "I did not announce that I was talking to people to open a new hotel, what I actually announced was that the Government would be giving priority during this term of office to increasing the number of hotel beds. He was just correcting the premise of the question and then he went on to give the answer to the question that had been asked which is five for new hotels.

HON J J BOSSANO:

I see, so it is five for new hotels?

HON CHIEF MINISTER:

Yes, that was given in the original answer.

ORAL

NO. 402 OF 2000

THE HON DR R G VALARINO

HOTEL OCCUPANCY

Can Government give the overall percentage occupancy of hotels by month since January 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 403 to 405 and 414 to 418 of 2000.

ORAL

NO. 403 OF 2000

THE HON DR R G VALARINO

LENGTH OF STAY IN HOTELS

Can Government state the average length of stay in hotels of all arrivals by month since January 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 402, 404, 405 and 414 to 418 of 2000.

ORAL

NO. 404 OF 2000

THE HON DR R G VALARINO

HOTEL BED NIGHTS

Can Government give the hotel bed nights sold by month since January 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 402, 403, 405 and 414 to 418 of 2000.

ORAL

NO. 405 OF 2000

THE HON DR R G VALARINO

GUEST ARRIVALS

Can Government give the total number of guest arrivals in hotels for 2000 on a monthly basis?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 402 to 404 and 414 to 418 of 2000.

NO. 406 OF 2000

THE HON DR R G VALARINO

PERSONS INTERVIEWED

Can Government state, of the number of persons who have been interviewed since March 2000, who said they had stayed in a hotel, how many were interviewed at the airport and how many were interviewed at the land frontier, and in each case what was the average length of stay in hotels?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 407 of 2000.

ORAL

NO. 407 OF 2000

THE HON DR R G VALARINO

PERSONS INTERVIEWED

Can Government say how many interviews with persons who said that they have stayed at a hotel have been carried out since March 2000, on a monthly basis, giving the number of persons interviewed each month?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Tourist Survey questionnaires from April 2000 have not yet been processed.

The information sought in respect of March 2000 is as follows: of 401 persons interviewed, 29 stayed at hotels; 15 persons were interviewed at the airport who stayed at a hotel and their average length of stay was 4.5 days. At the land frontier there were 11 such persons and their average length of stay was 2.5 days.

The hon Member will realise that the number of people who are now being interviewed on a monthly basis has been substantially increased.

SUPPLEMENTARY TO QUESTION NOS. 406 AND 407 OF 2000

HON J J BOSSANO:

Have interviews been conducted in the Waterport area for people coming in on that route which at the last time when we had some confusion over this it was because the land frontier results were extrapolated to the people coming in by sea if I remember correctly?

HON J J HOLLIDAY:

Absolutely, as the hon Member knows I have not been personally happy with the sampling of these questionnaires so I sought a meeting with the Government Statistician and Statistics Office and we have now put in place a system which will give us a random sample of all entry points and I actually stipulated that we would have a minimum of 500 questionnaires every month which I think will give us a much more realistic picture and more reliable results. The 401 in March was as a result of the fact that we had our meeting at the beginning of March but we actually have some of our information officers carrying out some of the questionnaires as well in order to assist the Statistics Office with this task.

HON DR R G VALARINO:

Were some of the interviews conducted as well with Moroccan citizens?

HON J J HOLLIDAY:

I think that the Government's Statistician's view is and my own input into that is that we should have a random sampling which includes everybody so I assume that a number of those will include ferries and Moroccans et cetera coming into Gibraltar but the whole idea is not particularly targeted at any particular sector, it is randomly done.

NO. 408 OF 2000

THE HON DR R G VALARINO

STAR GRADING OF HOTELS

When are the results of the star grading of hotels report which was completed by 24 July going to be made public and when is the scheme going to be implemented?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No date has yet been set. Following an inspection of all hotels in June 2000, there are a number of issues that are being discussed with hotels before they are officially awarded a star rating.

SUPPLEMENTARY TO QUESTION NO. 408 OF 2000

HON DR R G VALARINO:

Does the Minister think that the rating will be made public before the end of the year?

HON J J HOLLIDAY:

It is our intention that all hotels should be officially graded by the end of the year. However it all depends on how quickly these negotiations and discussions can actually come to a conclusion. There are points of detail which hotels have had to address in order for them to achieve a particular rating. If one has a hotel, for example, and one says, "Right you are potentially a four star hotel but unfortunately for that to be done you need to change the locks on all the doors", until that happens they may not meet that rating and so therefore potentially we are hopeful that all discussions and everything that needs to be done will be done so that at the end of the year our hotels are fully rated.

NO. 409 OF 2000THE HON DR R G VALARINO**MONIES DUE TO GOVERNMENT BY HOTELS**

What amounts are due and owing to Government by hotels broken down by item and in respect of which periods these monies become due as at the end of this financial year 31 March 2000?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The amounts due to Government by hotels as at 31 March 2000, to the nearest £1000, were £807,000 broken down as follows:

Electricity	£294,000
PAYE	£169,000
Rates	£33,000
Social insurance	£311,000

The arrears are in respect of amounts due over a number of years dating as far back as 1991.

SUPPLEMENTARY TO QUESTION NO. 409 OF 2000

HON DR R G VALARINO:

If I remember rightly, Government said that hotels were now settling their current bills on a regular basis, is this the case?

HON J J HOLLIDAY:

That is correct. The Hotel Assistance Scheme provides as a requirement that hotels honour their current bills on time and that has been adhered to. In addition to that, they also have arrears agreements which have to come in place as at, for example, December 1999, that total was £902,000, in February it was £864,000, it is down to £807,000 at the end of March so the arrears are all coming down. It is a pre-condition of the scheme that both have to be maintained up-to-date.

NO. 410 OF 2000

THE HON DR R G VALARINO

HOTEL ASSISTANCE SCHEME

How much money have Government paid to hotels since 1 January 2000 in loans and grants from the Hotel Assistance Scheme in chronological order with a breakdown giving the name of the hotels and the amount paid?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

HOTEL	DATE OF PAYMENT	PAYMENT	LOAN/GRANT
Caleta Hotel	10 th January 2000	£143,284.75	Loan
Caleta Hotel	30 th January 2000	£85,250.61	Loan
Caleta Hotel	28 th February 2000	£43,167.00	Loan
Caleta Hotel	30 th March 2000	£158,067.00	Loan
Rock Hotel	14 th April 2000	£29,624.00	Loan
Caleta Hotel	18 th April 2000	£187,305.00	Loan
TOTAL		£646,698.36	

SUPPLEMENTARY TO QUESTION NO. 410 OF 2000

HON DR R G VALARINO:

Are these monies secured in any way?

HON J J HOLLIDAY:

As previously stated these monies are totally secured under the agreements that were made under the Hotel Assistance Scheme.

ORAL

NO. 411 OF 2000

THE HON DR R G VALARINO

GIBRALTAR CONFERENCE AND INCENTIVE BROCHURE

What was the cost of producing the new Gibraltar Conference and Incentive Brochure?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The cost was £16,675.

NO. 412 OF 2000THE HON DR R G VALARINO**COST OF SITA PASSENGER SERVICES CONFERENCE**

Did the SITA Passenger Services Conference which was held here from 15 to 19 May incur any cost to the taxpayer?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The cost to Government of attending the following exhibitions and conferences was as follows:

Expovacaciones	£8,634
Sea Trade, Miami	£8,943
EIBTM	£13,306

The cost in connection with the SITA Conference was £7,779.

The cost of attending the World Summit on Small Businesses was £11,541 broken down as follows:

Air passages	£9,560.60
Hotel	£1,162.01
Subsistence	£475.92
Taxis	£94.17
Dinner hosted by Minister	<u>£248.30</u>
	<u>£11,541.00</u>

NO. 413 OF 2000

THE HON DR R G VALARINO

REGIONAL AIRLINES

At what stage is the review of the Government's contract with Regional Airlines?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There have been intense negotiations with Regional Airlines over recent months. It is hoped that the discussions will be concluded shortly.

ORAL

NO. 414 OF 2000

THE HON DR R G VALARINO

NUMBER OF VISITORS BY AIR

What was the number of visitors arriving by air and staying in Gibraltar on a monthly basis since January 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 402 to 405 and 415 to 418 of 2000.

ORAL

NO. 415 OF 2000

THE HON DR R G VALARINO

TOURIST ARRIVALS BY AIR

What was the number of tourist arrivals by air in transit by month since January 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 402 to 405, 414 and 416 to 418 of 2000.

ORAL

NO. 416 OF 2000

THE HON DR R G VALARINO

VISITORS TO GIBRALTAR

What were the total number of visitors to Gibraltar in 2000 to date on a monthly basis by air and by sea?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 402 to 405, 414, 415, 417 and 418 of 2000.

ORAL

NO. 417 OF 2000

THE HON DR R G VALARINO

OTHER VISITORS BY SEA

What was the number of other visitors by sea for each month of 2000 to date?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 402 to 405, 414 to 416 and 418 of 2000.

NO. 418 OF 2000

THE HON DR R G VALARINO

YACHT VISITORS

What was the number of yacht visitors to Gibraltar for each month of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information sought in Question Nos. 402 to 405 and 414 to 418 of 2000 is contained within the annual Hotel Occupancy Survey, the Air Traffic Survey and the Tourist Survey Reports which are published by the Government. The information will therefore be made available in due course in the next reports to be published.

SUPPLEMENTARY TO QUESTION NOS. 402 TO 415 AND 414 TO 418 OF 2000

HON DR R G VALARINO:

What does the Minister mean by due course?

HON J J HOLLIDAY:

It is anticipated that the survey reports for the year 2000 will be placed before the House during the first quarter of the year 2001. Let me explain to the hon Member that after meeting the Hon Dr Garcia in my office about general statistics, it was agreed that I would be providing him monthly statistics on all data that was readily available and this I am doing. However, we agreed that there were a number of statistics really that were not very meaningful until we had compiled a year's statistic and therefore we agreed that we would leave this until the end of the year. Nevertheless he did reserve the right to ask this at any time, I presume that is why he has decided to ask these questions.

HON J J BOSSANO:

The number of tourists coming in by month every month is something the Minister gets within a few days of the next month from the people that handle the entry points so it is not that they are statistics that require elaboration in any way.

HON J J HOLLIDAY:

Absolutely but that statistic is being supplied to the Hon Dr Garcia every month. He has asked for the number of yacht visitors, I do not have that readily available, I do have the number of yachts that come in and that is being supplied to him every month. I supply him the number of coaches that come in, the number of visitors that come in through the frontier in cars, those that come in on foot, air arrivals, air departures, all that information is being supplied to him within a week or so after the end of every month. But what we agreed is that things like average length of stay was something that really made very little impact on a monthly basis and so we would leave this until the reports were compiled. He agreed to that subject to having the ability to be able to ask questions any time if he felt like. That is what was agreed at the time.

NO. 419 OF 2000

THE HON DR R G VALARINO

FERRY SERVICE BETWEEN GIBRALTAR AND MOROCCO

Can Government say how many operators are currently providing a ferry service between Gibraltar and Morocco?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There are three.

SUPPLEMENTARY TO QUESTION NO. 419 OF 2000

HON DR R G VALARINO:

I would be grateful if the Minister could specify which three they are. I understand the Sun Costa Line is one of them, but which are the other two?

HON J J HOLLIDAY:

The three operators are Blands Limited with the Mons Calpe, Southern Ferries with the Lemnos, and a German company whose agent is Turner with a vessel called Hansen Jet.

HON DR R G VALARINO:

Are Government satisfied with these arrangements?

HON J J HOLLIDAY:

Government believe that the current situation is that there are more operators than the route actually can sustain but market forces will have to show whether the market can be increased and the route made viable for some or whether any particular operator will decide to withdraw.

HON DR R G VALARINO:

I imagine that all these vessels have a Certificate of Safety?

HON J J HOLLIDAY:

Absolutely or else they would not be able to be operating the route.

NO. 420 OF 2000THE HON DR R G VALARINO

R2

Can Government assess the economic impact to Gibraltar of the decision by Renaissance Cruises to end calls by its ship R2 to Gibraltar as from August 2000?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

No because this is a hypothetical question. It is only possible to assess the economic impact if it is known how many passengers are carried on every cruise call booked by the R2 in the future.

I would nevertheless like to clarify one important matter. The question implies that the Government have lost the calls by the R2 because of some faults or weaknesses in what Gibraltar offers the ship and its passengers. This is not the case. Renaissance Cruises have completely rethought their cruise strategy. The former product, which was a 5-day cruise, has been dropped by the company in favour of 14-day cruises in line with international trends. In addition, Renaissance Cruises has increased capacity in the Baltic at the expense of the Mediterranean in order to meet the surge in demand for cruising in that area. Furthermore the company has yet to decide where it is to position its vessels for 2001, and which vessel or vessels are to operate cruises in the Western Mediterranean and with what frequency.

If, as is sensible, the question were to look at how Gibraltar is faring as a cruise port of call, then the answer is that notwithstanding the downward revision of cruise calls by the R2 at Gibraltar, it is anticipated that there will be an overall increase in cruise calls in 2000 compared with 1999. Of particular importance, it is estimated that the number of cruise passengers arriving at Gibraltar will grow from 123,000 in 1999 to over 140,000 in 2000. The net effect of this is that Gibraltar is deriving increasing benefit from cruise calls.

SUPPLEMENTARY TO QUESTION NO. 420 OF 2000

HON J J BOSSANO:

Nobody is disputing that it is of benefit to Gibraltar to have more cruise ships coming nor do I think there is anything in the drafting of the question to suggest any of the underlying assumptions that the Minister made in his reply. Is it that they are not able to give some kind of order of cost to the economy of the decision by Renaissance Cruises, as it says in the question, not by him, for the decision to divert the ship elsewhere?

HON J J HOLLIDAY:

I think the first point that I would like to address is that in order to be able to assess the economic impact of the change we would have been able to do that if we had known what our expectations were going to be, in other words, if they had announced that they were coming and then all of a sudden withdrawn, then we would have known how many times they would have called, the number of passengers that

would possibly have been on this particular call by this cruise company. Let me say that we are in constant communication with Renaissance in the same way as we are with a number of other cruise operators and they have not yet come to a decision as to what they are going to be doing for the year 2001. The reality of the situation is that the Baltic at the moment gives them a higher yield and therefore they have basically diverted their Western Mediterranean frequency to the Baltic. They have still not made a decision in respect of the year 2001 which, unlike most other operators because we now have most of the programmes of other cruise ships for the year 2001, some even of 2002, but in the case of Renaissance which is a private company, they seem to hold their cards very close to their chest and come up with announcements at very short notice. Therefore all is not lost for the year 2001, I am still hopeful that they will consider that. There is definitely a market in the area, let me say, because there is another operator who is possibly going to be doing a very similar route and itinerary to what the R2 were doing up till recently so competitors are looking at the market and are considering that if the R2 moves out of this particular area they are going to plunge in and they have taken the decision to plunge in and I am glad that Gibraltar will be included in this new operator's itinerary. So overall I do not think that we will lose the R2 but possibly gain this new other operator to come on track. So all is not lost.

HON J J BOSSANO:

In terms of the vessels that select the Western Mediterranean for their cruises, is it that Gibraltar is in competition with one other or two other specific ports in the route? Is it that there are a number of ports of which a number are selected and, if so, really where does the competition lie for us, Malaga or Tangier?

HON J J HOLLIDAY:

Most ships that are actually concentrating on the Western Mediterranean have a number of options to be able to deal with. Only in this area there is Casablanca, Cadiz, Malaga and Gibraltar as possible options. In the case of the R2 it included Malaga and Cadiz and Gibraltar in the middle. We are always put in the position to ensure that we are actually included in an itinerary but let me say that when an itinerary is considered for this side of the world Gibraltar is an attractive port of call for them, it offers something different to passengers especially if they are coming, for example, from Barcelona down to Malaga, on to Cadiz, on to Lisbon, Gibraltar is a completely different port of call, say, to Malaga who then have to get buses and go all the way up to Granada, for example, or when they call into Cadiz and they bus people down to Jerez to show them the bodegas and the horse exhibition that they have there. So for them Gibraltar is very convenient has a good product to offer within a relatively short space of time in order to be able to do the shopping and Rock tours, et cetera.

ORAL

NO. 421 OF 2000

THE HON DR R G VALARINO

AIRLINE ASSISTANCE SCHEME

How much was paid from the Airline Assistance Scheme and to what airlines during 2000 to date on a monthly basis, giving the amounts and the dates when these payments were made?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 425 of 2000.

NO. 422 OF 2000

THE HON DR R G VALARINO

FLIGHTS BETWEEN GIBRALTAR AND MANCHESTER OR NEWCASTLE

Are Government having discussions with a view to establishing flights between Gibraltar and Manchester or Newcastle airports?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Yes.

SUPPLEMENTARY TO QUESTION NO. 422 OF 2000

HON DR R G VALARINO:

Does the Minister envisage the establishment of these flights prior to - I was going to say the winter months because I am sure there is a Member of the House who is keen to go to Manchester to possibly watch some football matches there?

HON J J HOLLIDAY:

The present carrier from Luton airport, Monarch are looking to establish this route. The only thing is that there is a set time as to when that can be achieved. Obviously this was identified when GB Airways decided to withdraw their operation on the route. They are still working on the availability of flights because they would like to do a minimum of three flights a week and therefore I hope that I will have something more concrete to be able to report to the House at a later date but as yet they have not overcome part of their problems, they still have other problems in respect of the availability of flights still to overcome.

HON J C PEREZ:

Was there not at one stage a charter operator wishing to fly from the north of England and do these discussions involve charter operations?

HON J J HOLLIDAY:

I cannot recall having had discussions with a charter operator. I know that at one point there used to be some interested party in order to fly from, I think it was Newcastle actually, but this was done at a commercial level in Gibraltar, there was no contact with the Government as such. I think it actually did operate on a couple of occasions but it did not come to anything further than that.

NO. 423 OF 2000THE HON DR R G VALARINO**VISITORS BY AIR FROM TANGIER**

What were the number of visitors by air from Tangier on a monthly basis since flights commenced on or around 8 April, and what were the number of seats offered per month?

ANSWER**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The number of visitors by air from Tangier on a monthly basis since flights commenced on 8 April 2000 and the number of seats offered per month were as follows:-

Month	Seats offered	Seats used
April	32	18
May	16	8
June	16	7
July	<u>32</u>	<u>25</u>
	<u>96</u>	<u>58</u>

These flights were operated by Magreb Aero Services and were charter flights, they were not scheduled flights.

NO. 424 OF 2000

THE HON DR R G VALARINO

NEW AIRLINES

With how many new airlines, interested in flying to Gibraltar, are Government currently having discussions?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Discussions continue with three new airlines.

SUPPLEMENTARY TO QUESTION NO. 424 OF 2000

HON DR R G VALARINO:

Is the Minister able to mention the airlines or would he rather avoid this and is this likely to materialise in the near future?

HON J J HOLLIDAY:

As I have said before, it is difficult or imprudent for me to divulge publicly negotiations with airlines who are, at the end of the day, commercial entities although I am happy to do so in confidence with the hon Gentleman. We are, as I said, in discussions with three new airlines: one of them is keen in starting operation as from the summer of the year 2001 which basically starts I think in April but I am still waiting for some feedback from them after my last meeting only a few days ago.

HON J L BALDACHINO:

These three new airlines that the Minister is having discussions with are they different to the ones he answered in Question No. 422 or are they the same?

HON J J HOLLIDAY:

Yes, they are because, as I have said, the one in Question No. 422 is actually an existing operator at the moment. These are different operators themselves.

NO. 425 OF 2000

THE HON DR R G VALARINO

PAYMENT TO REGIONAL AIRLINES

How much money has been paid and how much is pending payment to Regional Airlines in respect of the service to Casablanca since it started and for what purposes has the money been paid or is pending payment?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

MONTH	PAYMENT MADE	AIRLINE	PURPOSE
29 January 2000	£61,750	Regional	Contribution towards operating expenses
29 February 2000	£15,000	Bland Ltd	Contribution towards operating expenses
20 March 2000	£9,840	Regional	Handling charges
29 March 2000	£31,683	Monarch	Contribution towards operating expenses
25 April 2000	£15,000	Bland Ltd	Contribution towards operating expenses
24 May 2000	£33,200	Monarch	Contribution towards operating expenses
28 June 2000	£27,292	Regional	Handling and landing charges
5 July 2000	£1,517	Monarch	Contribution towards operating expenses
19 July 2000	£82,333	Regional	Contribution towards operating expenses
17 August 2000	£15,000	Bland Ltd	Contribution towards operating expenses

SUPPLEMENTARY TO QUESTION NOS. 422 AND 425 OF 2000

HON DR R G VALARINO:

Am I right in thinking that this is based on the number of flights that each airline has put in?

HON J J HOLLIDAY:

The current arrangement with GB Airways and Monarch is that they actually do get an incentive for additional flights over their previous commitment and that is what their payments are due to the fact that they are due for periods in addition to the basic £60,000 that they get every year. Therefore the hon Member will realise that GB Airways, for example, who have not brought in any flights over their original contracted frequency are just getting the basic figure whilst in the case of Monarch they are over as they did bring in additional flights during the summer.

HON DR R G VALARINO:

As far as Regional Airlines is concerned we have already had a talk outside on this subject prior to the question.

HON J J BOSSANO:

In the case of Regional Airlines there is £82,000 in July – Contribution to operating expenses. Can he say in respect of what period that £82,000 is?

HON J J HOLLIDAY:

That relates to the period I think it is February/March to July. However, as I discussed with the Questioner there is a reason behind this which I do not think it is in the public interest for me to say publicly why that was done and I have explained this to the Hon Dr Valarino, I am quite happy to do it with the hon Member as well but I feel it is in Gibraltar's best interest that I explain this to him in the Ante Room if he wishes.

NO. 426 OF 2000

THE HON DR R G VALARINO

DEMOLITION OF 17 EUROPA ROAD

Can Government state whether a decision on the demolition of 17 Europa Road to enable the widening of the road has now been taken?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Government have approved the demolition of 17 Europa Road as part of a road widening scheme in the area.

SUPPLEMENTARY TO QUESTION NO. 426 OF 2000

HON DR R G VALARINO:

I would be grateful, considering that this idea was provided by the then Minister for Trade and Industry in 1997, is this going to be done fairly urgently or has he got any idea at all when it is likely to take place?

HON J J HOLLIDAY:

I recall that there is provision in this year's budget for it to be undertaken during this year. I am reminded by my Colleague that it forms part of the European funded project for road widening.

HON J J BOSSANO:

Was the property already in possession of the Government or have Government had to obtain it by buying it?

HON J J HOLLIDAY:

The property was in the hands of the Government.

NO. 427 OF 2000

THE HON MISS M I MONTEGRIFFO

POWER BOAT RACE

Can Government say which company is currently contracted to obtain sponsorship for the proposed Power Boat Race?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government do not have the answer to this question. The Power Boat Festival is being privately organised.

SUPPLEMENTARY TO QUESTION NO. 427 OF 2000

HON J J BOSSANO:

So the involvement of different companies in raising sponsorship has nothing to do with the Government? The Government have not been involved at all in selecting anybody to generate sponsorship for the event, is that correct?

HON J J HOLLIDAY:

Absolutely, the Power Boat Race is being organised by a private company and within that they have their own promoters and sponsorship seekers in order to make the whole venture viable.

HON J J BOSSANO:

So there was never any commitment from the Government that if there was any problem of obtaining sufficient support the Government would step in to make sure the race happened?

HON CHIEF MINISTER:

This is, as the hon Member has already been told, a private event which the Government are supporting in the sense that there is a demand on emergency services but it is a privately sponsored event, it is the Royal Yachting Association sponsored event and there is a local promoter. They approached the Government for some financial support and given the number of persons and the type of persons that this event will attract to Gibraltar, including press coverage, the Government agreed to make a contribution. After the Government had agreed to make that contribution the event was still in some financial difficulty and they made a request for a much larger commitment in the form of underwriting the losses in the event that they did not find, the Government declined that because one thing is to take a view on whether a particular thing is worth a particular sum of money, it is a matter of judgement and another thing is an open-ended commitment without knowing what the final cost would be. In the event the matter has been happily resolved because they were in the event able to produce the private sponsorship and the private financial support, I think they have sold the television rights to the event for a substantial sum of money.

HON J J HOLLIDAY:

The Gibraltar Tourist Board is one of the sponsors right from the beginning and that sponsorship was worth £30,000. They had different categories of sponsorship, we opted for the cheapest one which was the £30,000 in order to have our logo, in fact, the Gibraltar Tourist Board and the Sports Department are assisting with the organisation of the event in terms of support. We offered that sponsorship and then we have agreed to underwrite the event by a further £45,000 in case of a loss. So the sponsorship is worth £30,000 in the form of promotion and then the £45,000 is underwriting.

HON J J BOSSANO:

But in the light of the fact that they have now been successful does it mean that the £45,000 is unlikely to be called upon, is that correct?

HON J J HOLLIDAY:

On paper it is unlikely that the £45,000 will actually be required but it is not known until the event has actually happened whether this is the case. Government, in order to agree to this underwriting, have requested and demanded that we have access to all their figures and expenditure figures, et cetera which would have to be approved, there has been a budget proposed to us and we are very much on top of monitoring their performance in order to ensure that if we are going to have to use any of this it is done and justified.

NO. 428 OF 2000

THE HON J L BALDACHINO

2002 WORLD SUMMIT ON SMALL BUSINESSES IN GIBRALTAR

Who have Government appointed to the Working Committee set up by the Minister for Tourism to organise the 2002 World Summit on Small Businesses in Gibraltar as announced in Press Release No. 33/2000 on 4 April?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Following discussions with the Gibraltar Federation of Small Businesses, the Government have appointed Mr Peter Canessa, Chief Executive of the Gibraltar Tourist Board and Mr James Tipping, Finance Centre Director, to represent the Government's interests on the organising committee.

NO. 429 OF 2000

THE HON J L BALDACHINO

AIRPORT HANDLING SERVICES AT GIBRALTAR AIRPORT

How many persons, companies or organisations tendered for the provision of Airport Handling Services at Gibraltar airport?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Two tenders were received.

SUPPLEMENTARY TO QUESTION NO. 429 OF 2000

HON J L BALDACHINO:

Are they local companies?

HON J J HOLLIDAY:

Yes, they are. I believe that a tender has now been awarded.

NO. 430 OF 2000

THE HON J L BALDACHINO

TOURISM SITE OFFICER

How many persons have applied for the post of Tourism Site Officer?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

When the advertisement for Tourist Site Officer was first published, there were 13 applicants. Following an interview board, one applicant was selected.

As there are further vacancies to be filled, the post has been re-advertised. There have been 17 applicants and they attended for interviews on 31 August.

SUPPLEMENTARY TO QUESTION NO. 430 OF 2000

HON J L BALDACHINO:

Any of the 13 original applicants, apart from the one that was obviously successful in getting the post, form part of the 17 that applied for the second time?

HON J J HOLLIDAY:

I have got both lists here and I do not think that there are any repetition of names that I can spot, no I do not think so.

HON J J BOSSANO:

Can Government say, for example, of the last 17, how many were people who were unemployed at the time they applied as opposed to people moving from other jobs or wanting to move from other jobs?

HON J J HOLLIDAY:

Out of the 17 that applied there were 11 unemployed.

ORAL

NO. 431 OF 2000

THE HON J L BALDACHINO

INFORMATION OFFICER

How many persons have applied for the post of Information Officer with the Gibraltar Tourist Board?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were 24 applicants.

SUPPLEMENTARY TO QUESTION NO. 431 OF 2000

HON J L BALDACHINO:

Of the 24 has the Minister got how many of them are unemployed persons?

HON J J HOLLIDAY:

There were 13 unemployed.

HON J L BALDACHINO:

Have the Government got any idea by when they intend that the post will be filled?

HON J J HOLLIDAY:

I believe that the interviews were carried out last week and I know that a selection has already been done. I do not know the details but I assume that during the course of this week people will be informed.

HON J J BOSSANO:

In these positions in the Tourist Board, are persons who are already in the employment of the Development Corporation given any priority for vacancies that might come up?

HON J J HOLLIDAY:

Could the hon Member repeat the question?

HON J J BOSSANO:

In jobs like these within the Tourist Board, are persons who are already within the Development Corporation or elsewhere within the organisation, are they given any priority if they want to move?

HON J J HOLLIDAY:

No, there is no preference. But having said that, looking at the list here there is nobody who I can see apart from one whom is actually working within the Tourist Board itself, the rest come from the unemployment list or from the private sector.

NO. 432 OF 2000

THE HON J L BALDACHINO

TOURIST VISITOR INFORMATION PATROLS

How many persons were employed this summer on tourist visitor information patrols, how many applicants were there, and what criteria and procedure was used in their selection?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Fourteen temporary Visitor Information Patrol officers were employed this summer.

The selection procedure is as follows: - The Employment and Training Board provides the Gibraltar Tourist Board with a list of applicants, which this year was in excess of 200 applicants; the list was narrowed down to undergraduates and 'A' level students; of these, 40 were interviewed. The selection board took into account the applicants' language skills, outgoing personalities and previous experience as a Visitor Information Patrol officer.

NO. 433 OF 2000THE HON J L BALDACHINO**DATES ON WHICH MINISTER FOR TOURISM HAS BEEN AWAY FROM GIBRALTAR**

Can the Minister for Tourism give the dates when he has been away from Gibraltar on Government business from March 2000 to date, giving the event or function attended, the venue, the city and the country visited?

ANSWERTHE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

DATES	EVENT	CITY/COUNTRY
29 March-1 April	Small Business Federation – World Summit	Singapore
16 April-17 April	UKGTA + meetings	London/UK
22 May-24 May	EIBTM (22 May) Meetings (23 May) Expovacaciones (24 May)	Geneva/Switzerland Madrid/Spain Bilbao/Spain
4 June	UKGTA + meetings	London/UK
6 June-7 June	Posidonia + meetings in London	Athens/Greece
20 June	Press Lunch	Barcelona/Spain

NO. 434 OF 2000

THE HON J L BALDACHINO

TOURISM ADVISORY BOARD

What is the current composition of the Tourism Advisory Board?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Since the expiry of the tenure of office of the members of the Tourism Advisory Council, I have approached certain persons and invited them to become members of the new Council. The first meeting of the Council will take place on Thursday 7th September 2000 when an official announcement will be made with regard to its composition.

SUPPLEMENTARY TO QUESTION NO. 434 OF 2000

HON J J BOSSANO:

Is it that the composition has been changed, that is the implication of the answer?

HON J J HOLLIDAY:

That is correct. At the end of our last term of office I thanked those that had served on the Tourism Advisory Council and on being returned to office I felt that there was a need to approach other individuals with other skills and other areas of specialisation which I think meets more the demands of what Government are trying to achieve in tourism and obviously when the Board is made public on the 7th September he will realise that the focus is more in terms of marketing and sales than previously where we originally started with members who had originally been industry players in tourism to now more marketing orientated people who I feel is the sort of advise that I would like to have at this moment in time. Their appointment will be for two years.

NO. 435 OF 2000

THE HON J J BOSSANO

SINGLE EUROPEAN TOURISM BODY

Have any steps been taken towards the creation of a single European Tourism Body to represent the industry before the European Parliament as advocated by the Minister for Tourism in May?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

At the politicians' dinner, on the eve of the EIBTM exhibition in Geneva, I expressed support for the concept which was proposed that there should be a single European Council Body to represent the industry before the European Parliament. At the dinner, it was agreed that further consideration would be given to the proposal towards the end of this year. It is therefore too early for any further steps to have been taken in this regard.

SUPPLEMENTARY TO QUESTION NO. 435 OF 2000

HON J J BOSSANO:

The consideration towards the end of this year would be by whom?

HON J J HOLLIDAY:

The organisers of the EIBTM are quite a recognised lobbyist group within the European Parliament in that they have the clout to be able to organise the sort of dinner that I attended and they felt that they would be able to take a period of time which they specified towards the end of the year in order to come up with the idea of probably trying to conceive this. They felt they needed that time in order to be able to consult and gauge the level of support because not everybody was represented at this dinner. I used our membership of the Mediterranean port of calls as an idea in which I feel has worked well in order to attract cruises into the Mediterranean in competition with other destinations and at the time there was concern expressed that Europe as a destination was losing market sharing ground to other world regions and therefore the idea of having a politicians' forum in order to look at the marketing and the promotion of Europe as a destination in competition with, say, America or the Far East, was something that was being considered and in fact, I cannot recall but I think it was the Vice-President of the European Parliament who was there who was keen that this should be explored because he felt that sort of input would give impetus to the European Parliament in order to look at tourism within Europe as a region rather than within individual markets where everybody is pulling in their own direction.

HON J J BOSSANO:

Would the participation in such an initiative be from national tourist boards or would it involve tourist boards further down the line like, for example, the regions in Spain, Andalucia or Scotland or whatever, where would we fit in in that set-up?

HON J J HOLLIDAY:

Obviously for Gibraltar it would be the Tourist Board because we do not have much option but let me say that at this dinner there was not really a Spanish Tourist Board representation but there were representations there by the Vice-Mayor of Barcelona representing the Catalunya Tourist Board and I am sure that he would have a voice and an important one as well in this particular forum. There was also one of the Vice-Councillors from Mallorca as being another potential and strong area in attracting tourism within Europe. So I assume that it would all depend on the nations concerned as to whether it would be done through a separate body or actually have regions being represented.

NO. 436 OF 2000

THE HON J J BOSSANO

ACCOMMODATION OF HMS TIRELESS CREW

Since 16 May, how many of the guest nights sold by hotels are accounted for by accommodating the crew of HMS Tireless?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This information is not available to Government.

SUPPLEMENTARY TO QUESTION NO. 436 OF 2000

HON J J BOSSANO:

Given the reports that appeared in the UK press as to the amount of money that was being spent on hotel accommodation, would the crew of the Tireless appear in the hotels' returns as tourists?

HON J J HOLLIDAY:

I assume they will appear as tourists but I am afraid no hotel will divulge that sort of information. They feel that that is commercially sensitive information which they are not willing to make available.

ORAL

NO. 437 OF 2000

THE HON S E LINARES

THEATRE ROYAL

Have Government concluded the negotiations with the owners of the Theatre Royal in terms of the lease?

ANSWER

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

Answered together with Question No. 438 of 2000.

NO. 438 OF 2000

THE HON S E LINARES

THEATRE ROYAL

When is the work to convert the Theatre Royal for use as a conference centre announced on 8th April expected to commence?

ANSWER

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

The negotiations with the owners of the Theatre Royal have now been concluded and the work of restoration of the Theatre is due to commence in January or February of 2001.

SUPPLEMENTARY TO QUESTION NOS. 437 AND 438 OF 2000

HON S E LINARES:

Can the Minister state what this agreement on the lease has been?

HON DR B A LINARES:

No, I think the specific terms of the agreement will be announced by the Government once the formal signing of the lease is done very shortly.

HON S E LINARES:

Will the Minister say if it is already concluded but has not been signed and therefore he is waiting to sign it to announce it?

HON DR B A LINARES:

That is correct.

HON S E LINARES:

How long after the signing will the works commence?

HON DR B A LINARES:

In January or February of 2001.

HON CHIEF MINISTER:

The point is that this contract falls under the EU tendering rules and therefore has to go through those very particular procedures. A very special tender process.

HON S E LINARES:

In that case then can the Minister state what proportion as in proportions of the contract is going to be paid by the EU in relation to what the Government are going to pay?

HON DR B A LINARES:

I believe it is 60/40.

HON S E LINARES:

Sixty for the EU, 40 for us?

HON DR B A LINARES:

Forty for the EU and 60 for us.

NO. 439 OF 2000

THE HON S E LINARES

HAND-OVER OF THE GARRISON LIBRARY

At what stage are discussions with the Ministry of Defence over the hand-over of the Garrison Library?

ANSWER

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

Answered together with Question No. 518 of 2000.

NO. 440 OF 2000

THE HON S E LINARES

NATIONAL WEEK COMMITTEE

Can the Minister state who are the current members of the National Week Committee?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The people involved in organising different events during National Week are the following:

Fortunato Azopardi
Odette Valverde
Clive Del Agua
Douglas Rodriguez - Department of Social Affairs
Audrey Vella - Tourist Board
Dylan Ferrar - Tourist Board
Lawrence Robles - Youth Service
Jaime Felices - Youth Service
Manolo Galliano - Ministry of Culture
The Hon Mrs Y Del Agua

SUPPLEMENTARY TO QUESTION NO. 440 OF 2000

HON S E LINARES:

There has been a shift from members from the last committee, is that correct?

HON MRS Y DEL AGUA:

That is correct.

HON S E LINARES:

Could the Minister say why this has not been changed in the Internet which we use quite a lot?

HON MRS Y DEL AGUA:

Has the hon Member asked why it has not been changed in the Internet?

HON S E LINARES:

Yes, it seems the information on the Government website has not been updated. Many of the people the Minister has mentioned are not even there.

HON CHIEF MINISTER:

The hon Member has obviously not spotted the slight difference in the wording that formulates the question and the wording that formulates the answer. Whilst I appreciate that his question was "Can the Minister state who are the current members of the National Week Committee?", there has been no change in the formal composition of the National Week Committee. The answer says, "The people involved in organising different events during National Week are the following....." The answer is not, as I understand it, an answer to the question. The answer should have been, "There has been no change in the composition of the National Week Committee", as the Government website could ratify.

HON J J BOSSANO:

What then is the connection or the relationship between the group of people mentioned as organising different activities and the National Week Committee?

HON CHIEF MINISTER:

The National Week Organising Committee was a committee that was set up, I cannot remember if it was last year or the year before last, to really look at the concept of what would be nice to happen on National Day. There has always been a difference between the people who sit on that committee, in other words, designing the beast and the people who roll up their sleeves and actually put on events and organise events and make themselves responsible for events. I think what has happened is that now that the National Week Committee in previous years decided what events there should be, it is now in effect put on by whoever are the people who put on those events and I think that is the difference. I suppose the answer is that the National Week Committee has not organised in the sense of decided whether to change the events this year. The committee itself has not met.

HON J J BOSSANO:

Who is the Chairperson of that committee?

HON S E LINARES:

Dr Linares.

HON J J BOSSANO:

I was under the impression that there had been a change of the Chairperson to the Minister for Social Affairs, was that not announced?

HON DR B A LINARES:

As the Chief Minister was explaining a moment ago, there has been no change in the formal composition of the National Week Committee and thereby I am still formally the Chairman of the National Week Committee but the distinction which the Chief Minister has made a moment ago, between the operational side of National Week, the organisation side in that respect, responsibility for that was shifted from my area

of responsibility to that of the Minister for Social Affairs. I think we must understand the distinction between the operational level, the organisational, I think the Chief Minister described that very aptly and the constitutional watchdog which is the National Week Committee which designs policies, the concept of National Week, that was discussed and is discussed at the National Week Committee.

HON J J BOSSANO:

I find it odd to hear that explanation because the Chief Minister just asked the Lady whether the Committee had met and he should have asked the Minister who is the Chairman of the Committee.

HON CHIEF MINISTER:

Yes.

HON J J BOSSANO:

Has the committee met?

HON DR B A LINARES:

That is another question. The Chairman did not feel the need to convene a meeting of the National Week Committee which, as I said, is there to define concepts and policies because it was felt that those aspects were well consolidated and crystallised by now and there was no need for any change in direction in that respect.

HON J J BOSSANO:

Is it that that was also the case previously in the sense that there were two bodies, a working party and a National Week Committee? Was that the case?

HON DR B A LINARES:

There were not two bodies, there was one body which is the National Week Committee and there were a lot of people, not a body, a collective entity but there were just people doing the job, doers.

HON J J BOSSANO:

But was there a Minister in the doers group and another Minister before?

HON DR B A LINARES:

The Minister was not in the doers group although I did get my hands dirty and tried to oversee, even the operational side, to make sure that things were done but strictly I was not a doer in the sense that, for instance, Manolo Galliano would have been or Tony Pincho would have been from Buildings and Works, these are the people who were in the field doing the work.

HON J J BOSSANO:

On this occasion is there a Minister in the doers as well?

HON MRS Y DEL AGUA:

Yes, I am more involved in the doing side of it this time round.

HON S E LINARES:

Will this doer committee now be formally put in the Internet?

HON CHIEF MINISTER:

There is no doers committee.

HON J C PEREZ:

We have the National Week Committee that does not meet because policy decisions have been taken a long time ago and a group of individuals who actually do the things but they do not meet either. *[HON DR B A LINARES: They do.]* Oh they do meet together? It is not that each has a particular task, it is that they all meet together and take decisions?

HON DR B A LINARES:

I have not been involved with the doers this year but I think that my hon Colleague, the Minister for Social Affairs would explain that aspect.

HON S E LINARES:

Has there been any co-ordination between the doers and the no doers?

HON MRS Y DEL AGUA:

I think this relates to the following question, No. 441. There have not been any formal meetings as such, but we have been of course meeting and liaising with each other on as many occasions as have been required. The process of liaison will obviously intensify in the run-up to National Day.

HON S E LINARES:

What exactly is the Minister's answer?

HON MRS Y DEL AGUA:

What exactly was the question? I have just answered the question.

HON S E LINARES:

But the Minister is not a member of the National Week Committee, it is the Hon Dr Linares who is the Chairman of the National Week Committee who have never met.

HON CHIEF MINISTER:

The hon Members should remember that they should not anticipate questions which are elsewhere on the Order Paper. They have in effect pre-empted Question No.441 and I think that the perfect co-ordination that exists between the doers and the policy thinkers is self-evident from the ever improving quality of the Fair and of the other

events which will unfold as National Week approaches and develops. I think that the hon Members will wish to recognise the significant progress that there has been in the organisation of the concept of Gibraltar Week and the very many more events of a cultural, sporting, leisure nature that exists and that these are the issues that the hon Members should be focusing on and not whether the doers or the thinkers committees are meeting together frequently or indeed not at all.

HON S E LINARES:

I appreciate the work that is done since I know how much work goes into it because I was one of the original doers in 1992 onwards and therefore I appreciate what the Minister has been doing and I know it is a lot of hard work. The only thing is that I feel obliged to have mentioned the National Week Committee which the Government have instated which seems to be of a redundant nature because there has not been any co-ordination between one Minister who is chairing the doers and the other Minister who chairs the policy makers. So it seems as if the doers have not consulted the policy makers whether their move is the right one or not but I appreciate what the Government have done and I am glad that National Week is a success, that is definite.

ORAL

NO. 441 OF 2000

THE HON S E LINARES

NATIONAL WEEK COMMITTEE

Can the Minister state how many times the National Week Committee has met during the current year and leading up to National Day?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The answer is that it has not met.

ORAL

NO. 442 OF 2000

THE HON S E LINARES

BOARD OF MANAGEMENT OF THE MACKINTOSH HALL

Can the Minister state who are the current members of the Board of Management of the Mackintosh Hall?

ANSWER

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

Answered together with Question No. 443 of 2000.

NO. 443 OF 2000

THE HON S E LINARES

BOARD OF MANAGEMENT OF MACKINTOSH HALL

Can the Minister state how many times the Board of Management of the Mackintosh Hall have met since 1996?

ANSWER

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

The Board of Management of the John Mackintosh Hall was reconstituted in 1998 by this Government. It had ceased to exist in 1993 when the then Minister for Tourism, Mr Pilcher, significantly not the Minister for Culture, Mr Moss, handed over the management of the hall to a private agency, Knightsfield Holdings Ltd. The Board met once in 1998 and once in 1999. It is scheduled to meet this year 2000 in autumn. The current members of the Board are:

Hon Dr B Linares - Minister for Education and Culture (Chairman)
 Mr M Galliano - Director of Culture
 Mr J Ramirez (representing the John Mackintosh Educational Trust)
 Mrs P Scott - Education Department
 Mrs G Finlayson - Director, John Mackintosh Hall
 Mrs A Skinner
 Mrs C Thomson
 Mr M Prescott (representing the Gibraltar Dance Organisation)
 Mrs Y Zarb
 Mr M Finlayson - Arts Centre

SUPPLEMENTARY TO QUESTION NOS. 442 AND 443 OF 2000

HON S E LINARES:

How many times have they met, which is the second question?

HON DR B A LINARES:

They met in 1998, once; in 1999, once and it is scheduled to meet in 2000 this autumn.

HON S E LINARES:

The Minister states that it had not met since 1993?

HON DR B A LINARES:

The Board of Management of the Mackintosh Hall was swept away eliminated by Mr Pilcher when he handed over the management of the hall to Knightsfield Holdings and since 1993 until 1998 when I reconstituted the Board as required by statute, it had not met because it did not exist.

HON S E LINARES:

I beg to differ with the Minister because I was a member of that Board and we did meet.

HON DR B A LINARES:

I would require clear evidence of that.

HON CHIEF MINISTER:

This is a statutory Board, we are not talking about something cobbled together in the Minister's office, this is a statutory Board.... [HON J J BOSSANO: *Where the does meet.*] I am not sure how much they did or how much they did not do, this is a statutory Board which was not constituted so whatever the hon Member was attending he was not attending a meeting of the Board of Management of the Mackintosh Hall unless, of course, he was privileged enough to be a member of the Board of Directors of Knightsfield Holdings and he got the two Boards confused.

HON DR B A LINARES:

Mr Speaker, with your leave, before I answer this question I would like to, on a point of order, clear an issue that came up in a supplementary to Question No. 443 the other day when I stated that the Board of Management of the John Mackintosh Hall ceased to exist in 1993 until we reconstituted the Board in 1998. The Hon Mr Linares stated that he had been a member of the Board and met after 1993. Well I now have all the records of the meetings of the Board of Management of the John Mackintosh Hall as follows but the last meeting attended by the hon Member was on 28th January 1993 at 5 pm. That was the 60th meeting of the Board, the 61st meeting of the Board took place on the 6th April 1993 at 5 pm, the hon Member was a member of the Board but he sent his apologies for that meeting. The next meeting after that, the 62nd meeting of the Board did not take place until the 28th January 1998 which, as I stated in my answer, the Board was reconstituted. So there must be some confusion in the hon Member's mind but I thought it was important to this House that the record should be put straight.

HON S E LINARES:

I thank the Minister for stating that. The confusion must have been that I must have attended some meetings in which notes or minutes must not have been taken which I am not going to follow up. But there were definitely other meetings after 1993 and it could be confusing but I can vouch for that. I would rather leave it there and not carry on with this debate but there were meetings after that, if they were under another name or whatever that is not for me to state.

HON DR B A LINARES:

I do not quite understand what the hon Member is saying but the facts are the facts, the records are the records, this is a statutory body, records are kept, minutes are kept of those meetings and the last meeting before the 62nd meeting, in other words, the 61st meeting was on the 6th April 1993 and there was no other formal meeting of the Board of Management in the records after that.

NO. 444 OF 2000

THE HON S E LINARES

PURCHASE OF LIBRARY BOOKS

Will the Minister for Education state what financial provision has been made specifically for the purchase of library books in the current school year?

ANSWER

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

The financial provision for library books is left to individual schools under the direction of each headteacher to decide within the global capitation allowance granted by the department to each school. Headteachers are currently budgeting their own departmental allocation of funds and no details about specific items for the current school year such as library books are as yet available to the department.

SUPPLEMENTARY TO QUESTION NO. 444 OF 2000

HON S E LINARES:

Can the Minister state why it was available in the previous House and not in this one?

HON DR B A LINARES:

Because when the question was asked, Question No. 714 of 1999 by the Hon Joshua Gabay, the allocation by the headteachers had already been made, information had been given to the department and I was able to present it to this House. As I say, we still have not got the information from the individual schools and headteachers to that effect. It will be available.

NO. 445 OF 2000

THE HON S E LINARES

ONE-YEAR COURSE AT WESTSIDE SCHOOL

Will Government be offering a one-year course at Westside Comprehensive School this academic year?

ANSWER

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

The answer is yes in Year 12 and no in Year 10.

SUPPLEMENTARY TO QUESTION NO. 445 OF 2000

HON S E LINARES:

So the Minister is satisfied at the fact that school leavers, the year in which Bayside has a one-year course in which they co-ordinate with the Construction and Training Centre, the girls do not have the same facilities and are not going to have it this year?

HON DR B A LINARES:

Bayside is not offering a one-year course this year, it is offering a two-year course to all Year 10 students very much along the same lines as Westside. Westside School offers a two-year course which consists of repeat GCSEs in Mathematics, English and Science; new GCSE courses in Italian; Media Studies and Photography; and an entry level course in Computer Literacy and Information Technology. I was reading actually the curriculum and the syllabus for the one-year course in Year 12, I beg your pardon. The school does not offer a one-year course in Year 10 but students for whom GCSE courses are unsuited can opt to follow pre-vocational courses in office studies, food technology, live skills and textiles. These are below GCSE standard and in addition some students also follow basic numeracy and literacy courses and these are all two-year courses since the majority of students, that is 90 per cent, actually stay on in Year 11, they do not leave at the end of Year 10. When we come to the question on Bayside which I think is the following one, I will then describe a very similar vocationally orientated course which is being offered on a two-year basis.

NO. 446 OF 2000THE HON S E LINARES**ONE-YEAR COURSE AT BAYSIDE SCHOOL**

Can the Minister state how many pupils leaving Bayside at 15 have indicated that they wish to opt for the one-year course?

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

There is some confusion in the presentation of this question, at least in my mind. If the hon Member is referring to the pupils who left Bayside at 15 during the past academic year, obviously they have not opted to follow any further courses in the school, they simply opted to leave. If the hon Member is referring to students who may leave at 15, we do not know at this stage who may leave at 15 during the course of the coming academic year, then I can tell the hon Member that all these students will no longer have a one-year course offered to them because they are presented with a vocational curriculum which they may follow for two years. These boys will be offered a balanced programme providing a continuation of basic skills, literacy and numeracy and science along with individually tailored placements designed to maximise their potential in terms of vocational training and this has been undertaken in conjunction with the College of Further Education, Our Lady of Europa Training Centre, the Botanical Gardens and other appropriate working training environments identified by the school in consultation with the students.

SUPPLEMENTARY TO QUESTION NO. 446 OF 2000

HON S E LINARES:

I appreciate that they are doing a two-year course but I am still concerned and worried about children who, for example, whose birthday is in August and have to stay the whole year in that school because they are not 15 and by statute they cannot leave school before 15, what are these schools providing for the children who have to stay there a whole year and not a two-year course? These are what my concerns are.

HON DR B A LINARES:

I have just explained in detail the two-year course, enriching meaningful vocational courses which are being offered to these students which can stretch for two years but are meaningful in themselves throughout the course of one year. I would have thought that the hon Member would appreciate that.

ORAL

NO. 447 OF 2000

THE HON S E LINARES

TRAINING SCHEMES FOR THE UNEMPLOYED

Will the Minister for Education state whether they will be offering any training schemes for the unemployed this academic year?

ANSWER

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

Answered together with Question Nos. 448, 461 and 462 of 2000.

ORAL

NO. 448 OF 2000

THE HON S E LINARES

SHORT COURSES ON IT FOR THE UNEMPLOYED

Can the Minister for Education state whether they are offering through GCFE short courses on IT for the unemployed?

ANSWER

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

Answered together with Question Nos. 447, 461 and 462 of 2000.

NO. 449 OF 2000

THE HON S E LINARES

SCHOOL OF TOURISM

Can the Minister state what employment in the industry has been found by students who have completed their one-year course in the School of Tourism?

ANSWER

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

INTAKE 1

Nine trainees completed the course and are employed in the following:

The Rock Hotel	-	Waiter (one)
The Elliott Hotel	-	Waitress (one)
Radical Pizza	-	Kitchen Assistant (one)
Prescott Insurance	-	Receptionist (one)
Cohen & Massias	-	Sales Assistant (one)
Studying in UK	-	(three)
Unemployed	-	(one)

INTAKE 2

Four trainees completed the course and are employed in the following:

The Queen's Hotel	-	Receptionist (one)
Ladbrokes	-	Operative (one)
Pizza Hut	-	Waiter (one)
Studying in UK	-	Course for a Higher National Diploma in Tourism (one)

INTAKE 3

Seven trainees completed the course and are employed in the following:

The Rock Hotel	-	Housekeeping (one)
The Caleta Hotel	-	Waitress (one)
Casino	-	Reception (one)
Raffles Restaurant	-	Waitress (one)
Nova Business	-	Reception (one)
Hotel in Mallorca	-	(one)
Unemployed	-	(one)

INTAKE 4

Ten trainees (completes September 2000)

INTAKE 5

Nine trainees (completes February 2001)

NO. 450 OF 2000

THE HON S E LINARES

SCHOOL OF TOURISM

Can the Minister state if the four students from the School of Tourism who found employment in the industry and the one being interviewed are still in employment with the same employer?

ANSWER

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

I am happy to affirm that the four students from Intake 1 who found employment in the industry are still employed in the industry. We do not know whether the one who was then reported when I announced this last as being interviewed for a job when I answered a similar question from the Hon Joshua Gabay in September 1999, Question No. 708 of 1999, I regret to say that we do not know whether he eventually obtained employment in the industry or elsewhere. It is difficult sometimes for the monitors to be able to as the workload increases, remember that monitors in the Training Unit are not just responsible for monitoring the School of Tourism but many other training schemes and they are now finding their workload quite expansive to be able to follow the trajectory of individual students but I do regret that we do not know the outcome of the interview of this student.

SUPPLEMENTARY TO QUESTION NO. 450 OF 2000

HON J J BOSSANO:

Is it a question of seeing whether they are in the industry in the sense of being somewhere in the catering industry or being in long-term employment in the sense of being in the same employment because, of course, I am sure the Minister is well aware that the catering industry has had a long history of high turnover and that therefore the fact that somebody is in a fast food restaurant or in another one or in another one and is still in the industry is not an indication that he has actually found permanent employment which he would not have had without training.

HON CHIEF MINISTER:

Two points that I would make in answer to that supplementary. In answer to Question No. 333 his hon Colleague sitting next to him, obtained details of the vacancies that had been filled in the hotel industry by nationality and there he can see the 18 Gibraltarians in what part of the hospitality industry they are placed. The other thing that I would say to him is that it is in the nature of the hotel industry that regardless what level one aspires to reach in the industry as a career, one starts at the bottom and that is the nature of the business even if one goes in for hotel management, one gets thrown into the kitchen, we have had this discussion before I seem to remember. I would hope that the results of the training that these people have received in the Tourism School together with their commitment to make a career in this industry in Gibraltar will result in their progressing as is natural in the hotel industry through the various activities and through the various ranks and ultimately

reach management. Certainly for the Government's part we will wish to keep the situation under review to see if these people move up through the various activities and seniority tiers in the industry. That it has not happened yet is not surprising given that everyone is required to start at a relatively junior level in this business.

HON J J BOSSANO:

That was not my question, actually because I was not talking about the hotel industry, I was talking about the catering industry and I was referring to fast food restaurants. The point that I was making is that if we have four people completing course two and one of them becomes a waiter in Pizza Hut and then a few weeks later he leaves the Pizza Hut and joins McDonalds and then a few weeks later he leaves McDonalds, that was something that was happening without the course but he is still in the industry.

HON CHIEF MINISTER:

These people do not go to the Tourism School in order to become waiters in McDonalds.

HON J J BOSSANO:

Yes they do, we have just been told that information.

HON CHIEF MINISTER:

Some of them have ended up doing that but those who want to make a career of it would go to the hotels.

HON J J BOSSANO:

We are assuming that the person that chose the Pizza Hut did not show it in preference to the Rock Hotel but of necessity.

HON CHIEF MINISTER:

Yes there may not have been an opening.

HON J J BOSSANO:

Because there was no other opening. So if we are seeing in the answer to the question we get told that they are still in the industry, what I am trying to narrow what being still in the industry means because the catering industry has a turnover which is very high which we know from the numbers employed every year. The numbers employed every year.....

HON CHIEF MINISTER:

The Government have not set up the Tourism School in order to produce waiters for restaurants. The Government have set up the Tourism School in an attempt to provide staff that can aspire to career positions in, I always think of it in terms of the hotel industry but the hon Member is quite right, there are well established restaurants in which management positions are in themselves a career and that is what the Tourism School and the catering courses within it is designed to put people in the direction of. The Government would not consider that the Tourism School

project had been a success if all it did was produce people who became waiters in McDonalds and then move to Pizza Hut as a waiter and 15 years from now were still only waiters in hamburger joints because one could have done that without having to go to the Tourism School. All I was trying to say is that the fact that they start doing that sort of waitering job in a hotel is not inconsistent with the desirable trajectory of such careers. It would only become undesirable if it stays at that permanently.

HON J J BOSSANO:

I would agree entirely with the definition of what the result ought to be in terms of what the school should be producing which would be local long-term jobs with prospects in the hotel industry. What we are trying to establish is, in fact, to what extent that is happening.

HON DR B A LINARES:

I think I have given ample evidence that it is happening. I have given a whole variety of jobs and placements in different hotels and in different establishments, restaurants, McDonalds, Pizza Hut, but the whole point, aim and objective of the School of Tourism is to provide a broad range of skills to these students which will enhance their prospects, maybe today it will be Pizza Hut or McDonalds but tomorrow they can appeal to better placement, perhaps a more reputable or interesting establishment within the industry that will recognise that this young person has the skills that they consider to be useful for their enterprise. It has to be seen in a broad context and not just in a utilitarian way of saying, "Well what job do they get?" Maybe today it is Pizza Hut and McDonalds which again, in any case, it is a very valuable and dignified source of employment.

HON J J BOSSANO:

I must say I do not agree with that analysis, I agree with the previous one and I would say that we would consider our policy to have been a success if the previous definition had been achieved and not in the second. It is better to have people working than not working, that is not in dispute, it is just that it does not seem to us to be sufficient for people to finish up doing after going through the course what they would have been able to do before they went to the course.

HON DR B A LINARES:

But somehow the hon Member has diverted from the factual evidence that I presented a moment ago that there are numerous other students who have gone through the course and who have found employment in the catering industry, in hotels, in the Casino, in reception. That, of course, is success in the very practical sense. But somehow in further discussion he has cleverly diverted the attention to this side of the evidence and concentrated on Pizza Hut and McDonalds.

HON J J BOSSANO:

Well, I still have the opportunity to decide which questions are put just like they have the decision what answers they give. I accept that I have chosen to question that side and not the other because if he says he sends somebody to UK what the Minister can expect is that I will start asking questions when he gets back from UK. If he finishes as a waiter in a Pizza Hut after going to the UK then I will then have further supplementaries to put to him but I am not going to ask about the guy who is in UK before he has even got back from UK. What I am saying is, my supplementary was a

follow-up to the answer that he had given that the people were still in the industry and since I know that before this training was being provided, I know from young people who have been in the industry that being in the industry has meant being a few weeks in one fast food chain and then losing that job and then getting hired by another fast food chain for another few weeks so they are still in the industry. Even in an area like dishing out pizzas the training meant that they held the job for longer even that would be an improvement. So therefore I was saying are we looking at whether they are in the industry as long as they are somewhere whether it is in Pizza Hut or McDonalds or how long they keep the job.

HON CHIEF MINISTER:

And what nature of job and whether the training that has been given to them gives them a career path opportunity. I think in fairness perhaps since the Leader of the Opposition and I are not in disagreement on this issue, he might accept my arbitration on the matter between him and my Colleague, the Minister for Training and that is that I think what my Colleague was trying to say and this is why he joined issue with him was that in assessing the success or otherwise of the Tourism School as a project, we should not deprecate in the sense of suggesting that it is undignified those people who work in fast food joints and I think that that is how I understood his answer rather than suggesting that one was entitled to judge the success of the Tourism School Project by reference to whether people were employed in dispensing hamburgers.

HON J J BOSSANO:

I am sure that his Colleague who has known me for a very, very long time would not think that, in my wildest dream would I consider manual work undignified in any shape or form.

HON DR B A LINARES:

There is just one point that I would like to add to that, my experience of knowing the students who are in the catering industry in all its variety of services, I can tell him one thing, although there is very often a turnover from one location to the other, there is what one friend of mine who is in the industry calls "catering is not just a vocation, it is an addiction". Somehow they love the job whether it is actually because it involves dealing with people, it has a certain ethos of itself, the rush, the hectic pace of work in the Pizza Hut in McDonalds in the hotel kitchens and somehow they become absorbed by that type of life and become totally engrossed by it and although they may change from one hotel to another or from one restaurant to another, they want to stay in the industry, they want to stay in that world which they love and which they have developed, as I say, an addiction more than a vocation.

NO. 451 OF 2000THE HON S E LINARES**SCHOOL OF TOURISM**

Can the Minister state what were the entry requirements of the college in UK by the two students who completed their courses in the School of Tourism?

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

As I reported a moment ago, there are now four students who have obtained places in UK Colleges and studying tourism studies at different levels, including one at Higher National Diploma Level. As the hon Member must be aware, these colleges do not normally require specific academic qualifications, particularly from mature students. They select applicants largely on their previous experience and their track record. After interviews we know from the way it has been reported by the students to us, we know that the one-year work experience and the City and Guilds qualifications that they obtained through the School of Tourism, they tell us greatly enhance their prospects on entry and that was actually observed and evidenced in the interviews when they were selected and accepted for entry.

ORAL

NO. 452 OF 2000

THE HON S E LINARES

CAMMELL LAIRD TRAINING SCHEME

Can the Minister confirm whether they were able to offer in relation to Cammell Laird Training Scheme, 10 for fabrication and welding; 10 for electrical engineering and 10 for mechanical engineering. If so, were they filled by suitable candidates?

ANSWER

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

Answered together with Question No. 453 of 2000.

NO. 453 OF 2000

THE HON S E LINARES

CAMMELL LAIRD

Can the Minister state how many of the applicants who registered at Cammell Laird for the second intake started, are still doing the course and in what trades?

ANSWER

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

Thirty places were on offer in October 1999 at Cammell Laird Training Centre and 23 apprentices were selected and registered in the Cammell Laird (Intake 2) Programme; 19 are still remaining and should complete their NVQ Level 2 in their respective disciplines which include: 7 for electrical engineering; 8 for mechanical engineering; and 4 for welding/fabrication.

SUPPLEMENTARY TO QUESTION NOS. 452 AND 453 OF 2000

HON J J BOSSANO:

In terms of the employment possibilities of those who are going through these courses, how much longer would they have to go before they are considered to have had enough training to be able to take on this type of work as full-time employees assuming that the jobs are available?

HON DR B A LINARES:

NVQ Level 2.

HON J J BOSSANO:

So once they complete that Level 2 that they are now entering they should have had sufficient training?

HON DR B A LINARES:

He starts on a point which is presently being reviewed by the Training Unit locally because in UK Level 2 is considered to be and we have notice of that, ample qualification and a content of skills to be able to enter as a craftsman in employment. We and the industry here are not quite satisfied with that and they feel that in the local context Level 3 NVQ would be closer to the indentured apprenticeship of old so that is a matter which is presently under discussion but theoretically I have to say that Level 2 NVQ would in the minds of the City and Guilds qualify a trainee for employment as he pointed out. In terms of actually finding a job, it is a different matter.

HON J L BALDACHINO:

Why is it then that in the case of these students in Cammell Laird and in relation to these jobs it is Level 2 yet when it comes to the other trainees like masons and bricklayers it is Level 3? I remember I had an argument with the Minister, he used to say Level 3 and I used to say Level 2, why the difference between this one and the others?

HON DR B A LINARES:

Because that is the demand of the employers. I have just explained a moment ago that the matter is now not in dispute, at least in discussion between employers and the officers in the Training Unit, employers are insisting that Level 3 is what they want but I was answering the question purely theoretically, that NVQ Level 2 is considered by the City and Guilds as an apt qualification.

HON J L BALDACHINO:

Is it then the case that the Government will then accept Level 2 because I know somebody who applied for one of the trades and he was told that he needed the Level 3. Are the Government now also accepting Level 2?

HON DR B A LINARES:

The matter is under consideration and discussion.

HON J J BOSSANO:

What is there a discussion between the Government as a trainer and the Government as an employer?

HON DR B A LINARES:

I am not very much in the field of the Government as employer at the moment.

NO. 454 OF 2000

THE HON S E LINARES

CONSTRUCTION TRAINING CENTRE

Can the Minister state how many out of the 16 trainees at the CTC's 1998 intake have reached Level 1 and how many have gone beyond in 1999?

ANSWER

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

All the 16 trainees in the 1998 intake at the Construction Training Centre obtained the NVQ Level 1 at the end of their first year and all of them proceeded to Level 2 in 1999 and they will be graduating very soon.

ORAL

NO. 455 OF 2000

THE HON S E LINARES

MANDATORY AWARDS

Can the Minister state how many applicants opted out from the mandatory awards last year because they did not get the grant they wished for?

ANSWER

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

Answered together with Question Nos. 456, 457, 458 and 459 of 2000.

ORAL

NO. 456 OF 2000

THE HON S E LINARES

MANDATORY SCHOLARSHIPS

Can the Minister state how many mandatory scholarship awards were actually granted in the last academic year?

ANSWER

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

Answered together with Question Nos. 455, 457, 458 and 459 of 2000.

NO. 457 OF 2000

THE HON S E LINARES

DISCRETIONARY AWARDS

Can the Minister state how many applicants opted out from the discretionary awards last year because they did not get the grant they wished for?

ANSWER

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

Answered together with Question Nos. 455, 456, 458 and 459 of 2000.

NO. 458 OF 2000

THE HON S E LINARES

DISCRETIONARY AWARDS

Can the Minister state how many discretionary awards were actually granted in the last academic year?

ANSWER

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

Answered together with Question Nos. 455, 456, 457 and 459 of 2000.

NO. 459 OF 2000

THE HON S E LINARES

DISCRETIONARY AWARDS

Can the Minister say how many applications for discretionary awards were received by the committee by the closing date and the comparable figure for last year?

ANSWER

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

For ease of reference the answer to Question No. 455 is that not a single applicant opted out from taking up a university course last year once having obtained either a mandatory or a discretionary award. That is the answer also to Question No. 457.

The answer to Question No. 456, 162 mandatory awards were granted last year. The answer to Question No. 458 is 48 discretionary awards were granted last year. The answer to Question No. 459 is in 1999 we received 61 applications for discretionary awards and in 2000 we received 78 applications for discretionary awards.

SUPPLEMENTARY TO QUESTION NOS. 455 TO 459 OF 2000

HON J J BOSSANO:

The Minister said in relation to Question Nos. 455 and 457 that no one opted out once he obtained the award. I am sure that he knows the reason for the question being there because he argued a year ago that when they did not get the grant they hoped to get and got a smaller grant they might not, and we had no knowledge that this was happening and this is why although he could not tell us a year ago if it was happening, we wanted to know whether anybody had actually said no because the grant was less than expected.

HON DR B A LINARES:

The information I have, as I stated, is that no one has opted out and rejected the opportunity because of the smaller amount they have been awarded in terms of funding.

NO. 460 OF 2000

THE HON S E LINARES

NUMBER OF PUPILS WHO LEFT SCHOOL AT 15

Will the Minister for Education state how many pupils left school at the statutory school leaving age of 15 in the course of the school year ending in July 2000?

ANSWER

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

Forty students left school at the statutory school leaving age of 15 during the course of the school year 1999/2000 - 17 girls from Westside and 23 boys from Bayside. Four Services boys also left at 15 but possibly to follow further schooling in UK, we do not know.

SUPPLEMENTARY TO QUESTION NO. 460 OF 2000

HON J J BOSSANO:

This looks a higher figure than he has given us for previous years, is that right?

HON DR B A LINARES:

I am not sure, I have not counterchecked with the figures for last year but certainly it is still, I think he will agree, a very low figure, it is of an intake of over 400, 40 is 10 per cent. The figure in UK we know is much higher than that, it is within the region of about 30 per cent. Of course it is difficult to compare because the compulsory school leaving age in UK is 16.

ORAL

NO. 461 OF 2000

THE HON S E LINARES

TRAINING SCHEME

Can the Minister state how many out of the 17 people who took the "Training Scheme" were long-term unemployed?

ANSWER

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

Answered together with Question Nos. 447, 448 and 462 of 2000.

NO. 462 OF 2000

THE HON S E LINARES

TRAINING SCHEME FOR THE UNEMPLOYED

Can the Minister state whether in respect of the "Training Scheme for the Unemployed" introduced in 1998 there were more applicants than the 17 people?

ANSWER

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

The Department of Education and Training is committed to providing training for the unemployed in liaison with the Employment Service. Full courses run for up to 10 weeks and these include Information Technology, Numeracy and Literacy and other interpersonal skills. These were started in 1999 and not in 1998 as suggested in Question No. 462 of 2000 and will continue in this academic year.

I must refer the hon Member to the reply given by my hon Friend, Mr Netto, in a supplementary by the Hon Joe Bossano to Question No. 706 of 1999 on the same subject. Mr Netto said that he could not establish whether the candidates for these courses in 1999 were "long-term unemployed" in the category of six months or 12 months. The answer to the present identical question is the same today.

Question No. 462 of 2000, is again a repetition of a similar supplementary from the Hon Joe Bossano to Question No. 706 of 1999. We did not have this information available at the time but I can now answer the hon Member that there were no more than 17 applicants who showed an interest in this course.

SUPPLEMENTARY TO QUESTION NOS. 447, 448, 461 AND 462 OF 2000

HON J J BOSSANO:

Was it not also the case that at the time they did not know whether they were long-term unemployed as defined more than six months or 12 months but that we have just got the Hansard of what was answered a year ago and obviously the question is here on the premise that they had not had notice at the time but given notice they might be able to provide the answer. They have not been able to provide it, is that it?

HON DR B A LINARES:

I am afraid not.

HON J J BOSSANO:

There is no information then on the employment of the 17 people after the course either?

HON DR B A LINARES:

I have no information to that effect myself.

HON J J BOSSANO:

Is it the policy to monitor what happens to those who complete courses? Surely it would be worth knowing whether there is some way of assessing whether the employability prospects are improved or not as a result of the courses which is presumably the purpose of the exercise, to make it easier for people to get jobs?

HON DR B A LINARES:

I would agree entirely with the thinking behind the question of the hon Member and I am sure that the Employment Agency also shares the same approach and they will be making plans precisely to establish a systematic way of monitoring and assessing the trajectory of these unemployed persons who go through these courses and then thereby evaluate – not the success in mathematical terms but at least the value to the individual person for prospective employment.

NO. 463 OF 2000

THE HON S E LINARES

LUNCH AT SCHOOL

Have Government completed the detailed costing of the works necessary to provide safe and comfortable places for all children whose parents may wish them to have their packed lunches in school premises?

ANSWER

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

Answered together with Question Nos. 464, 465 and 466 of 2000.

ORAL

NO. 464 OF 2000

THE HON S E LINARES

LUNCH AT SCHOOL

How is it envisaged that the school hours will change to accommodate for the facilities or provision of school lunches?

ANSWER

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

Answered together with Question Nos. 463, 465 and 466 of 2000.

NO. 465 OF 2000

THE HON S E LINARES

LUNCH AT SCHOOL

Do Government have an indication of how many parents are likely to be making use of the facilities to have lunch at school?

ANSWER

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

Answered together with Question Nos. 463, 464 and 466 of 2000.

NO. 466 OF 2000THE HON S E LINARES**LUNCH AT SCHOOL**

Can the Minister state how his department is going to monitor children's diet whilst having their lunches at school?

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

The Government have a detailed costing of the works required in all our schools to accommodate children during lunch hour as a result of the change in school hours. It amounts to £1.9 million. A set of options have been proposed involving an earlier start to the school day, a shortened lunch break and an early finishing time. These options will be put to headteachers, teachers and parents and a final decision will be made which should, hopefully, carry the broadest consensus. It is not as yet clear how many parents will want their children to stay in school for lunch, a survey to that effect will be carried out by the department. And finally, neither the department nor the schools will assume a direct responsibility for the children's diet. This will remain, as it is at present, with the parents. However, of course, any manifest cases of serious negligence in this respect which may be detected in the school by the teachers and the supervisors will, of course, be brought to the attention of parents and perhaps other relevant authorities like Social Services, et cetera.

SUPPLEMENTARY TO QUESTION NOS. 463 TO 466 OF 2000

HON S E LINARES:

If Government have not got an indication of how many parents are going to use the facilities, how is a detailed costing and what amount in works is going to be done, how have they worked it out because they might have one child in a school wanting the facility, are they going to spend £x thousands on the facility and then only one child uses it?

HON DR B A LINARES:

Yes, the hon Member has a point and a logistical analysis will have to be made but the technical officers have carried out a survey of the school premises, all the time within the context of the nearly set of worse scenario and perhaps I should say the best scenario.

HON S E LINARES:

Assuming that all are having lunch?

HON DR B A LINARES:

Yes.

HON S E LINARES:

Another question which worries me out of the answer from the Minister, is that when I asked about the monitoring the diet of the children he has mentioned supervised by teachers or that teachers are aware of the diet?

HON DR B A LINARES:

What I meant is that although the school or the teachers will not take a direct responsibility as was the idea that the hon Member presented during the election, that the Government should actually have a direct responsibility for the diet in the regime of the pupils as is known we did not share that philosophy but nevertheless, obviously although the responsibility rests with the parents, manifest cases of negligence of terrible diet or no diet at all, in other words, children coming to school without any food then of course the school or the teacher or whoever is responsible will of course take action, the appropriate action will be, first of all, to parents. Normally teachers do bring to the attention of parents many other malpractices or whatever.

HON S E LINARES:

Can the Minister state as well whether in the costing have they done a study of the running costs of the cleansing of the actual place where the children will be and also supervision of those children once they are in those premises?

HON DR B A LINARES:

Yes, all those logistical aspects of the exercise have also been assessed and costed.

HON S E LINARES:

Included in the £1.9 million?

HON DR B A LINARES:

Yes.

HON J J BOSSANO:

The costing of the facilities of the £1.9 million, is that independent of which choice is actually selected in terms of the possible patterns?

HON DR B A LINARES:

The pattern of the school hours, no it makes very little difference at all. I think what it means is that during the shortened lunch break which will be a permanent feature, it does not matter whether it is half an hour before or half an hour later but the fact that the shortened lunch break, during that time the school has to accommodate the X number of pupils.

HON J J BOSSANO:

So then the £1.9 million will not change whatever else is changed, that is likely to be the figure?

HON DR B A LINARES:

As the hon Member will realise, not change in an absolute sense. I know what he means and the answer is yes.

ORAL

NO. 467 OF 2000

THE HON S E LINARES

NUMBER OF CLASSES IN EACH SCHOOL

Can the Minister give a breakdown of the number of classes in each school?

ANSWER

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

Answered together with Question No. 468 of 2000.

NO. 468 OF 2000

THE HON S E LINARES

GROUPINGS OF EACH SCHOOL

Can the Minister give a breakdown of the groupings of each school?

ANSWER

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

The number of classes in each school are as follows:-

St Joseph's First School	16
Governor's Meadow First School	16
St Mary's First School	10
St Bernard's First School	7
Notre Dame First School	12
St Paul's First School	13
St Joseph's Middle School	14
Sacred Heart Middle School	12
Bishop Fitzgerald Middle School	17
St Anne's Middle School	17
Hebrew Primary School	4

The teaching groups, and I presume what the hon Member means by groupings as opposed to class groups, teaching groups such as sets, or special needs groups, et cetera in each year are as yet not entirely finalised by the headteachers and their staff and no details are as yet available to the department.

SUPPLEMENTARY TO QUESTION NOS. 467 AND 468 OF 2000

HON S E LINARES:

I appreciate the answer to the second question, maybe I did phrase the question wrongly but I was asking for the grouping of the school. *[HON DR B A LINARES: I see, Group 2 or Group 3?]* Absolutely, yes, where it is dependent on the amount of children that there are in schools.

HON DR B A LINARES:

With respect, the question was not clear in that respect and I have not got that information but I will be happy to provide it to him because it is well established, of course.

HON S E LINARES:

Is it possible also to have the information which the Minister has just read also in writing?

HON DR B A LINARES:

Yes, by all means.

NO. 469 OF 2000

THE HON S E LINARES

PUPIL REFERRAL UNIT

Can Government state when they intend to set up the Pupil Referral Unit?

ANSWER

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

For the past two years additional provision for pupils with emotional and behavioural difficulties has consisted of one qualified, experienced, full-time teacher, a peripatetic, who has supported pupils as far as possible within the mainstream classes, withdrawing for individual support when necessary and also advises teachers and is involved in drawing up what are called pupils' individual behaviour support/modification plans. The work of this teacher is then complemented and supported by the Principal Educational Psychologist.

We aim, in this academic year, to increase this provision by 0.5 teacher, to enable more children to benefit from the service and to provide some of the 'off site' support that in the UK is often provided by a Pupil Referral Unit but I want to make it clear, that there is no question of creating a segregated 'sin-bin' for children presenting behavioural difficulties. Even the term 'Pupil Referral Unit' which I accept, I confess, was used in our original manifesto, should not be used even when the provision is there as the terminology currently in use for more recent provision of this sort favours the word 'support' rather than 'referral'.

SUPPLEMENTARY TO QUESTION NO. 469 OF 2000

HON S E LINARES:

So after all that we are not going to have a Pupil Referral Unit?

HON DR B A LINARES:

I would have thought that the hon Member would have appreciated my analysis of the matter which touches upon behavioural aspects of pupils with a bit less cynicism than he has done so.

HON S E LINARES:

This question follows from the fact that the peripatetic teacher has 62 referrals which the Minister answered last time which, unfortunately, as a professional, is totally unacceptable to have 62 pupils with one teacher trying to support and work out programmes for every single child that have these problems. That is why I asked the question again.

HON DR B A LINARES:

I intend to agree and as I have stated we are increasing the provision this year by an extra half teacher and also one has to take into account that in the schools themselves, within the in-built complements of the schools, there are also teachers who specialise in special educational needs, special units that also cater for behavioural problems and deal in modification problems of an emotional nature. So the teacher must not be seen as the sole agent dealing with 62 children. The teacher is a monitor, the teacher is an inspirer, the teacher is an adviser, and works through the whole network of provision that is found within the in-built provision of the schools. But the point is that thereby she is working within the mainstream, in an inclusive manner and not in segregating students as may have been done in the past into what is called very often a "sin-bin" which is not conducive to any positive behaviour modification.

HON S E LINARES:

Then the Minister is expecting this peripatetic teacher to look after a child who has been suspended from school, is that correct?

HON DR B A LINARES:

I think there is another question about under-provision and perhaps we can deal with that aspect later.

NO. 470 OF 2000THE HON S E LINARES**PROBATIONARY TEACHERS**

Can the Minister for Education state whether probationary teachers are given 10 per cent of their timetable for induction courses and in-service?

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

I would remind the hon Member of the statutory instrument of the Department of Education and Employment in UK whereby, "A person who has successfully completed a probationary period for teachers under arrangements approved and supervised by the Director of Education of Gibraltar" may be considered eligible for employment in UK State Schools, as I have had occasion to announce in this House we are all very pleased about that achievement.

The arrangements made locally therefore, taking into account no contact time and regular sessions of mentoring held in the department and in the schools have therefore been accepted and approved by the DfEE as equivalent to whatever arrangements they are making in UK.

SUPPLEMENTARY TO QUESTION NO. 470 OF 2000

HON S E LINARES:

I asked the question because in UK they do have 10 per cent of their time for induction and in-service, it does not necessarily mean that because they have approved it that we need to divert from their practices. It is good practice to have a good time for in-service and induction.

HON DR B A LINARES:

Yes, I agree that it is a good practice, that we have to follow as the general norm but not necessarily in exactly the same way, within the culture of our own schools as was discussed by the DfEE in terms of mechanically, sort of giving 10 per cent no-contact time to each teacher because in our provision we also complement, as I said, with other aspects of induction which may not be available to most teachers in a particular school in UK.

NO. 471 OF 2000

THE HON S E LINARES

PARENTAL CONTRIBUTIONS

Can the Minister state how many parental contributions were accepted from the 44 that were investigated during the last year?

ANSWER

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

With respect, I do not quite understand the meaning of the question put to me by the hon Member. If the hon Member means how many of the initial 44 declarations of income by parents rather than parental contributions came under investigation last year that were finally accepted by the department for determining the level of parental contributions, the answer is 25 out of the 44; 19 failed to satisfy the department and obtained either the minimum grant or a reduced grant.

SUPPLEMENTARY TO QUESTION NO. 471 OF 2000

HON J J BOSSANO:

Can the Minister say was any action taken in the case of the 19 other than the question of the grant? I think at the time there was an indication given in the House that the Government would be pursuing the issue of these declarations of income in more ways than one.

HON DR B A LINARES:

No, the action that was taken is that they were not granted the maximum grant as they would have been entitled on the basis of their declaration. They were granted the minimum grant or a very reduced grant.

HON J J BOSSANO:

Can the Minister say of the 19, how many were on the minimum?

HON DR B A LINARES:

Yes, 10 were on a minimum grant and nine were on a reduced grant, very much approaching the minimum.

HON J J BOSSANO:

The declaration of income on which the parental contribution is based is something that is checked with the Tax Office, there is a mechanism where the Tax Office has to certify that that is the correct amount?

HON DR B A LINARES:

Yes, there is some reliance on the income tax returns but this is the crux of the matter, that the declarations based on income tax do not always reflect what the department considers to be the real situation therefore the department investigates chiefly by requiring audited accounts and in some cases actually these audited accounts have been verified and validated by the Accountant General to ensure that the terms of the Ordinance requiring that the assessment of parental contribution is based on the total income from all sources. We feel that sometimes assets and other forms of income which are not reflected somehow or other, I am not an expert in that respect, in the income tax declaration are also taken into account when the department assesses the means of the parents in order to determine the funding that is due.

NO. 472 OF 2000

THE HON S E LINARES

GENERAL WELFARE OF PUPILS

Can Government state how they currently support the general welfare of pupils who may be excluded from schools or who may have social problems?

ANSWER

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

This question was partly answered by my answer to Question No. 469 of 2000 in respect of the more social and behavioural aspects. If the hon Member is now seeking information on the academic provisions made to support excluded pupils, I can tell him that all schools are required to provide work for students excluded from the school and schools continue to support excluded pupils with academic work. Parents are called in and work is set and collected on a mutually agreed basis. The student is excluded from participation in the school activities but he or she is not deprived of the academic content of school attendance and the curriculum.

SUPPLEMENTARY TO QUESTION NO. 472 OF 2000

HON S E LINARES:

Can the Minister state what would happen if there is continuous exclusion from the school by the child?

HON DR B A LINARES:

As a matter of fact there has not been continuous exclusion from the school but in that case there would be continuous provision for the excluded pupil.

HON S E LINARES:

The thing is that I would try to relate this question to the previous question which the Minister answered which is to the Pupil Referral Unit. Our policy is that we need the Pupil Referral Unit and therefore it seems as if it is going to be on an ad hoc basis that the child who is suspended continues to be suspended and nothing in concrete is done towards helping that child getting out of the problem of behaviour.

HON DR B A LINARES:

I cannot understand how the hon Member can say that. In reply to the previous Question No. 469 I gave a detailed account of what provision is made in terms of behavioural modification in cases of indiscipline and problems. In this Question I am now stating what provision is being made in terms of academic support.

HON S E LINARES:

So the Minister does not believe in having a Pupil Referral Unit?

HON DR B A LINARES:

I have answered that question sufficiently, with respect.

HON J L BALDACHINO:

Is the provision that is being made up to the same standard and level that the child would receive if he was full-time in school?

HON DR B A LINARES:

Yes, obviously the work set by the teachers is in line and on the level of the work that the child is doing in that particular year in that particular set in that particular stream. The work is not given in an abstract sense but obviously related to the course that the pupil is following at that particular moment.

NO. 473 OF 2000

THE HON S E LINARES

ST BERNARD'S SCHOOL

Are Government satisfied at the condition of St Bernard's School?

ANSWER

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

No, the Government are not satisfied in the sense that there are serious intrinsic limitations and facilities that the school can provide, for example, playground space, steep staircases in the school for small children and problems of accessibility and road safety for the children. It is in spite of these limitations that St Bernard's continues to be a very good school which speaks highly of the headteacher and staff. These structural conditions, intrinsic conditions have existed, of course, for many years. The difference between then and now is that we have, over the last years, carried out extensive works of refurbishment and restoration of the school to the tune of over £80,000. These improvements have met with the satisfaction of parents as represented by the Parents' Committee. However, the intrinsic structural limitations of the school building remain of course and the relocation of the school is currently under review by the Government.

SUPPLEMENTARY TO QUESTION NO. 473 OF 2000

HON S E LINARES:

Can the Minister give an indication of where the relocation might be?

HON DR B A LINARES:

No, the matter is under review and consideration and there is no conclusion to that effect.

ORAL

NO. 474 OF 2000

THE HON S E LINARES

CLASSROOM AIDES

Can the Minister state what school or institution conducted the course for classroom aides?

ANSWER

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

Answered together with Question No. 475 of 2000.

NO. 475 OF 2000

THE HON S E LINARES

CLASSROOM AIDES

Can the Minister state what formal qualifications have the classroom aides obtained in their recent course?

ANSWER

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

The course for classroom aides was conducted by the Education Adviser for Special Educational Needs whose specified duties include "to encourage and support the career development of teachers and teachers' assistants". She is highly qualified in Special Education and has 27 years experience of working in special needs.

There are no formal qualifications attached to this course. This is not an accredited course but a local initiative aimed at giving our classroom aides the opportunity to acquire the foundation training to inform and complement the practical work which they are currently carrying out in our schools. Similar courses are provided in the UK by Local Education Authorities for their support assistants, as they are called in UK. As yet there is no national qualification for support assistant or classroom aides although this, I understand, is targeted to be available in the UK by the year 2002 and by then, of course, we will consider offering it locally.

SUPPLEMENTARY TO QUESTION NOS. 474 AND 475 OF 2000

HON S E LINARES:

Would the Minister state whether it would be the right thing to do that every time a classroom aide is contracted or employed that this course be conducted to them before they even start work?

HON DR B A LINARES:

Yes, I would say that that is desirable but, of course, it is subject to logistical arrangements. One cannot just, upon appointment of a classroom aide, institute a full induction course, there will have to be a time lag between one course and another.

HON S E LINARES:

I say this because there is a waiting list of classroom aides who could well be doing these courses before they even get employed which means that if the need comes they have an initiation or an induction course before they even go to the classroom.

HON DR B A LINARES:

The planning for these things are not as simple as the hon Member may make it out to be. I will certainly look into the situation and try to meet his suggestion.

NO. 476 OF 2000

THE HON S E LINARES

SCHOOL CHILDREN WHO LIVE IN EDINBURGH HOUSE

Can the Minister state what provision his department is making in relation to the school children who live in Edinburgh House?

ANSWER

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

Governor's Meadow School and Bishop Fitzgerald School are currently providing primary school education for the children who now live in Edinburgh House.

SUPPLEMENTARY TO QUESTION NO. 476 OF 2000

HON S E LINARES:

Is the Minister aware that Bishop Fitzgerald has had to increase a classroom this year which is over and above what the school can actually take and in no time what is going to happen with Governor's Meadow and St Anne's is that they are going to be, in fact it is already happening, so full up that we are going to have the disparity of having classes of about 30 children in one class whilst a school equivalent to that one might have a class of 17 or 18 children, therefore there is not a balance. It is not only not fair for the children who have to be there with so many children at the same time, it is not fair on the teacher, on the one hand one teacher is teaching 17 children in a class whilst on the other hand the other teacher is teaching 30.

HON DR B A LINARES:

I have on a previous occasion also accepted that there is a problem of meeting the schooling needs of children in this area because of the demographic movement and the density of population in this area and the department is actively analysing the situation taking into account some of the factors that the hon Member has explained here but I could say that as far as Bishop Fitzgerald School is concerned, as a matter of fact, he said that the school cannot cope, we have indeed increased the groupings in the fourth year from four to five, catering for 127 pupils precisely because of the influx of pupils from this area as a result especially from Edinburgh House. But nevertheless in terms of the overall pupil/teacher ratio in Bishop Fitzgerald it remains as 19.69, well below the mark of 1:25 which is the agreed norm.

HON S E LINARES:

I also say this because the Government announced that they were going to try and build a school in Fleet Pavilion, that was the direction I was trying to take my question towards because it came out publicly that the Government were going to build a primary school in the site of Fleet Pavilion. Are Government thinking about that and at what stage are we towards that?

HON DR B A LINARES:

As I said, the Government are actively pursuing the need of providing additional schooling in the area to meet the demands of the population there which has increased. The question of Fleet pavilion was stated as a possibility, as a possible location that we were looking up but there are other possibilities as well that the Government are actively and practically studying.

NO. 477 OF 2000

THE HON S E LINARES

PRINCIPAL EDUCATIONAL PSYCHOLOGIST

Can Government state whether the Principal Educational Psychologist's responsibilities include acting for Director, observing probationers and inspecting schools?

ANSWER

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

The Principal Educational Psychologist's duties do include acting on occasions for the Director but no longer in his revised job description which was one of the recommendations of the SEN Audit Report, no longer is required to observe probationers or inspect schools.

NO. 478 OF 2000

THE HON S E LINARES

SEN AUDIT REPORT 1997

Can Government state what steps need to be taken to obtain a copy of the SEN Audit Report 1997?

ANSWER

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

The answer to this question may well be expressed with the well-known words taken from the Gospel of Saint Matthew, "Ask and it will be given to you".

SUPPLEMENTARY TO QUESTION NO. 478 OF 2000

HON S E LINARES:

I say this because I have already asked for it formally through the House and it is not forthcoming.

HON DR B A LINARES:

The hon Member asked through the Clerk of the House directly to the Director of Education who rightly pointed out that the correct protocol, as he understood it, was for Shadow Ministers to refer such requests directly to the relevant Minister. I think Opposition Members will vouch to the fact that I am always happy and receptive and I am happy to respond to requests of this nature from all of them and I will be equally happy to respond to the hon Member's request. He only needs, as I say, "Ask and it will be given to you".

HON J C PEREZ:

The Minister I think is incorrect in thinking that everything has to go through the Minister because one is a Member of the Opposition. If there is a copy of a report which is available to the general public then as a member of the general public there ought to be a system for it to be available to the general public including Members of the Opposition. I accept that other matters which are not in the domain of the general public certainly need to go through Government Ministers but not if the report is in the public domain.

HON CHIEF MINISTER:

The hon Member has been in Government long enough to know what the conventions are and that is that he seeks from the House copies of documents that have been tabled in the House and that when he requires a document from the Government, Opposition Spokesmen do not approach civil servants but approach the Minister. These are not rules that we or even they made when they were in office, they are longstanding rules that have always been in place. The issue here, of course, is not the second category, it is of the first category. The hon Member approached, as I understand it, the House asking for the House to obtain a copy from the Government for him. The hon Member cannot arrive at the House and alter 60

years of established practice and protocol. This is what occurred, the Government of course were perfectly willing to make a copy of the report available to the hon Member provided that he complies with the established practices of seeking it from his opposite number, the Minister for Education.

HON J J BOSSANO:

The established practice has always been that when information is required from the Government in this House which is not available to everybody but which Ministers here say they are willing to give to us, we do not go direct to the civil servant and get it unless they instruct the civil servant to give it to us. But if it is a question that if there is an abstract of Statistics published and the House does not have a copy of it but any member of the public can knock on the Education Department's door and get it, then presumably I can knock on the Education Department's door as an ordinary member of the public and get it from the counter.

HON CHIEF MINISTER:

One can physically but that is not the established convention. That is not what the hon Member did in this case. The hon Member is now discussing a situation which is hypothetical. Although the hon Member raises the question of whether he is free to go to the counter to get it, that is not the facts of this case. The facts of this case is not that his hon Colleague went to the Department of Education to ask for a Government report, it is that he asked the Clerk of the House to obtain the report for him. The Clerk of the House is not here to be the go-between between the hon Member and the Government in respect of the obtaining of Government information.

HON J J BOSSANO:

Members of the House who are not in Government rely on the House more than Members of the House who are in Government. He must know that as I know it because we have been on both sides. It may be that the Clerk of the House is perfectly entitled to say to the hon Member, "This is not part of my job description, you go and get it yourself" but I do not think it is for the Government to say, "If you personally go there you can get it but if you ask the Clerk, "Can you ring him up and see if they can send one over to the House?"", I do not see what the harm in that is. I can understand it perfectly if it was something that the Minister had said he was providing the Opposition but which was not generally available. If it is generally available I really cannot understand why it should be refused unless an approach is made to the Minister, I would have thought the Minister had better things to do.

HON CHIEF MINISTER:

The hon Member is being typically mischievous. Nothing has been refused and the answer that the hon Member got he did not get from the Government he got from the House. It was not the Government that said, "The usual way is to ask the Minister directly", it was the House who said that to the hon Member. This is not the Government receiving a request and saying, "No I am not willing to deal with it in that way". The House, who is the guardian of established practice, knowing what established practice is and knowing that the request that they received was not in keeping with established practice, it was the House who gave the response to the hon Member, not the Government and not my hon Colleague. There are two separate issues here, there is a question of whether hon Members when seeking information directly from the Government should seek it from their opposite number in the House and that is established practice. When Opposition Members want

information from the Government, they write or they phone or they bump into the Minister in the street and say, "Can you give me this?" That is how it has always been done. The other quite separate issue which is the one we are dealing with in this case is the question of a request put by the new Member of the House to the Clerk asking the Clerk to obtain a copy of a Government report for him which is not available in the House. *[HON J J BOSSANO: Exactly and the department said not to.....]* And that is not the function of the House.

HON J J BOSSANO:

Well, it may be not the function of the House but it is not for the Chief Minister to say what is the function of the House. I have been in this House for 30 years and I can tell the Chief Minister that in all the years that I was in Opposition every Clerk of this House that I have ever dealt with went beyond their call of duty in order to assist Members of the Opposition and I have always found it perfectly natural if I had come here and I would have said to the Clerk, "Would you mind ringing the Education Department and see if they would be good enough to send me this report?" And the normal thing would have been, unless people are hypersensitive at the other end of the telephone line, that if it is something that they are willing to give everybody, yes, if it is not something that they are willing to give everybody then the normal thing is for the civil servant to cover his back by saying, "I need to clear it with my Minister". That is normal but on this occasion it was not necessary.

HON CHIEF MINISTER:

The hon Member knows that whatever he may now wish to say that is not the established practice. It is not the established practice for the Opposition Members to use the Clerk of this House as a means of obtaining from the Government documents. The established practice is that Opposition Members make their request directly to the Government except in the case of documents which are formally tabled in this House which are under the custody of the Clerk and Speaker of the House and they then send it to hon Members. But in respect of documents that have not been tabled in the House, documents that are Government documents that are in the Government's possession and that which Government are distributing, we have not got a library in this House. I suppose that in the United Kingdom there are many documents that are put on the table of the library of the House and then Opposition Members ring up the Chief Librarian and say, "Would you give me a copy of this and that other document that the Government have placed on the table of the library of the House?" We do not have a library in this House and therefore that procedure does not apply to us. I am honestly surprised that the hon Member should be arguing that the convention is other than the one that I have said and I can tell him that certainly, whilst I agree that Clerks of the House have historically been helpful not just to the Opposition but let me just say to all Members of the House, there are occasions with which they have had to help Members of the Government as well, that that help has never, at least not whilst I was in Opposition, not in the five years that I was in Opposition and the four years that I have now been in Government, I have not known of a case in which a Member of the Opposition has asked the Clerk to obtain on behalf of the Member of the Opposition from the Government a Government document which has not been tabled in this House. I am not saying it has not happened, all I am saying is that I have never been made aware of any such instance and I am confident, although not certain, that it has never happened.

HON S E LINARES:

If I may, I asked this question because in the last House I asked about the SEN Audit Report 1997 whether it was in the public domain and that is the issue here, it is in the public domain. So the Chief Minister is now telling me that what I have to do is go to the counter of the Department of Education and ask for a copy and I will be given one. However I genuinely went to the Clerk of the House to ask him if he was able to obtain a public document of which he was kind enough to send a fax to the department to ask for a public document of which he did not need the Minister's permission to give out because it was public. That is the issue here, that is all.

HON DR B A LINARES:

I would like to clear up a few points in respect of this. First of all, the document is an internal report that was issued by the OFSTED inspectorate to the Department of Education. It is not a public document in the sense that it is printed and published to all and sundry. It is in the public domain in the sense that certain relevant and interested parties who have asked for the report have been definitely given to them. I have to say very frankly that I was surprised myself that given the excellent working relationship that I hold with the hon Member and that I am always amenable to discuss issues of the educational progress in our schools in all respects especially in terms of special needs, that he should have gone in this roundabout way in trying to get something that he really easily could have got directly from me. I am not expecting him to go to the counter of the Education Department to obtain the report. All he needed to do is pick up the phone and ask me for it and it would have been delivered to him directly. But that he should have gone to the Clerk of the House to call the Director of Education to come to me so that I would give the Director of Education the report and he would pass it to the Clerk of the House and then pass it to him was to me, incongruous given, as I say, the excellent and easy relationship that I hold with the hon Member.

HON S E LINARES:

I appreciate the relationship we have and therefore I would like to ask publicly if he can give me a copy?

HON DR B A LINARES:

"Ask and it will be given to you".

HON S E LINARES:

I am publicly asking, may I have a copy of the SEN Audit Report 1997?

HON DR B A LINARES:

Indeed he may. I am happy, as I said, to deliver the report to him.

HON S E LINARES:

Thank you.

HON DR B A LINARES:

Enjoy the reading.

NO. 479 OF 2000

THE HON S E LINARES

1997 SEN REPORT

Can Government state how many of the recommendations of the 1997 SEN Report have been implemented?

ANSWER

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

Out of the 24 recommendations of the SEN Report, 21 have been implemented; three others are currently in the process of being implemented.

I can now provide the hon Member with a detailed account of these recommendations, although he has not asked for it, on a separate paper.

Contd.Q479/2000

Q.479/2000 Can Government state how many of the recommendations of the 1997 SEN report have been implemented?

21 of the 24 recommendations have already been implemented or are in the process of being addressed:

1. "...an up-to-date statement of principle regarding the provision...(to be) established"
2. "...adopt the UK Code of Practice and produce a coherent policy statement..."
3. "...improve the quality of written records..."
4. "...a clearly defined job description" for the Principal Educational Psychologist"
5. "The line-management for Adviser B..."
6. "A full-time special needs adviser...appointed..."
7. "...adviser for sensory impairment"
8. "A job description for the peripatetic teachers..."
9. "Staff development and training at all levels..."
10. "...appropriate training for (SENCOs)...leading to an externally-accredited qualification...."
11. "Funding for SEN provision (to be) clearly defined and effectively monitored..."
12. "Role of the Assessment Panel"
- 13.
14. "...improving assessment and planning skills/techniques...Probationary teachers...monitored"
15. "...writing individual plans for SEN pupils each term"
16. "Clear and well-understood assessment, recording and reporting procedures...and...assessments....to inform planning"
17. "Regular meetings between all SEN trained staff, SENCOs, subject co-ordinators and classroom staff..."

Cont.

Contd.Q.479/2000

18. "...commitment to integration wherever possible..."

19.

20. "...The delivery of an appropriately amended national curriculum..."

21. "...National curriculum entitlement in the special school..."

22. "(reduce the) excessive dependence of teachers...upon published textbooks and worksheets..."

23. "...increased sharing of information regarding all assessments..."

24.

The other 3 are currently targeted to be addressed as part of the Departmental Development Plan.

13. "(Establish) clear common criteria for entry into the special needs register"

19. "...an increase in the resource base...informed knowledge of what is available...book fairs and exhibitions..."

20. "(improve) the range of post-16 education choices and careers guidance for SEN pupils..."

NO. 480 OF 2000

THE HON S E LINARES

DRAMA FESTIVAL

Can the Minister for Culture confirm whether the Drama Festival will take place as previously stated on the 27th November to 5th December 2000?

ANSWER

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

The Gibraltar Amateur Drama Association working closely with the Director of Culture have prepared some proposals which they have now put to me in writing. They would like to see major changes in the format and indeed the date of the Annual Drama Festival. Among the proposed changes will be a departure from the traditional dates, that is, towards the end of the year and they are proposing a change to early spring.

NO. 481 OF 2000

THE HON S E LINARES

I&D FUND - HEAD 102

Can Government state how much has been spent to date of the estimated amount of funds under each of the six subheads in Head 102 of the Improvement and Development Fund?

ANSWER

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

The answer to this question is as follows:

- Subhead 1 - Refurbishment of educational facilities - £239,595.30 spent to date
- Subhead 2 - School buildings St Anne's/Westside - £171,461.97 spent to date
- Subhead 3 - School equipment - £11,846.88 spent to date
- Subhead 4 - Improvements to cultural facilities Ince's Hall, John Mackintosh Hall – £20,391.80 spent to date
- Subhead 5 - Theatre Royal refurbishment – no expenditure to date
- Subhead 6 - Millennium events - £6,868.28 spent to date

ORAL

NO. 482 OF 2000

THE HON MISS M I MONTEGRIFFO

GIBRALTAR FORMULARY COMMITTEE

Can Government confirm whether the Gibraltar Formulary Committee meets once every three months?

ANSWER

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

Answered together with Question No. 483 of 2000.

NO. 483 OF 2000

THE HON MISS M I MONTEGRIFFO

GIBRALTAR FORMULARY COMMITTEE

Can Government state how many cases have been referred to the Gibraltar Formulary Committee in connection with generic prescriptions?

ANSWER

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

The Formulary Committee I can confirm meets at least once every three months. The following table gives (a) the number of products for which the Gibraltar Formulary Committee has considered appeals for non-generic substitution for individual patients, and (b) the number of non-generic products which the Gibraltar Formulary Committee decided to admit for general use, at each of its meetings since the appeals procedure was set up:

Meetings	Number of product appeals heard on behalf of individual patients	Number of non-generic products added for general use
6 October 1999	6	4
14 January 2000	2	7
18 May 2000	4	4
8 August 2000	1	0

In addition to these, the Committee also considers appeals for unlicensed products, newly licensed products, products blacklisted by the British National Formulary and products outside the British National Formulary.

SUPPLEMENTARY TO QUESTION NOS. 482 AND 483 OF 2000

HON MISS M I MONTEGRIFFO:

Does the Minister not agree that three months is quite a long time for an appeal from a patient and that the system seems to be acting more as a deterrent than one that helps the patient speedily?

HON DR B A LINARES:

I do not agree with the value judgement that the hon Member has just issued. In between these formal meetings there is also a mechanism whereby individual patients and doctors can refer appeals, if we like, to put it that way to the Pharmacy Adviser who will then consult with the Formulary Committee perhaps on a round robin way when there is an immediate response requirement.

HON J C PEREZ:

Can the Minister confirm that individual patients who feel aggrieved about the medicine they are being prescribed cannot themselves directly put the case to the committee but it has to be their doctor who has to put the case to the committee? The aggrieved party cannot directly put their case to the committee?

HON DR B A LINARES:

I have no knowledge that that is a limitation in the mechanism. Certainly I would not see why an individual patient could not refer the matter to the Pharmacy Adviser who is the link between the Formulary Committee and the individual doctors or the individual patient.

HON J C PEREZ:

The Minister himself in reply to my hon Colleague has said that the number of cases is on behalf of patients signifying that it is the doctor who can take the case to the committee on behalf of the patient. I am asking the Minister because whenever a person has a complaint about the medicine, even if that person refers the matter to the Pharmacist, he then refers them back to the doctor. We have had situations of people who are allergic to a particular medicine, who need response quickly because of the allergy and the system does not allow for them to have recourse to appeal because it has to go through the doctor.

HON DR B A LINARES:

I think it is the most natural thing in the world. The Formulary Committee will obviously check with the GP who is attending to the patient to verify the facts, say, an allergy or whatever, it is the common-sense and reasonable approach.

HON J C PEREZ:

In the meantime what happens, the person stays without the medicine waiting for the doctor to have time to write to the committee and then the committee, in the next three months, will meet and in the meantime the patient who is allergic to the generic medicine continues with the generic medicine and the side effects of that generic medicine? What I am telling the Minister is that there are people out there in genuine need of being able to take these matters up and they are not being able to take the matters up because the red tape towards clarifying these matters is too much.

HON DR B A LINARES:

The alternative would be to accept everybody's word when they made an appeal and open the floodgates to all sorts of claims. There are people out there with legitimate and genuine cases but there are people out there who will not have legitimate and genuine cases. The only way to filter and establish the genuineness of a particular medical and clinical case is go through the clinician. If there is red tape, indeed we can look at the red tape to facilitate the process and to make it as expeditious as possible for the patient to get the proper reply. The mechanism in itself systematically is perfectly correct and sensible.

HON MISS M I MONTEGRIFFO:

Would the Minister not agree that the doctor is the professional who is well suited to decide whether a generic product can be substituted by the branded medicinal product? Should the doctor not decide himself rather than having to go to somebody else or to the Formulary Committee?

HON DR B A LINARES:

The Formulary Committee includes doctors. I have explained this in the last meeting, there is a collective approach in which doctors established the Formulary Committee, an individual doctor who may think in a particular individual case that general formula need not be applied has every access to make his case and prove his point to the Formulary Committee who will be as obviously clinicians and medical professionals perfectly understanding. But there has to be a mechanism of filtering, one cannot just leave it either to the individual patient or even, with respect, to the individual doctor who should be able enough and competent enough to make his case on behalf of an individual patient to a collective body which is exactly the type of mechanism which exists in the UK.

HON MISS M I MONTEGRIFFO:

Surely the Minister must understand that if a doctor makes a request to the Formulary Committee he must be 100 per cent convinced of that request, why should he not be able to take the decision himself there and then on the spot?

HON CHIEF MINISTER:

For the same reason as he does not do it anywhere in Western Europe. Gibraltar has not invented sliced bread when we have established the Formulary Committee, the formulary itself or the principle of prescribing generic drugs where generic drugs are suitable for a patient. The hon Member pretends that she is a rocket scientist in finding the problems and that the Government have been a rocket scientist in designing this scheme and neither of those are the case. These are well-established systems that exist elsewhere and just for the avoidance of doubt, let me say that the Government do not accept the premise on the Opposition's line of questioning, we do not accept what the Hon Juan Carlos Perez says as the basis for his question, that there are people out there being denied the medicinal treatment that they like, we do not accept that. He asserts this on the basis of no evidence whatsoever and the Government do not accept this nor do the Government accept that either the doctor treating such a hypothetical patient or indeed the Government's Pharmacy Adviser or the doctor prescribing the hon Member's hypothetical patient would be irresponsible enough or uncaring enough to allow a patient to remain without the treatment that he needs because of red tape. If there are such cases none have been brought to the Government's attention. Is it not odd that where there are Ministers all of these cases apparently come to the hon Member's ears but not to the Minister's ears. Usually people who have a problem of that sort go to the person who can solve it for them not to the person who definitely cannot solve it for them. Therefore the hon Member can stand up in this House and assert that cases are reaching his ears and I take that with a pinch of salt. If the hon Member has instances of any such cases the correct and responsible procedure for him to follow in the interests of the patient which appears to be what he claims motivates him, is not to wait until the next meeting of the House after the summer break to raise it but to write to the Minister and say, "Minister, do you know that Mr and Mrs So and so, who the doctor thinks needs this and this drug is not getting it because of red tape?" That would, it seems

to me, be the reasonable and responsible way for the hon Member to proceed. Government perfectly understand that the Opposition wish to scrutinise the Government and hold the Government to account for the new system that we have introduced in this respect but in holding us to account and in us giving an account of ourselves, I just want to make it perfectly clear that we are not accepting the premise of the hon Member's question which is, as he alleges, that this problem exists.

HON J J BOSSANO:

That lengthy speech which, of course, was not answering any of the points that were being questioned, includes a number of premises which we do not accept because the Chief Minister is wrong. We are not raising the question in the House because we think he has got it from Eastern Europe as opposed to Western Europe, he could have got it from anywhere in the world that he wants, we are looking at how it is working in Gibraltar not how it is working elsewhere. No doubt there are parliamentarians in other countries who take up the issues with their governments if there are approaches from discontented users of the system and that is what we are doing. I can tell the Chief Minister that although I am not prepared to reveal the name of the patient and he can take my word for it or disbelieve me but I am making myself responsible for the accuracy of what I am saying in this House so it is not hypothetical, I can tell him that there are more than one instance but one very, very recent where a lady came to our office very disturbed because they had changed her medication several times to several generic alternatives and on each occasion there had been side-effects and the doctor told her that there was nothing he could do but that it was obvious that the only thing that he could do was to prescribe the original one although he did not think they would give it to her. And the lady went to the chemist and the chemist said, "I am going to give it to you because I can see that you need it as a professional although I expect I will not be paid". When that happens we then advise people who to go to or not go to in the administration to have their case looked at but we then think that it is legitimate to raise the general principle in the House to see if we can establish that there are things that need to be put right. It is not because as he was saying, "The hon Member has invented the wheel or sliced bread" or anything else but because we are responding, as we are paid to do, to approaches from affected patients. It seems to me, if I can ask the Minister in a form of a question, whether he would consider perhaps amending the operational side of this thing in order to make it easier for the patient while containing the protection that he clearly wants to see in the system, that the doctor at least should have the flexibility, that in the instructions given to the GP he should have the flexibility if he feels that it is essential or important or needed for the patient's welfare to make the request to the Formulary Committee but not to change the medication whilst the request is being considered then at least if the answer comes back from the Formulary Committee saying, "No, you cannot continue with that medicine" then he will have to change it and presumably there will be some mechanism. But our concern is that the kind of example that I have given should be avoided and I am sure the Minister will also want to see it avoided and this is being put in that constructive spirit.

HON DR B A LINARES:

I appreciate the constructive spirit in which the suggestion is made. I cannot of course here and now commit myself to accepting the suggestion but I will indeed put the suggestion before the management and the Formulary Committee to study in what way we can add more fluidity and flexibility to the process which is established and I will question in terms of logic the argument of the hon Member and I think he will appreciate a logical argument that one cannot jump from the particular to the

universal and to the general. The fact that there are incidental failures, incidental cases does not in any way put to question the general validity of the general system. Nevertheless if one talks about the general system in adding fluidity and flexibility and avoiding red tape, certainly I will put before the Formulary Committee who are the doctors, who are the experts to review, to look at it so that we can always improve our mechanisms and our systems. We are always ready to look at improvements in our service. I would also like to point out that I have met frequently, regularly with the collectivity of the general practitioners and, in fact, I have made it a point of bringing this issue to their attention and seeking their advice and seeking their opinion and unanimously the general practitioners are perfectly satisfied with the system as it operates at the moment. That is what they have told me collectively, in formal meetings with the Minister and therefore they too will have to be consulted on the suggestions for improvement that the hon Member has made and for which I am thankful.

HON J J BOSSANO:

The Minister said that in between the three months, which is one of the other thing that concerns us, what happens in between the three months, there is a mechanism where informal contact can be made by telephone. He has given us the figures for January and May, does he have any information on whether there have been any actual instances of in between decisions?

HON DR B A LINARES:

I have not got the details of that with me. In between meetings particular appeals which have been treated informally, as I have just described, I have not got the information on that but I will be glad to provide it.

HON MISS M I MONTEGRIFFO:

Just to answer one point that the Chief Minister made when he said that I thought I was a rock of scientific knowledge, to tell him that my concern is for the patients and I do not pretend at all to have any knowledge on science.

HON DR B A LINARES:

Just one final point that since we discussed all this last time I have had no representations from the hon Member that, again as I said before in connection with the issues raised by the Hon Mr Linares, I am always amenable, if they have any representations from individual people then pass them on to me.

NO. 484 OF 2000

THE HON MISS M I MONTEGRIFFO

REVENUE RAISED BY GHA

Can Government state how much revenue the Gibraltar Health Authority has raised from April 2000 to July 2000, as a result of their policy to increase prescription charges by 100 per cent?

ANSWER

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

Answered together with Question Nos. 485, 487, 488, 489, 490, 491, 492 and 493 of 2000.

ORAL

NO. 485 OF 2000

THE HON MISS M I MONTEGRIFFO

REVENUE RAISED BY GH

Can Government state how much revenue the Gibraltar Health Authority has raised in the last financial year, as a result of their policy to increase prescription charges by 100 per cent?

ANSWER

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

Answered together with Question Nos. 484, 487, 488, 489, 490, 491, 492 and 493 of 2000.

NO. 486 OF 2000

THE HON MISS M I MONTEGRIFFO

DISPENSING FEES

Can Government confirm that they are reviewing the amount paid to pharmacists per item as dispensing fees, under the new agreement which materialised as a result of the regulations that were published on 19th August 1999?

ANSWER

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

Yes.

SUPPLEMENTARY TO QUESTION NO. 486 OF 2000

HON MISS M I MONTEGRIFFO:

Why?

HON DR B A LINARES:

An agreement was made with the pharmacists towards the end of 1998 in which it was established that their income of £750,000 approximately during the financial year 1997/98, they were afraid that they would suffer a loss in respect of that. The agreement then covered that the GHA guaranteed a minimum global payment of on-costs of 75 per cent of that figure calculated over the period of a year, commencing on the 1st April 1999 and that any shortfall would be made up by the Authority. That is, anything below the 75 per cent on a pro rata basis, obviously, calculated on the items dispensed by individual pharmacists. If the value of the on-cost payable during that year exceeded £750,000, the excess would be clawed back in the following financial year by a revision and reduction of the dispensing fees and that is exactly the reason why at this stage because the income actually over the financial year ending on March 2000 came up to £850,000. So that implies and entails that £100,000 has to be clawed back and therefore the present formula is being discussed and negotiated with the pharmacies in order to claw back the excess which they had agreed in 1998.

HON MISS M I MONTEGRIFFO:

Is not the increased amount earned by pharmacists an indication that there are, in fact, more items being dispensed than previously?

HON DR B A LINARES:

I would not say so. I do not think that one thing follows from the other.

HON J J BOSSANO:

Is not the payment, other than the fixed amount, related to the cost of the medicines?

HON DR B A LINARES:

The payment is a fixed fee of £2.35 per item. Initially the original formula was related to the cost of medicine, I think it was 4.75 per cent plus then £1.20 per item. The formula now is just a fixed fee of £2.35 per item dispensed.

HON J J BOSSANO:

If I can read to the Minister, he says the basic price, an additional 15 per cent of the basic price and a dispensing fee of £2.35.

HON DR B A LINARES:

The dispensing fee is over and above the refunding of the cost of the medicine, with 15 per cent profit over the cost of the medicine which is also given to the pharmacists but we were talking about the dispensing fee and the review of the dispensing fee.

HON J J BOSSANO:

Is the Minister then saying that the 15 per cent of the basic price is what, the wholesale price?

HON DR B A LINARES:

The cost of the medicine is the cost in the tariffs which have been established and 15 per cent of that is included in the tariff.

HON J J BOSSANO:

How does the Minister relate that to the previous formula that had the cost of the medicine plus 4.75 per cent?

HON DR B A LINARES:

I am not entirely clear what the question is getting at. The previous formula which involved 4.75 per cent on the cost of the medicine and on top of that a fee of £1.20 per item was abolished by negotiation and agreement with the chemists and established a new formula whereby the Gibraltar Health Authority would reimburse the pharmacies with the cost of drugs dispensed and would pay an additional 15 per cent to cover expenses; the GHA would pay a dispensing fee of £2.35 per item over and above that; they would also not charge any separate container payment because that was an initial claim that they wanted payment for the little containers and it was acknowledged by both parties that the cost of containers were consolidated into the abovementioned fees and, as I have already explained, the new formula guaranteed to yield at least £750,000 that they had gained in the previous financial year and if it exceeded that figure, and it did by £100,000, it would be clawed back in the next financial year. In direct answer to the question why is it found necessary now to review this formula, it is exactly because of that, in order to adjust and fine-tune more the payment to the pharmacies to what the turnover really is.

HON J J BOSSANO:

And the supplementary is that therefore as a consequence of that explanation, it must mean that many more medicines or much more expensive medicines are being dispensed now than were before otherwise the figure would not have been exceeded, surely?

HON DR B A LINARES:

I am not too sure of that. I think also it could be as a result of the new payments which are being made which are yielding a higher income.

HON J J BOSSANO:

What new payments?

HON DR B A LINARES:

One of the factors may be that the number of items may have increased.

HON J J BOSSANO:

Then what we are talking about is that either the items must have increased or the value must have increased because if it is the number of items it would increase the number of times one pays £2.35 and if it is the value of items presumably it would increase what the 15 per cent of that value was but it must be either more items affecting the £2.35 or more expensive medicine affecting the 15 per cent which must lead to the excess over the £750,000 which was the projected figure and the figure of the previous year.

HON DR B A LINARES:

I would not like, on the spur of the moment, to say yes to the hon Member. I prefer, because this is still somewhat new territory for me, to analyse the intricacies of the formula and I will then be able to confirm what the causes and the factors involved are.

HON MISS M I MONTEGRIFFO:

Would the Minister be so kind as to write to me to confirm whether my analysis is correct or not?

HON DR B A LINARES:

The analysis is simply that the hon Members are stating that there must have been an increase in the number of items dispensed. I am not too sure that that is the answer but I will analyse it and look into it and, of course, I will write to her.

HON J J BOSSANO:

There seems to be no other possible explanation on the basis of the information he has provided. Can he clarify for me, because I am not sure that I have understood entirely his explanation of the difference between the old and the new formula. Am I right in thinking that the payments, which is presumably what produced the £750,000 before, was the cost plus 4.75 per cent of that cost plus £1.20 and that under the new

formula it would be the cost plus 15 per cent plus £2.35? Am I right in my understanding of the answer that he has given as to what the two systems are? Because if that is the case it would seem to me that it would imply a very big drop in the volume for the product to remain unchanged. It seems to me before we had 4.75 per cent of, say, medicines worth £100, we would pay £4.75; if we are now paying 15 per cent on medicines we are going to pay £15. If we still pay £4.75 then it must be related to £30 worth of medicines of which 15 per cent would give the £4.75.

HON CHIEF MINISTER:

I believe, although I have not been a part of the detailed management of this, that previously the 4.75 per cent was 4.75 per cent over and above the retail price whereas now the 15 per cent is 15 per cent over and above the cost, that is to say, not the retail cost to the Government but the cost to the pharmacist. So whereas before the pharmacists were setting the price and the Government were paying a premium of 4.75 per cent over that, the new formula is 15 per cent over cost of medicine. In other words, in effect the profit margin is being capped to 15 per cent and then there is the fixed per item fee on top of that of £2.35 per item whereas before it was 4.75 per cent over the retail price list.

HON J J BOSSANO:

In looking at both formulas what we read is that in the first one it said the wholesale cost of the item, a 4.75 per cent on cost of the wholesale cost and the sum of £1.20. The new one says the basic price an additional 15 per cent to the basic price. We do not know whether the basic price and wholesale cost are the same thing or not?

HON CHIEF MINISTER:

And I believe that therein lies the crux of this discussion, that the basic price is the cost of importation of the medicines which have to be demonstrated by the importer to the Authority. In other words, the new formula is an attempt to cap the amount of profit margin that the local wholesalers and retailers can make.

HON J J BOSSANO:

Therefore what the Chief Minister is saying is that under the previous formula the price in respect of which the 4.75 per cent was included was a price which had a mark up over the cost of the imported medicine?

HON CHIEF MINISTER:

I believe the position was and I keep on adding the words 'I believe' because I have been on the periphery of these negotiations and this situation, I believe that the position was that the 4.75 per cent was over and above the wholesale price list but of course the wholesale price could be fixed at whatever level the local wholesaler wished. [HON J J BOSSANO: *No, no this is controlled.*] Well, controlled without any demonstration. Now we have 15 per cent over cost to the wholesaler as opposed to 4.75 per cent over the wholesale price list as controlled but controlled basically meant that no one checked it. My understanding was that these medicines were just imported in the ordinary course of business by whoever was the agent representing that medicine and that they set their price lists and that on top of that price list the Government would pay the price list through the wholesalers and the Government would allow the retailers 4.75 per cent over that. The object of this formula, as the hon Member can well imagine, was not to increase the cost of medicines and

therefore whilst I would certainly, my hon Colleague has undertaken to give the answer to whether their analysis is correct or not, I can certainly assure the hon Member that the new formula was designed to introduce more price stringency and control and not less which would be the obvious consequence of simply having switched 15 per cent where before it was 4.75 per cent. That would just have been a price increase in favour of the pharmacists which was not the objective.

HON J J BOSSANO:

We are assuming that the intention was not to produce a formula that paid more. It appeared to us when this was announced that what the formula was intended to do was to retain the level of income notwithstanding that they expected a reduction in the consumption of the medicines and that therefore if before there was less control and limited prescribing and non-generic systems and now we pay the pharmacies more then it is a very peculiar situation because all the things that have been announced have been announced on the premise that it would finish up costing less and it has finished up costing more. Would the Government not agree that in the light of the last statement made by the Chief Minister that his understanding was that people just put whatever price they wanted and got paid plus 4.75 per cent and now there is a more rigid system in place and they finish up paying £100,000 more than was being paid before, well it is very peculiar.

HON DR B A LINARES:

In respect of dispensing fees.

HON J J BOSSANO:

Yes but the dispensing fees of £2.35 as opposed to £1.20, are the Government in a position in the two figures that they have given of £750,000 and the £800,000-plus can they tell how much of it was from the dispensing fee and how much of it was from the payment so that we can see which has gone up and which has come down?

HON CHIEF MINISTER:

That information is clearly available, we do not have it to hand. The cost of medicine has fallen, not risen and that was the whole purpose of the generic, I do not want to reopen that particular debate on the occasion of this question. What we need to look into is the reason why there is an increase in the yield to the pharmacists from the dispensing fee and I accept that the possibilities identified by the hon Members must account for the reason. If there is a fixed fee per item and that element of fixed fee yields more than it used to, it can only be because there are more items being dispensed. If in year one where the fee is £2.35 per item it yields so much and the next year where the fee is still £2.35 yields more, necessarily the only explanation for that ought to be that there are more items dispensed. Those items could have risen in cost because the price of medicine rises every year. Therefore it is in the analysis of the 15 per cent part of the equation that the hon Members need explanations as to what accounts for it because that aspect of it may be the result of increased cost of medicines as opposed to increased volume.

HON J J BOSSANO:

In answer to Question No. 493, in the table that has been circulated, the Minister shows a dispensing fee of £631,000 in relation to £3.6 million worth of medicines and a payment of £958,000, that is over 50 per cent higher on a value of medicines which is practically unchanged. The difference between the old and the new shown in Question No. 193 in the answer provided by the Minister is that under the old system the pharmacist got paid a dispensing fee of £631,715 in respect of medicines worth £3,662,095 and in the new system the value of the medicine goes up by £70,000 from £3,662,000 to £3,732,000 and that difference of £60,000 produces £320,000 more in dispensing fees according to this table, unless the table means something else in which case I would be grateful for the explanation.

HON DR B A LINARES:

The explanation that was given to me when I asked the same question from the management was that it was a matter of the timing of the financial year and the calendar year and that therefore those two figures do not necessarily relate and correspond to the same period.

HON J J BOSSANO:

But we are talking about the same 12 months in two years. To my knowledge neither the calendar year nor the financial year has changed from one to the next.

HON DR B A LINARES:

Because part is of the old 12 months, the new formula had still not been introduced.

HON J J BOSSANO:

Then the question has been incorrectly answered. The question is, take the first 12 months of the new formula and the last 12 months of the old one. It is the same 12 months in both systems. The Minister's answer is, "The amount paid and the value of medicines paid in the 12 month period since the introduction and the comparative figure for the previous 12 months as set out hereunder", and it says since the introduction they have paid out nearly £1 million in respect of medicines worth £3.7 million and before the introduction they have paid £630,000.

HON CHIEF MINISTER:

The answer that my hon Colleague has given is that that table has to be read as being a payment, in other words, that the hon Member specified in relation to comparisons of 12 month period but during that 12 month period payments were made in respect of dispensing fees that relate to a previous period. Those are not comparable periods of time that relate, if we go specifically to Question No. 493, "Can Government state how much was paid to dispensing pharmacists in the 12 month period since the introduction of the new formula?" The new formula was introduced on a given date, 12 months forward from that how much has been paid. What the Minister is saying to him is that the information is how much money has been paid to the chemists in that 12 month period identified by reference to its commencement date the introduction of the new formulary which is not to say that all the payments relate to the new formulary.

HON J J BOSSANO:

Is the Minister then saying that the £957,949.30 which is the second line in the table with the word "new" is not payments under the new formula? That is what he has just said.

HON CHIEF MINISTER:

The answer that he has been given is that it relates to a period of time during which the old system was in place.

HON J J BOSSANO:

Then I am surprised that that is not reflected in the answer that has been circulated in writing because what it says here is, "There are some accounts that have yet to be submitted and therefore the figures shown against the NEW row will be subject to change"" indicating that the figures shown against the NEW could be even higher without any indication that, in fact, it is not new, it is part new and part old.

HON CHIEF MINISTER:

I agree with the hon Member.

HON DR B A LINARES:

I agree with the hon Member and I agree that the presentation of the answer to that question is confusing and has not focused exactly on the details that the hon Member is now raising.

HON J J BOSSANO:

Presumably we will get an explanation?

HON DR B A LINARES:

Of course.

NO. 487 OF 2000

THE HON MISS M I MONTEGRIFFO

COST OF MEDICINES

Can Government state what was the total cost of the medicines prescribed in the accounting periods 6, 7 and 8 of 1999 in respect of the total items?

ANSWER

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

Answered together with Question Nos. 484, 485, 488, 489, 490, 491, 492 and 493 of 2000.

NO. 488 OF 2000

THE HON MISS M I MONTEGRIFFO

NUMBER OF PRESCRIPTIONS

Can Government state in respect of each accounting period since August 1998, the number of prescriptions in respect of which £2.50 was paid by patients to dispensing pharmacists?

ANSWER

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

Answered together with Question Nos. 484, 485, 487, 489, 490, 491, 492 and 493 of 2000.

NO. 489 OF 2000

THE HON MISS M I MONTEGRIFFO

GPMS PRESCRIPTIONS

Can Government state the total number of prescriptions issued, the number of items, and the cost of the medicines covered by the GPMS prescriptions for the four week periods commencing 8th November 1999, in respect of which £2.50 was paid by patients to dispensing pharmacists, and the total value of the medicines so dispensed, and the comparable figures for the previous year?

ANSWER

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

Answered together with Question Nos. 484, 485, 487, 488, 490, 491, 492 and 493 of 2000.

NO. 490 OF 2000

THE HON MISS M I MONTEGRIFFO

GPMS PRESCRIPTIONS

Can Government give a breakdown of the total number of prescriptions issued, the number of items and the cost of the medicines covered by such prescriptions under the GPMS for the accounting periods from 7th November 1999?

ANSWER

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

Answered together with Question Nos. 484, 485, 487, 488, 489, 491, 492 and 493 of 2000.

ORAL

NO. 491 OF 2000

THE HON MISS M I MONTEGRIFFO

GPMS PRESCRIPTIONS

Can Government state in respect of the accounting periods since August 1998 whether the cost of medicines given in reply to Question No. 197 refers to the number of items in respect of which £2.50 was paid by patients to dispensing pharmacists as was requested in the question?

ANSWER

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

Answered together with Question Nos. 484, 485, 487, 488, 489, 490, 492 and 493 of 2000.

NO. 492 OF 2000

THE HON MISS M I MONTEGRIFFO

GPMS PRESCRIPTIONS

Can Government now state how many prescriptions have been issued since the 13th December 1999, with more than three items and paying a total of £7.50 for such prescriptions?

ANSWER

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

Answered together with Question Nos. 484, 485, 487, 488, 489, 490, 491 and 493 of 2000.

NO. 493 OF 2000THE HON MISS M I MONTEGRIFFO**GPMS PRESCRIPTIONS**

Can Government state how much was paid to dispensing pharmacists in the 12-month period since the introduction of the new formula for calculating the payments, as compared to the payments in the 12 months under the old formula, and what was the value of the medicines dispensed in each of those two respective periods?

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

In respect of Question No. 484 I have to remind the hon Member that the Government did not increase prescription charges by 100 per cent, indeed she repeats this also in Question No. 485. A range of measures were introduced which included raising the charge for a limited number of prescriptions, that is three and no more than three and reaching a maximum of £7.50. The measures also included eliminating the charge for pensioners, that is, the 20 pence and as I have said, provide free medicine for any number of items above the three on any single prescription to all categories of patients. In this context one cannot just in a broadbrush way say that the Government have increased charges by 100 per cent.

Having said that, the figures that I will now provide to the hon Member in reply to all her questions are based on the statistics which have been compiled up to last week, that is Friday 25th August 2000, on the accounts that have been received because not all accounts for the period in question have as yet been received by the Authority.

I now hand to the hon Lady the statistics that she requires.

SUPPLEMENTARY TO QUESTION NOS. 484, 485 AND 487 TO 493 OF 2000

HON MISS M I MONTEGRIFFO:

When the Government first announced that they were increasing prescription charges from £1.20 to £2.50 originally, which in fact is more than 100 per cent, the Government alleged that they were doing this primarily because of certain abuses by members of the public because they were getting from pharmacists other items rather than medicinal products. Is the Minister now satisfied that this abuse has diminished?

HON DR B A LINARES:

Frankly I am not satisfied and we are still looking at controlling this abuse.

HON MISS M I MONTEGRIFFO:

What the Minister, in fact, is saying to the House is that their assumption that the increase would diminish it has not happened?

HON DR B A LINARES:

I do not think that the Government ever said that the increase of £2.50 would eliminate all other forms of abuses which are not connected with the price of items but there are other aspects of the system that need to be looked into to avoid all other abuses. In other words, the £2.50 was not a panacea for all the ills in the system.

HON MISS M I MONTEGRIFFO:

Can the Minister then tell the House what effect the increase has actually had?

HON DR B A LINARES:

I think the answer to that question is given in the revenue raised in the tables that I have put to her.

HON J J BOSSANO:

Given that it is not merely a revenue raising measure the effect may not have been to stop all kinds of abuses as the Minister says but which abuses has it stopped? Is there any evidence of that? Have they got anything to go by other than a feeling for it?

HON DR B A LINARES:

I believe it is a much more realistic charge on payments from those who can afford it whereas those who cannot afford it, which is the general philosophy and principal of this Government in many other respects, have been dispensed with the big prescriptions, pensioners and many others on supplementary benefits do not pay any charges at all.

HON J J BOSSANO:

Is he saying then that people who get it free do not abuse it and people who pay £2.50 do abuse it? There is no coherence or logic to that answer given that the question is designed to establish or to what extent what was perceived by the Government as being a problem of prescriptions being obtained and then instead of the medicine being dispensed another product being obtained in lieu of, to what extent has that been tackled? That is what we are trying to establish.

HON DR B A LINARES:

I think certainly the increase in charges have gone a long way to avoid abuses, has gone a long way and I said, when the hon Member asked me, frankly there are other ways in which patients find a way round the situation to still obtain products which are not necessarily required in the prescription and we are looking at the intricacies of that.

HON MISS M I MONTEGRIFFO:

I have not had a chance and I think that the table the Minister has just handed to me is rather longwinded to read. *[HON DR B A LINARES: They were longwinded questions.]* No, eight questions in one. Can he confirm, does he have the information whether items in prescriptions have increased since they introduced the maximum of £7.50?

HON DR B A LINARES:

The answer to that would be included in the tables that I have provided. I too would have to study these tables carefully, I have done so but I cannot fix my mind now and focus precisely on the answer to that particular question.

HON J J BOSSANO:

Has there been a noticeable change when the scheme was amended? That is to say, when the latest changes were introduced, not the original ones. Originally it went up from £1.20 to £2.50 and then at a subsequent stage, as the Minister said, some cases were taken out and then there was a limit of three; has there been a noticeable change in the volume of prescribing when that happened or not, or since?

HON DR B A LINARES:

I cannot answer that question on the spur of the moment, I would have to analyse it a bit further. My impression is, as I gather from the management of the Authority, is that there has not been and that it is still the same pattern of demand from patients.

Answer to Question 484 and 485 of 2000

Period	Paid White Items	Paid White Items	Free Items (over 3)	Total at Old Rate	Difference	Estimated exemptions of pensioners of 20p charge	Estimated Total
April/Jul 2000	42783	£106,957.50	9631	£62,896.80	£44,060.70	£11k	£34k
1999/2000	128,335	£320,837.50	5743	£160,893.60	£159,943.90	£35k	£125k

Answer to Question 487 of 2000

The cost of medicines paid by the GHA in respect of the accounting periods 6,7 and 8 of 1999 was as follows:-

Period	Cost
6	£224,035.09
7	£291,175.41
8	£293,361.08

Answer to Question 488 of 2000

With regard to Questions 488 and 489 I have interpreted them to mean the number of prescriptions in respect of which **AT LEAST** £2.50 was payable in respect of any prescription. Taken in isolation, question 488 asks only for prescriptions where only one item was prescribed and payable. However, in looking at question 489 I find a similar question which seeks to identify the number of prescriptions separately from the number of items. It is clear to me that there has been an element of confusion in framing the questions.

If the answer is not what the Hon Lady requires, I would ask her to clarify the questions for me and I will be more than happy to let her have the information after the meeting of the House.

In conclusion, the number of **prescriptions** in respect of which at least £1.20 or £2.50 was payable by patients to dispensing pharmacists in respect of the accounting periods since August, 1998 is as follows:-

Period	1	2	3	4	5	6	7	8	9	10	11	12	13
1998/99						4826	4826	4340	4602	5013	5557	5133	4856
1999/00	4454	4791	4491	4690	5092	4319	5374	5079	5579	5290	5933	5274	5616
2000/01	5139	5029	5343	4682									

Answer to Question 489 of 2000

With regard to Question 489, the answer covers all the items on white prescriptions regardless of the number of items on the prescriptions. The answer is as follows:-

	Period 9	Period10	Period 11	Period 12	Period 13	Period 1	Period 2	Period 3	Period 4
Week	15/11/99	13/12/99	10/1/00	7/2/00	7/3/00	4/4/00	2/5/00	30/5/00	27/6/00
Prescriptions	5579	5290	5933	5274	5616	5139	5029	5343	4682
Items	1125	10241	10785	9731	10184	9308	9121	9715	8576
Cost £	104429.30	102228.74	113679.35	106424.89	110736.44	104782.74	105324.26	114751.14	104688.00

	Period 9	Period10	Period 11	Period 12	Period 13	Period 1	Period 2	Period 3	Period 4
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Week	14/11/98	12/12/98	09/1/99	6/2/99	5/3/99	2/4/99	30/4/99	28/5/99	25/6/99
Prescriptions	4602	5013	5557	5133	4856	4454	4791	4491	4690
Items	8876	9504	10135	9791	9557	8677	9360	8994	9284
Cost £	97259.28	98649.76	103708.88	102128.92	100192.43	98841.18	105854.00	101895.30	103678.70

Answer to Question 490 of 2000

The total number of prescriptions claimed, the number of items and the cost of the medicines covered by such prescriptions under the GPMS for the accounting periods from 7th November, 1999 is as follows:-

	Period 9	Period 10	Period 11	Period 12	Period 13	Period 1	Period 2	Period 3	Period 4
	14/11/99	12/12/99	9/1/99	6/2/00	5/3/00	2/4/00	30/4/00	28/5/00	25/6/00
Prescriptions	11702	11443	12244	10758	11577	10926	11269	11643	10100
Items	33462	33748	35239	31297	33482	31593	33639	33910	30274
Cost £	299203.63	298330.16	310647.28	282640.27	301896.56	297973.12	312646.67	324168.37	297367.60

Not all pharmacists have submitted accounts for periods beyond 25th June, 2000.

Answer to Question 491 of 2000

I would also like to confirm that I have asked for the answer that was given to question 197 of 2000 to be checked and it has been confirmed that the answer conforms to the question that was asked.

Answer to Question 492 of 2000

14,955 items have been claimed against white prescriptions since 13th December, 1999 to date and in respect of which patients have not paid £2.50. The items dispensed against pink prescriptions are not included in the above-mentioned figure since patients presenting these prescriptions are exempt from all charges.

No record is kept on how many prescriptions these items relate to.

Answer to Question 493 of 2000

The amount paid to pharmacists and the value of the medicines paid in the 12 month period since the introduction of the new formula and the comparative figure for the previous twelve months are set out hereunder.

There are some accounts that have yet to be submitted by the pharmacists and therefore the figures shown against the NEW row will be subject to change.

The Hon Member should also take account of the answer that has been given to question 486 of 2000 in that an amount has to be clawed back from the pharmacists in respect of dispensing fees. The amount payable in dispensing fees in respect of the last and the current financial year will not exceed the amount paid in 1997/98.

	Total	Medicines	Dispensing Fee	Duty Fee
OLD	£4,308,787.06	£3,662,095.44	£631,715.62	£14,976.00
NEW	£4,693,513.55	£3,732,964.25	£957,949.30	£26,000.00

NO. 494 OF 2000

THE HON MISS M I MONTEGRIFFO

OCCUPATIONAL DISEASES

Will Government give an undertaking that the schedule of occupational diseases will be upgraded in line with the United Kingdom?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The current Government have so far continued the policy of the hon Lady, when she was Minister for Health, not to alter the longstanding list of occupational diseases. However, Government have received representations from the Transport and General Workers Union and the Director of Public Health which are being presently considered.

SUPPLEMENTARY TO QUESTION NO. 494 OF 2000

HON MISS M I MONTEGRIFFO:

The reason why I put this question is because there has been a case where an individual lost it because the disease that he had contracted which was asbestos related was not included in the schedule. Is the Minister aware of this case?

HON DR B A LINARES:

I am indeed aware that the disease of mesothelioma, which is very much related to asbestosis, is not included in the occupational diseases standing list and it is precisely this sort of thing that is being now reviewed by the Director of Public Health.

NO. 495 OF 2000

THE HON MISS M I MONTEGRIFFO

DIALYSIS UNIT

Can Government confirm what proposals they have in order to provide patients of the Gibraltar Health Authority with a dialysis unit in Gibraltar?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The Authority is currently in contact with specialists in this field in the United Kingdom with regard to this matter.

SUPPLEMENTARY TO QUESTION NO. 495 OF 2000

HON MISS M I MONTEGRIFFO:

Is it Government intention to provide the services of a dialysis unit by themselves and not in partnership with a private enterprise?

HON DR B A LINARES:

The commitment of the Government to provide a dialysis centre in the new hospital has been stated in this House previously. The details of the implementation of that commitment are still under consideration.

HON MISS M I MONTEGRIFFO:

What has not been given a clear commitment is whether the dialysis unit will cater both for in patients and outpatients. Is the Minister now in a position to confirm whether it will cater for both inpatients and outpatients?

HON CHIEF MINISTER:

The answer that the Minister has just given is the correct answer. There will be provision for kidney dialysis, the nature and extent of that provision has not yet been decided but whatever the nature and extent of the provision that this Government will introduce, it will be a greater provision than was available when the hon Member was Minister for Health which was no provision at all.

HON MISS M I MONTEGRIFFO:

He has not answered the question. He has gone back to my time which is the usual norm of the Chief Minister when he has not go a reply. Will he please answer the question whether it will provide services for both inpatients and outpatients?

HON CHIEF MINISTER:

We have provided a reply, it is just not the reply that the hon Member wanted to hear. The reply is that there is a commitment to include a provision for kidney dialysis in the new hospital; that the extent and nature of that provision has not yet been decided and as it is not yet decided I cannot be in a position to explain it here and now to the hon Lady. That is not evading her question, that is answering her question. The hon Member will forgive me if from time to time the Government emulate Opposition Members and become just a little bit political in the way we handle their questions in this House. I think it is perfectly legitimate, just as it is perfectly legitimate for the hon Lady to ask the Government how they are doing with the implementation of our policy which incidentally was not their policy, just as it is legitimate for her to press us on how well we are doing with complying with our commitments, it is equally, I would have thought in the ordinary cut and thrust of politics in a democracy, I would have thought it was equally legitimate for me to say to the hon Lady, "Even though we are quite happy to give you an account of how we are doing with implementing our policy about making a provision in Gibraltar for kidney dialysis, when asking the question the hon Lady should not forget the fact that it was never her policy to do this, that she made no attempt to do this and indeed" – I cannot remember if it was in her last manifesto to do it or not, in fact I do not think it was but anyway she can correct me on that when she next gets up. This is not to say that the hon Lady cannot ask the questions but she cannot deprive us of the ordinary political expediency of both answering the question and reminding her that she is pressing us to do something which is not the policy of her party and which was not the policy of her administration when they were in Government and I do not see that there is anything reproachable, with the greatest of respect to her, in that.

HON MISS M I MONTEGRIFFO:

It is quite amazing that he still has not answered my question. He has gone about how well his Government are doing, that I did not have any plans for a dialysis unit, he chooses to go back but the people of Gibraltar will be the judge of who is doing what for the medical services. [*HON CHIEF MINISTER: Absolutely.*] Just to correct him, yes we did give a commitment of a new dialysis unit and basically the reason why we did not install a dialysis unit is because we inherited the medical services in such condition that if we had not done to the medical services improvements that we did he would not have found it possible now even to build a new hospital. But apart from that, I know that the Chief Minister is a lawyer and I know the distinction between commitment and decision. Could he confirm whether because they have not decided he cannot give a commitment yet or whether he is prepared to give a categorical commitment now and then?

HON CHIEF MINISTER:

The hon Lady is not able to extract from me commitments and assurances and details in excess of the terms in which we have decided we wish to give them and indeed the people of Gibraltar will decide who is taking the medical and health services forward and this is why of course she does not want us ever to look back. The hon Member thinks and I find this absolutely fascinating in the sort of cut and thrust of politics that the hon Member thinks that it is not legitimate for an administration that has replaced her in office and that is open to her scrutiny that that administration should not be able to refer back to her record in order to emphasise whether the criticism or the issues that she presses us with are reasonable or unreasonable in the terms in which she does it. She says that the people will judge who is taking the medical services forward and that is exactly what I am saying in my

answer. In the matter of kidney dialysis facility in Gibraltar, the people will indeed be able to see who is taking the matter forward and when the people are sitting in judgement as to who is taking the matter forward, the evidence in front of them will be that there was one Government who was in office for eight years and made no provision for kidney dialysis in Gibraltar, there will be another party in Government in Gibraltar that has made whatever provision we make during the next four years and the balance, unless we do nothing at all, is bound to be in our favour because she did zero, she did nothing so anything that we do in the next four years is necessarily 100 per cent improvement on where she left the service and she cannot simply assert repeatedly that I am not answering her question. Yes, we have a commitment to provide for kidney dialysis in Gibraltar, no we have not yet decided the extent or the nature of that provision. She can leap up now again and say, "You see it is extraordinary that the Chief Minister is not answering the question" but that is the answer. Yes there is a commitment to make provision, no the full nature of the extent of that provision has not yet been decided and therefore I am not in a position to give the hon Lady the details. If we had made those decisions the hon Lady would have the details as she has on everything else.

HON MISS M I MONTEGRIFFO:

That was my original question. In that case if he would have said, "No we are not in a position" from the start instead of [*HON CHIEF MINISTER: That is what I said.*] No, not the Chief Minister. We would not have wasted the time of the House as we have.

HON CHIEF MINISTER:

The hon Lady, with the greatest of respect, cannot sit there as if we were in a different room. The Minister for Health told her precisely that, that there was a commitment but the detail and the extent had not been decided. I have told her twice. In the interest of the passage of time I am perfectly happy to give her the last word, it does not form part of our debating technique to think that just because one has the last word one wins the debate. So in a moment I will certainly give her the last word but to the extent that she repeats that we have not answered the question or that we are now answering the question and we would have saved time if we had answered it originally, the answer she is getting now is exactly the same answer that she had from me when I last stood up for a supplementary and indeed the answer that she had from the Minister when he answered the question.

HON J C PEREZ:

Is the Minister for Health in consultation with the local association of dialysis patients or is he talking merely to the UK without consulting the local group?

HON DR B A LINARES:

I am in constant consultation with the local dialysis association and, of course, we are seeking advice from specialists in UK.

HON J C PEREZ:

Has the Minister or someone in his department recently not told the association that instead of eight dialysis machines envisaged there will now only be room in the new hospital for four dialysis machines? Is this something that the dialysis patients and their families have invented or has it come from the Minister's department?

HON DR B A LINARES:

The actual design of the spacing and provision, details and specific provisions in the new hospital, in fact, in all areas of the services of the new hospital, are presently in consultation with all relevant parties and there are no commitments as yet, there are no final outcomes because this is still very much in the process of study, consultation, looking at all the logistics of the thing because when we decide on numbers and availability and spacing it has to be seen globally within the total space and logistical possibilities and facilities of the new hospital. There are no definite conclusive statements to be made.

HON J C PEREZ:

So for all intents and purposes pending the consultations he is having with experts in the UK and pending the logistics of the hospital it could well be eight, 12 or four? There has been no decision of the number of kidney machines that are going to be installed in the Europort building?

HON DR B A LINARES:

Yes.

NO. 496 OF 2000

THE HON MISS M I MONTEGRIFFO

BCG VACCINATIONS

Have Government considered the introduction of BCG vaccinations to 14 year olds as is the practice in the United Kingdom?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The Gibraltar Health Authority has been planning the introduction of a BCG immunisation programme since early 1999. However, a world-wide shortage of BCG vaccine developed around that time to the extent that the UK had to cancel its vaccination programme, it is not therefore correct to say "as is the practice in the United Kingdom". When the supply position improves, a programme is expected to be introduced.

SUPPLEMENTARY TO QUESTION NO. 496 OF 2000

HON MISS M I MONTEGRIFFO:

But the Minister has no indication when the vaccine will be received?

HON DR B A LINARES:

No, I have no indication as yet but I know that the Director of Public Health is moving very closely and attending to this very technical and specific matter. As the hon Member knows this is a vaccine to immunise from tuberculosis, its tendency is to immunise new-born babies because it has many advantages over the programme as it was established in UK for 13 year olds, 13 year olds had to be tested to see that they had not had tuberculosis previously otherwise they could not be further immunised whereas new-born babies have a number of advantages and it is in that direction that he is working out a detailed and technical programme.

HON MISS M I MONTEGRIFFO:

Just to say whether the Minister would take on board the recommendations published by the Department of Health in the UK in 1996 regards the staff members and the children that ought to be immunised.

HON DR B A LINARES:

In all cases the department and the Authority here takes as a guide on clinical and medical matters the thinking and the planning and the strategies in UK.

NO. 497 OF 2000

THE HON MISS M I MONTEGRIFFO

SPONSORED PATIENTS

Can Government state the number of sponsored patients treated in the UK from January 2000 to the end of July 2000 with the fees being met by the Gibraltar Health Authority, and the cost of such fees?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question Nos. 498 to 502 of 2000.

NO. 498 OF 2000

THE HON MISS M I MONTEGRIFFO

SPONSORED PATIENTS

Can Government state what was the total number of sponsored patients treated in the UK for the period 1 January 2000 to the end of July 2000 with the costs being met by the UK Government, and what was this cost?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question Nos. 497 and 499 to 502 of 2000.

NO. 499 OF 2000

THE HON MISS M I MONTEGRIFFO

PATIENT REFERRALS

Can Government state since the 1 January 2000 to the end of July 2000, what was the total number of patient referrals to the UK and the cost of these referrals?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question Nos. 497, 498 and 500 to 502 of 2000.

ORAL

NO. 500 OF 2000

THE HON MISS M I MONTEGRIFFO

QUOTA PATIENTS

Have the costs for quota patients treated between 1 April 1999 and August 1999 now been received from the UK?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question Nos. 497 to 499, 501 and 502 of 2000.

ORAL

NO. 501 OF 2000

THE HON MISS M I MONTEGRIFFO

NON-QUOTA PATIENTS

What were the costs of non-quota patients treated in the UK between September 1999 and July 2000?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question Nos. 497 to 500 and 502 of 2000.

NO. 502 OF 2000THE HON MISS M I MONTEGRIFFO**PATIENT REFERRALS**

What were the costs of the number of patient referrals between 1 September 1999 and July 2000?

ANSWERTHE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The answer to Question Nos. 497 and 499 is as follows: 308 sponsored patients constituting 572 referrals were treated in the UK from January 2000 to the end of July 2000. The invoices received and paid to date in respect of such patients is £488,167.60.

The answer to Question Nos. 498 and 500 of 2000 as regards patients whose costs are covered by UK, 150 sponsored patients were treated in the UK during the period 1 January 2000 to the end of July 2000 with the costs being met by the UK Government. However, no information on costs has been received as yet. The UK has not submitted details in respect of costs of quota patients treated during the period 1 April 1999 and 31 August 1999.

The answer to Question Nos. 501 and 502 of 2000, the invoice costs of non-quota patients treated in the UK between September 1999 and July 2000 was £1,007,402. The invoiced costs of patient referrals is obviously the same.

SUPPLEMENTARY TO QUESTION NOS. 497 TO 502 OF 2000

HON MISS M I MONTEGRIFFO:

A supplementary which I think is related to sponsored patients. Is the Minister satisfied with the conditions at St Mary's Hospital in London?

HON DR B A LINARES:

The Government are satisfied with the treatment and the conditions met by our patients in St Mary's Hospital. We are particularly grateful that the senior management of St Mary's Hospital took the trouble, without our invitation, but at their own initiative to come to Gibraltar, meet the Government, meet the cardiac rehabilitation representing patients and discuss very frankly and openly the grievances, complaints, suggestions, recommendations made to them on behalf of patients and have assured us that they take this very seriously into account. Moreover we are also particularly happy with the working relationship which exists between our own consultants and eminent consultants in St Mary's and the very quick attention that they give to our patients whenever we make a referral.

NO. 503 OF 2000

THE HON MISS M I MONTEGRIFFO

IN-PATIENT ADMISSIONS

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 from 1 January 2000 to the end of July 2000?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question No. 504 of 2000.

NO. 504 OF 2000

THE HON MISS M I MONTEGRIFFO

OUT-PATIENT ATTENDANCES

Can Government state what was the total number of out-patient attendances at St Bernard's Hospital from 1 January 2000 to the end of July 2000?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The total number of in-patient admissions and the average number of patients per day at St Bernard's Hospital from 1 January 2000 to the end of July 2000 were 3,268 and 134 respectively.

The number of out-patient attendances at St Bernard's Hospital from 1 January 2000 to the end of July 2000 was 20,798.

SUPPLEMENTARY TO QUESTION NOS. 503 AND 504 OF 2000

HON MISS M I MONTEGRIFFO:

In view of the apparent increase from one year to another, that is, from 1998/99 and 2000 of in-patient admissions per day and the overall number of in-patient admissions, will the Minister agree whether more trained nurses have to be recruited to the Health Authority?

HON DR B A LINARES:

As a matter of fact, there is no manifest increase in the number of patients. The average, as I stated a moment ago, of in-patient admissions in St Bernard's Hospital is 134 and the average from September 1999 to December 1999 was 130, so there is very little difference in the average increase of in-patient admissions. Similarly the number of out-patient attendances in St Bernard's Hospital, the total was 20,798 and from September 1999 to December 1999, the total was 10,864. If we relate the four months of September to December to the 12 months of January to July 2000 we will find that it is roughly very much in line without any manifest increase. In any case, the question of the increase of nurses is a very unrelated question here.

HON MISS M I MONTEGRIFFO:

I am going by the figures that I have been provided in this House by the Minister when in 1996 there was an average patient per day of 101, then in 1999 there was an average patient per day of 130 which is relevant more or less to the figure he has given me today of 134 but if we look at the global figures from one year to another, in 1998 there was an increase from 1996 of 4,165 to 5,035; in 1999, 5,243 and if we relate to the months that he has just answered the question to, the figure is 3,268 whereby the previous year for that period the figure was 2,077.

HON DR B A LINARES:

I will have to study these figures more closely but certainly there has been an increase in the number of nurses from 1996 to the present time, there has been an increase of 44 nurses altogether in the nurses in post at present. The part of the overall plan is to target by the year 2002, a complement of 334.

HON MISS M I MONTEGRIFFO:

But again we get the Minister answering people in post and not the established complement which is something that we have always contested in this House.

HON DR B A LINARES:

I do indeed unashamedly because what counts is the number of people there serving our patients. Those are the numbers of nursing posts attending to our patients especially if the hon Member is talking about the number of patients, we have to talk about the number of nurses actually in post to service them.

HON MISS M I MONTEGRIFFO:

There is not much difference when we were in Government when we had less people in the wards, in post we had 115 people and in March the Minister answered to a question on this matter that he had 318 in post, there is not much difference from one to the other.

HON DR B A LINARES:

If the hon Member had given me notice that she was going about the complement and the number of nurses I would have brought my figures and I would have been able to refute very clearly that last statement of the hon Member concerning the number of nurses available and in post or in complement during her time. But I am absolutely confident that those assessments by her do not meet the reality.

HON MISS M I MONTEGRIFFO:

He said he was going to look at the figures. In any case can the Minister confirm whether from now to the year 2002 further local persons will be recruited to be trained as trained nurses in Gibraltar, before the year 2002?

HON DR B A LINARES:

Absolutely, only today we were providing a new intake of 14 applicants who will be trained in general nursing for a diploma in the School of Nursing and that planned training programme will be continued right up to the year 2002.

HON MISS M I MONTEGRIFFO:

Therefore the Minister is saying that he is satisfied with the number of nurses in each ward and refutes everything the union has said about the shortage of nurses?

HON CHIEF MINISTER:

What the Government say is that together with the unions and other professionals in the Health Authority, the Government have undertaken in order to provide the structure and the strategy and the planning that the hon Lady did not bequeath us, two general reviews. One of the Medical Services generally and the other in respect of nursing manning levels, et cetera. At the time that those reviews were received by the Government, we put out a policy statement of the manning levels that the Government were going to adopt as a matter of policy commitment. Nobody criticised that policy, not even the hon Lady when we put out the statement. *[Interruption]* Let me just finish and she will be able to respond to me. Those targets of those commitments by the timescales that we committed ourselves to honouring them have been met. Therefore the Government are entirely satisfied that we are on target in accordance with our policy commitment given at the time of the nursing review recommendations. The Government are also satisfied of the fact that we have increased the number of nurses on duty, because there is no point having debates about hoping people will get confused on the difference of in-post and establishment, the fact of the matter is that if one takes the number of nurses that existed, in employment, on duty, working, at the hospital on the day that they left office, we have increased that number by 44, 14 per cent because what the Opposition Members used to do was have the establishment but then not meet it, not fill the posts. "The establishment is all this" but actually at the coalface there was always much fewer because of their policy of not recruiting into the public service. Therefore when the electorate does that balance sheet exercise that the hon Member decided herself identified in answer to a previous question of who is taking the Health Authority forward, one of the things that they will factor in as well as all the things they think we have not done very well of which I am sure there will be some, is the fact that there are now 44 more nurses on duty at work than there were on the day that she left office. Are we satisfied? Well we are satisfied that that is a great improvement. Is it enough? Well we have our targets for 2003, we are on target to that, we are meeting our 2002 target, whether the 2002 target is itself enough depends on reviews arising from changing circumstances and changing circumstances on the new hospital. Therefore the manning levels will have to be looked at, as the Government said publicly two days ago in answer to the union, that of course the manning levels are going to have to be looked at in the context of the new hospital not least because the new hospital includes new services and new services require to be manned as well. Therefore the answer to the hon Lady is that we are very satisfied with the way the implementation of our policy is going. We are very satisfied that it represents a quantitative improvement on the position that we inherited from her and that in the context of the new hospital, even those improvements will have to be reviewed to see if they need to be extended.

HON J J BOSSANO:

The Chief Minister knows full well since we have gone down this debate many, many, many times since 1996 that the established complement which was the purpose of the review was supposed to have been increased in the recommendations of the review and then the Government, as a matter of policy, decided not to implement all those recommendations. Therefore it is not true to say that we have not criticised their policy decision, we were critical of it because what we argued was that in fact at the coalface, as he likes to say, will the Chief Minister not agree that that is the point that we have made in the past, the fact that there were increasing levels of trained staff not in addition to the junior staff but in substitution of, might give them problems in the future? It may well be that in this area, as in other areas where sometimes we have given them the benefit of our views although he might not think it is the benefit

of our wisdom of having been there and having had some experience, it may well be that he then finds that there are problems because of the mix and that is something that we pointed out at the time as we have pointed out in other areas of departmental manning levels where one certainly finds that quite legitimate expectations of improvements sometimes then leave a vacuum lower down. Would the Chief Minister not agree that that might be something that needs to be looked at?

HON CHIEF MINISTER:

We have certainly had many debates about whether the Government were justified in our policy of increasing the entry requirements in terms of qualifications for nursing levels, the Government and almost everybody in the medical profession and in the health service profession are entirely satisfied that that was a correct decision which the Government consider is paying dividends. Whether once we have the right level of properly trained nurses in our hospital there is then a need to supplement with members of staff at another level, in other words, the equilibrium when all the dust has settled, may certainly need fine tuning but certainly there is no evidence yet, without saying that it will not emerge, of what the hon Member has just described now and I do acknowledge that he has said it also in the past. The hon Lady asked, "Will the Minister confirm that they will recruit locals?" The Government have re-instituted the local Nursing School precisely to train local people in nursing. We did not establish the Nursing School which the hon Lady abolished. [*HON MISS M / MONTEGRIFFO: We did not.*] Well, it fell into disuse. The hon Member will remember that before nurses used to arrive at St Bernard's Hospital after having worked 11 and a half months in Mount Alvernia and that was the basic grounding. The hon Member knows that everything that this Government have done in relation to the Nursing School is precisely to allow local people to make a career in qualified nursing and the Government have no desire to bring in contract nurses from the UK, they are much more expensive for the Government than locally trained and recruited staff. One has got to pay their accommodation, they are infinitely more expensive, in fact, we could have the Rolls Royce of nursing schools over-funded, over-provided and still save money over the cost that we incur in bringing in nurses from the UK. The problem is that the reason why recruitment to the Nursing School does not take place every year and only takes place every other year is that the number of people who subscribe to the Nursing School course in any one 12-month period is not enough to make the course academically viable in the judgement of the Sheffield University Nursing School under the auspices. Therefore we have to wait every two years in effect to lump together the intake of two years to create a viable course. The Government's own preference, if those who were delivering the course were of a different view, would be that there should be an annual intake because that would accelerate the arrival to our disposal available to us of locally recruited nurses which would significantly reduce the cost to the Government of the nursing service in the Gibraltar Health Authority. This is not something where the hon Lady and the Government should be at loggerheads, certainly the hon Lady I think would be perfectly justified and entitled in scrutinising the Government as to whether it is necessary for the training course only to be done biannually because of the reasons that I have given. All we can say is that we wanted the annual course and it was the professionals delivering the course who said, "With three or four people you cannot run a proper course" and this is the reason. But if that situation changes I can assure the hon Lady that we will have annual intakes which is the Government's wish.

HON J J BOSSANO:

Is this a new development, this business of biannual? Has it been annually previously and now it has become biannual?

HON DR B A LINARES:

Not at all. The training for Staff Nurses is actually being inaugurated today so there is no question of a new development. It is starting today on that premise which has been, as the Chief Minister has explained, established under the direction of Sheffield University. This is their requirement for validation of the diploma course. There are, of course, courses for enrolled nurses which actually operate on an annual basis but those are the on-going courses for enrolled nurses. The courses for Staff Nurses leading to a diploma, RGN diploma, is starting today under the validation of Sheffield University and their requirement is that instead of having annual intakes of five or six which is really what we can expect every year which are not, in their expert opinion, viable tuition groups, there should be a biannual, 24 monthly cycle which will yield, as it has done this year, an intake of 14 which they consider to be a viable proposition in terms of training.

HON J J BOSSANO:

Why are those who have trained as SEN not given the opportunity to continue to do the RGN and then there would be more people in the intake?

HON DR B A LINARES:

Representations have been made by the union about enabling enrolled nurses to pursue their studies and training up to the level of staff nurse and that is being studied and considered at the moment to see how it can be fitted into the present arrangements of training under the auspices of Sheffield University. But at all times we have to really work with Sheffield University, follow their advice because to some extent we also depend on them for validation towards a properly recognised qualification diploma.

HON J J BOSSANO:

So the courses that have been carried up to now when the new GCSE entry requirements were put in were for enrolled nurse and therefore the degree to which the results will be affected at RGN level are still in the future, am I correct?

HON DR B A LINARES:

Yes. The diploma course for Staff Nurses begins today.

HON J J BOSSANO:

Given the remarks that were made about how happy everybody is with that decision to make this academic requirement, is it that there is a noticeable result in the level of passes achieved now as compared to when those requirements were not in place so that now we are able to judge with the benefit of hindsight, is that manifest?

HON DR B A LINARES:

Passes achieved for what?

HON J J BOSSANO:

The Minister said that the only people who questioned the wisdom of requiring GCSEs as entry requirements from applicants to go into the school was us, that everybody else was very happy. If some of the people who are completing the courses now..... [*HON DR B A LINARES: Enrolled nurses only.*] Enrolled nurses, right, are the ones who had to have GCSEs but previously would not have had to have them or they were not prevented obviously from having them, is it that the difference in the academic requirements on entry has been reflected in the results?

HON DR B A LINARES:

I think I can safely say that in the assessment of the managers at all levels, the top management, the Chief Executive and also the management at board level is that there is a noticeable improvement in the skills which have been demonstrated by those nurses which have gone through the training having started with a defined entry requirement.

HON J J BOSSANO:

It may well be that this is so once they start working but I am trying to establish whether given that it was an academic background which has been reflected in the recruiting policy, are the results the same, better or worse than they were before or we do not know?

HON DR B A LINARES:

I am not sure that we had very clear specific results before. We have now definite certificated results as a result of a structured course. I do not think previously, quite frankly, there was such a structure to the courses for enrolled nurses which yielded recognisable certificated results.

HON J J BOSSANO:

If the Minister goes back and finds out he will find out that as well as nursing auxiliaries who did some period in Mount Alvernia, there were additionally in the School enrolled nurses in training which came out with enrolled nurse qualifications which are the same as everybody else in the hospital has going back to the year dot. The enrolled training, as the Minister will no doubt be able to confirm, was discontinued in the United Kingdom and we in Gibraltar decided to continue it and we were very glad to see the Government have also continued with that policy which presumably is the only one they have not had to abandon of all the other things that he claims we did wrong. Having continued with that policy, we would be more likely to be persuaded of the wisdom of putting those requirements which we saw as an impediment in limiting the market of possible recruits if we saw that for the sake of an argument, if we took a hypothetical figure, if 10 people went into school to do enrolled training and before five did not make it and now all 10 make it then I think they would have made their case.

HON CHIEF MINISTER:

The answer is that we do not have those comparable figures here. If the hon Member is interested in them I am sure that my hon Colleague can obtain them from record.

HON J J BOSSANO:

I think it would be valuable, frankly, because we would like to see whether in fact that policy, which we questioned and nobody else did, has in fact paid dividends.

ORAL

NO. 505 OF 2000

THE HON MISS M I MONTEGRIFFO

OUT-PATIENT ATTENDANCES

Can Government state what was the total number of out-patient attendances at the Health Centre from 1 January 2000 to the end of July 2000?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question No. 506 of 2000.

NO. 506 OF 2000

THE HON MISS M I MONTEGRIFFO

HOUSE-CALLS

Can Government state how many house-calls were attended to by Health Centre doctors from 1 January 2000 to the end of July 2000?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The answer to Question No. 505 of 2000, the total number of out-patient attendances at the Primary Care Centre from 1 January 2000 to the end of July 2000 was 69,631 and this figure includes weekends and public holidays.

The answer to Question No. 506, the number of house-calls, excluding night calls, attended to by the Primary Care Centre doctors during the same period was 3,210.

NO. 507 OF 2000THE HON MISS M I MONTEGRIFFO**LONG STAY ELDERLY CARE PATIENTS**

Can Government state how many long stay elderly care patients there were at St Bernard's Hospital in January, February, March, April, May, June and July 2000?

ANSWERTHE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The number of elderly patients at St Bernard's Hospital on the last day of each of the months in question were:

January	-	44
February	-	44
March	-	43
April	-	44
May	-	43
June	-	43
July	-	44

NO. 508 OF 2000

THE HON MISS M I MONTEGRIFFO

PSYCHO-GERIATRIC PATIENTS

Can Government state how many psycho-geriatric patients have been admitted in KGV in this financial year and what are the figures for comparable periods in the two preceding years?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The number of psycho-geriatric patients admitted to KGV during the periods in question were:

1 April 1997 to 31 March 1998	-	7
1 April 1998 to 31 March 1999	-	1
1 April 1999 to 31 March 2000	-	5

NO. 509 OF 2000

THE HON MISS M I MONTEGRIFFO

SHORTAGES OF BEDS IN ST BERNARD'S HOSPITAL

Can Government state what action is being taken to deal with the continuing problem of the shortages of beds in St Bernard's Hospital?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

We have a designated bed manager monitoring the situation on a daily basis and taking action as necessary in close consultation with the medical staff and other health professionals in the hospital and the community.

A bed management policy has been drawn up and this will assist in ensuring that cancellation of admissions is kept to the minimum possible level.

The Authority is in regular contact with the Elderly Care Agency so that arrangements can be made wherever possible for the elderly clients who do not require acute care to be transferred to the John Mackintosh Homes.

The facilities and staff resources in the Homes are also being enhanced with a view to alleviating the current bed blockage in the hospital.

Of course, it is important to highlight that plans are well advanced for the conversion of Europort into a modern first class hospital.

SUPPLEMENTARY TO QUESTION NO. 509 OF 2000

HON MISS M I MONTEGRIFFO:

Can the Minister confirm what is the cause of there being such an acute shortage of beds in St Bernard's?

HON DR B A LINARES:

I can confirm that one of the factors is, besides the one that I have highlighted in my reply, the fact that there is a bed blockage in St Bernard's Hospital by the geriatric patients who are not in need of acute care but are occupying space and beds in St Bernard's Hospital. That is one of the major factors and I have actually explained in my answer to the question the strategy of the Government in liaison with the Elderly Care Agency to try to alleviate the situation.

HON MISS M I MONTEGRIFFO:

But he must agree that in the answer that he has given me on the number of long-stay elderly care patients that there has already been a marked decrease?

HON DR B A LINARES:

There has certainly not been a decrease over the months that she asked in the question. There has been a consistent figure from January to the end of July so there has not been a marked decrease as she claims.

HON MISS M I MONTEGRIFFO:

I am comparing the figures he has just mentioned to the figures he gave me in March this year which were 55, 55, 53 and now he has given me the new figures, that is why I am saying that there seems to be less long stay care patients at St Bernard's.

HON DR B A LINARES:

It is as a result of the development of Mount Alvernia within the auspices of the Elderly Care Agency there has been an alleviation of bed blockage but it is still, as I very frankly and honestly say, a major factor in the shortage of beds in St Bernard's Hospital. There has been an improvement because of this but it is still not an ultimate solution.

HON MISS M I MONTEGRIFFO:

Therefore if it is not the long stay elderly patients then what is the reason behind the acute shortages of beds?

HON DR B A LINARES:

The fact is that this is almost a mathematical situation in the sense that in-patients are assessed to be in-patients clinically by the doctors, they are required to stay in the hospital for a number of days or weeks, they occupy beds and there is a crisis in that respect although it is now greatly improved with a strategy that has been planned and a monitoring system by the bed manager designated but there is no mathematical solution to this, it will have to be a question of managing the situation until, as I say, the development of the Elderly Care Agency will allow further improvements in transferring patients who are not in need of acute care but in need of elderly care nevertheless, to Mount Alvernia and the other Homes.

HON J J BOSSANO:

Can I take the Minister back to the answer that was given in relation to the average number of patients per day in St Bernard's Hospital, Question No. 503, where he was saying that it was no different from the past at 134. In fact, if we have got a drop of elderly care from 54 to 44 as the average then in fact what we are saying is that has not been reflected in the overall number of patients in and therefore we must have had an increase in admissions of other patients and therefore there must be more beds in use of other patients because the total is still the same.

HON DR B A LINARES:

That would be a logical conclusion.

HON J J BOSSANO:

So then it is against that logic that the original question was being put as to whether this was part of the problem in the nursing area in relation to Question No. 503 which on the surface of the answer he gave not knowing how many elderly less there were did not appear to be the case. Would he not think that in view of the fact that the long-stay elderly care may require, presumably they are in different wards and require different kind of nursing so it may be that there are strains in other areas because the numbers may be the same but the nature of the nursing care may not be the same. Would the Minister not agree that that might be worth looking at?

HON DR B A LINARES:

It might be, it certainly needs to be looked at.

HON J J BOSSANO:

In relation to the fact that the numbers have gone down, is it that no one has actually been moved out of St Bernard's or is it that they are just not coming in, in the numbers that they were before?

HON DR B A LINARES:

I think there has been some movement in recent months from St Bernard's to Mount Alvernia in particular, about 10 patients have been transferred over recent months, I cannot remember exactly what date.

HON J J BOSSANO:

What is the involvement of St Bernard's and of the elderly care people in deciding, I think he said there were people who needed perhaps less medical treatment but is it St Bernard's that decides that primarily or the recipient?

HON DR B A LINARES:

I think primarily St Bernard's, of course will have a clinical assessment of that but at all times because at the receiving end there is Mount Alvernia which is now again staffed with clinical staff, they would obviously also come into the general assessment and there is a close liaison and understanding between the management in St Bernard's and also the management in the Elderly Care Agency.

HON CHIEF MINISTER:

Could I just add that we are talking of patients where the consultants have discharged them from the hospital. We are not talking about patients being moved from the hospital when they are hospitalised for clinical reason up to Mount Alvernia even though Mount Alvernia is now able to deliver an element of clinical support to the elderly. As the hon Member, I am sure, has not forgotten, there were many elderly people in St Bernard's Hospital that the doctors treating them at the time discharged. That is the context in which he has to see the transfer of people.

HON J J BOSSANO:

So, in fact, it is that they have gone to Mount Alvernia rather than going home not that they have been transferred because as a matter of policy somebody decided they should not be in St Bernard's, is that the case then?

HON CHIEF MINISTER:

Yes, the hospital management has been of the view for many years that there were many people blocking beds at St Bernard's who should not have been there because they were not ill they were just old. Geriatric wards are for old people who are ill, not for people who are simply old. What has happened historically is that elderly people went into hospital with some illness, were admitted into hospital, they were then cured of the illness of a broken bone or whatever they had and then the families would not take them home or they would not feel comfortable going back to their own homes or they felt more secure in a sheltered environment and for one reason or another they squattered and, of course, neither this Government nor they in office had a policy of actually evicting old people from hospital beds so there has been this accumulation of elderly persons that have just stayed on after the termination of their hospital medical treatment, these are the people that we are now able to accommodate in Mount Alvernia with a higher degree of clinical nursing and doctor cover than they would have at home but less intense, obviously, than lying in a clinical ward in a hospital and freeing the beds for genuine clinical cases.

HON J J BOSSANO:

Are these being accommodated because there has been increase in the capacity or because there was spare capacity in the original 90? I think there were 90 beds originally.

HON MRS Y DEL AGUA:

There was some spare capacity and the bed capacity has not yet reached its full potential which is 90 but once the refurbishment works are completed there will be a bed capacity of 140 which will alleviate the situation even further.

HON J L BALDACHINO:

Something which the Chief Minister has just said, it appears to me that at least the 10 that have moved from St Bernard's to Mount Alvernia, is it that they are in between because the Chief Minister said that they did not need medical care, it is just that they were old. Well if they are old would they not come under the umbrella of what Mount Alvernia provides? Why is it that they are at a different level to what the rest of the residents at Mount Alvernia are?

HON CHIEF MINISTER:

No, not necessarily, all elderly people need care for their ailments, it does not necessarily mean that they are ill enough to be in an acute hospital ward bed. The staff at Mount Alvernia keep these people under review, they dispense medication to them, they wash them but that element of qualified medical care at Mount Alvernia has been increased considerably since the Elderly Care Agency was introduced, there are now more qualified nurses on the staff there, there is a doctor, I understand, being recruited, a geriatrician and therefore the idea of this is to upgrade

the level of medical care of the right kind available at Mount Alvernia so that people will have more confidence in going to Mount Alvernia and not feeling that they have got to be in hospital in order to be looked after. Most of these people are not acutely ill, they are just old and they have the usual things that elderly people complain of, rheumatism and sores and things of that sort, where they need a level of care but a level of care that can be given in a nursing home environment as opposed to an acute hospital ward environment where the level of staffing and the level of resourcing is geared up to a much more extensive and therefore expensive level that is actually necessary to deliver the sort of care that ordinary elderly people need.

NO. 510 OF 2000

THE HON MISS M I MONTEGRIFFO

CANCER REGISTRY

Will Government make a statement on the progress of the Cancer Registry?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

In 1999, the Government responded to a recommendation from the Director of Public Health by setting up Gibraltar's first Cancer Registry.

The Registry was formally set up in June 1999 and commenced data collection shortly thereafter. In September 1999, the Gibraltar Cancer Registry was given international recognition by the International Association of Cancer Registries (IACR) with Associate Member status.

It is intended that the Registry will record every case of cancer that is diagnosed in the Gibraltar population to form a comprehensive database. An attempt is also being made to capture data in the recent past provided this data is complete, accurate and reliable. The collected data will be stripped of all personal identifying details and shared with the IACR in accordance with international practice. The Registry has a detailed confidentiality policy and an operational policy.

Up to the present moment 257 entries have been made in respect of 236 persons.

SUPPLEMENTARY TO QUESTION NO. 510 OF 2000

HON MISS M I MONTEGRIFFO:

Can the Minister give an indication of how long it will take for the Government to be able to assess the situation locally?

HON DR B A LINARES:

I cannot give an indication now, the matter is in process under the direction steered by the Director of Public Health. It is very much up to him to gauge the right moment when patterns can be detected in the raw data which he is collecting.

HON MISS M I MONTEGRIFFO:

At the very least can the Minister say whether there is evidence that there is an increase in the incidence of cancer in Gibraltar?

HON DR B A LINARES:

Not at all, I would not dare to make a bold statement and broad general statement of that nature until the scientific evidence is put before me.

NO. 511 OF 2000

THE HON MISS M I MONTEGRIFFO

CONSULTANT PATHOLOGIST

Will Government state what plans they have in the employment of a new consultant pathologist since the present occupant of the post terminates his employment at the end of August this year?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question Nos. 512 and 513 of 2000.

NO. 512 OF 2000

THE HON MISS M I MONTEGRIFFO

CONSULTANT GERIATRICIAN

Will Government state when the consultant geriatrician will be recruited?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Answered together with Question Nos. 511 and 513 of 2000.

NO. 513 OF 2000

THE HON MISS M I MONTEGRIFFO

CONSULTANT PSYCHIATRIST

Have Government now employed a permanent consultant psychiatrist?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

Interviews for the post of consultant pathologist have been held already on the 31st August 2000.

The post of consultant geriatrician was advertised and interviews were held on the 19th November 1999. One applicant was offered the post but unfortunately due to unforeseen health problems he was unable to accept. The post will be re-advertised very shortly.

The post of consultant psychiatrist was advertised and interviews held on 23rd June 2000. The successful candidate has accepted our offer of appointment and is expected to commence duties as from mid-October 2000.

SUPPLEMENTARY TO QUESTION NOS. 511 TO 513 OF 2000

HON MISS M I MONTEGRIFFO:

Did I hear the Minister correctly saying that the advert for the pathologist was actually advertised on the 31st August, or did I hear wrong?

HON DR B A LINARES:

No, the interviews were held on the 31st August. The advert must have been well before that but I have not got the date.

HON MISS M I MONTEGRIFFO:

So we can assume that there will have to be locums to cover the post or is it that the present occupier of the post will stay on until he is replaced?

HON DR B A LINARES:

I do not know what arrangements have been made at this very moment in time but if the interviews have been held it should not be long before a selection is made, hopefully.

HON MISS M I MONTEGRIFFO:

Can the Minister tell the House what has been the problem in being able to employ a permanent consultant psychiatrist?

HON DR B A LINARES:

The problem is a very wide one. The fact is that psychiatrists in the UK, where we actually tried to recruit, are in great demand. There are very few psychiatrists that meet the needs of the services in UK hence the difficulty overflows into our situation and that has been the problem in recruiting. But as I have happily been able to announce, interviews were held, a selection was made and the successful candidate who has accepted our offer of appointment is expected to start his duties in mid-October.

HON MISS M I MONTEGRIFFO:

Is the Minister able to confirm that the consultant geriatrician will be recruited from outside Gibraltar?

HON DR B A LINARES:

The consultant geriatrician we will advertise widely from wherever and whoever is on merits deemed by the selection board to be the appropriate candidate, I would say, I would not like to go on record, that it is very likely to be from outside Gibraltar in terms of the specialism required.

HON MISS M I MONTEGRIFFO:

So really the criticisms from the Government when we were in Government that we would not be able to recruit consultants because of the no private clause is not warranted now?

HON CHIEF MINISTER:

The Government recruit consultants, have recruited consultants, continue to recruit consultants who are required to live by the new private practice rules.

HON J C PEREZ:

Given that there is, as the Minister said, a shortage of psychiatrists in the United Kingdom, does the Minister envisage difficulties in getting locums to cover? We have a consultant psychiatrist who will need to take the leave that is due to him and when he is on leave, can I ask the Government then given that the Chief Minister is nodding, what cover is being sought given that before there were two psychiatrists in place and now there is going to be one?

HON CHIEF MINISTER:

The difficulty in getting locums is much less acute than the difficulty in recruiting permanent staff. There is an agency that supplies locums so the extent and the ease of the locum cover will continue as it has been hitherto, there has never been a problem on locums.

NO. 514 OF 2000

THE HON MISS M I MONTEGRIFFO

CHIEF EXECUTIVE OF THE GHA

Can Government state whether they have now reached a decision on the new salary for the post of Chief Executive of the Gibraltar Health Authority?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The position has not changed since I last answered this question in the House.

SUPPLEMENTARY TO QUESTION NO. 514 OF 2000

HON MISS M I MONTEGRIFFO:

Can the Minister confirm that the Chief Executive of the Gibraltar Health Authority is earning less than he was originally when he first took over the post?

HON DR B A LINARES:

I cannot confirm that.

HON MISS M I MONTEGRIFFO:

Will he be able to confirm on what salary he is presently on, later on in this House to me personally?

HON DR B A LINARES:

Yes, since the salary of the Chief Executive here and now is in the public domain.

HON J C PEREZ:

What is in the public domain is the salary of the Chief Executive who regrettably passed away. What we are trying to find out is what the present incumbent is getting, whether he is acting on the pay of the person who was there?

HON CHIEF MINISTER:

The hon Member knows that the present incumbent is not on the salary that was being enjoyed by the late Dr Gavin Jackson and the correct salary at which the current incumbent will continue in post is a matter of negotiation which is, unfortunately, delayed by the fact that it has got to be dealt with in the context of other similar claims by other senior officers elsewhere in the public service.

NO. 515 OF 2000

THE HON MISS M I MONTEGRIFFO

PRIVATE PRACTICE IN THE GHA

Can Government state whether all administrative arrangements are now in place with regard to their plans for regulating private practice in the Gibraltar Health Authority?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The operative word in this question is the word "now". The administrative arrangements are indeed "now" in place for regulating private practice, they were not in place "before", that is, during the previous administration.

A key element in the present arrangements is the monitoring committee headed by the Deputy Chief Executive whose job it is to oversee the practical implementation of the agreement reached in January this year between my hon Friend, Keith Azopardi, on behalf of the Government and the consultants (the other party) including the submission of any recommendations to me as Chairman of the GHA against breaches of the agreement by any individual consultant.

I have now requested the committee, which monitors these arrangements, to submit a progress report to me which I await eagerly in order to review, if necessary, the current arrangements.

SUPPLEMENTARY TO QUESTION NO. 515 OF 2000

HON MISS M I MONTEGRIFFO:

I put in the word "now" because in the last House of assembly meeting the Minister said that not "all" administrative arrangements were in place hence the reason why I put the word "now". Can the Minister confirm at this stage whether he is satisfied that health service patients are not being adversely affected by the new arrangements on private practice or does he need to await the progress report to be able to verify this fact?

HON DR B A LINARES:

The question was about administrative arrangements and whether they were in place. I have answered the question that the administrative arrangements are in place; there is a monitoring committee to see to what extent they are effective, to what extent they are being implemented successfully and I am awaiting a report from the committee so that I then will be satisfied in respect of the issues that she has raised in the supplementary.

HON CHIEF MINISTER:

Can I just add, Mr Speaker, with your indulgence, the answer to her supplementary is we are entirely satisfied. She asked, are we satisfied that the patients are not being adversely affected by the new arrangements? It is certainly the case that the new arrangements are not adversely affecting any patient. She may have meant to ask

whether there are still patients who are suffering the consequences of an abuse of private practice notwithstanding the new arrangements but there is nothing in the new arrangements that could be adversely affecting any patient. I am quite happy to assess with the hon Lady whether when we have the report to which my hon Colleague, Dr Linares, has referred, whether what the Government have done so far to control private practice is sufficient to protect the general public from the abuses of private practice which used to exist. If the answer to that question is no, the Government have already said that we will go further; if the answer to that question is yes, then the arrangements will be seen to be working properly but I do not think there is anything in the arrangements themselves which could be prejudicing anybody.

HON MISS M I MONTEGRIFFO:

I was referring in particular to the waiting lists.

HON CHIEF MINISTER:

The arrangements cannot be prejudicing the public waiting list. Necessarily the arrangements can only be helping the private waiting list. The question is whether it is helping it enough but it cannot be making the public waiting list longer, it must be making the public waiting list shorter. The question is whether it is making them shorter enough and quickly enough. Perhaps we are at cross purposes, her supplementary was, are the Government satisfied that the new arrangements controlling private practice are not adversely affecting anybody? And all I was just saying was that the arrangements themselves are certainly not adversely affecting anybody. A separate question is, how successful have they been in preventing the people who were being adversely affected by private practice not by the measures that we have taken to control it.

HON MISS M I MONTEGRIFFO:

I was actually questioning the measures that the Government have taken that is why I was asking whether if there are going to be people now who are paying to be seen and those who pay because they are subscribers to the health service, whether those who are subscribers will not be adversely affected because they will not be seen as quickly as those who will pay.

HON CHIEF MINISTER:

The hon Member cannot agree with the Government that there is a problem of abuse of private practice because it leads to people being encouraged to pay to get more quickly what they are entitled to free publicly and then when measures are taken to control it, to complain that there are still people who are paying to get their treatment. Wherever there is a system of private practice some people who are entitled to have the treatment free in the ordinary course of business will choose to have it privately and that is a matter of personal choice. There is nothing that the Government can do to prevent people choosing, people who are entitled to have it done free, to get into some of the slots which the consultants are entitled to do in the evenings or whenever they do their private practice. But the measures that have been taken, subject to an evaluation of how successful they have been and that is a perfectly legitimate exercise which we ourselves have not yet done, the hon Member will certainly be free to express the view, the findings will be transparent and put to the

public domain. But unless the measures have had no effect whatsoever, to the extent that they have had effect, it has been to shorten the public waiting list and therefore incentivised some people to go public and free rather than private and more quickly. If the answer is have we eliminated private practice altogether the answer is no, that was not the intention.

HON MISS M I MONTEGRIFFO:

That was not the question. Just one thing, just to say that therefore we eagerly await the evaluation when the Government receive it of how it is working.

MR SPEAKER:

Is that a question?

HON J C PEREZ:

I have got a question, Mr Speaker. Can the Chief Minister perhaps say whether he needs to await for the monitoring and the evaluation to take place to see whether the question of the radiologist charging for x-rays, he said in the last House that it was something that he was not very happy about and I do not know whether that has been tackled before the evaluation has taken place or whether this is something that will result in that monitoring?

HON CHIEF MINISTER:

Both my hon Colleague and indeed I said that I was not happy with it. That matter has been tackled. The consultant radiologist has been told that his conduct was not consistent with his contractual obligations and the matter has been remedied and rectified and the offensive practice discontinued some time ago.

NO. 516 OF 2000THE HON MISS M I MONTEGRIFFO**WARD CLERKS**

Are Government now in a position to confirm whether an appropriate number of ward clerks will be allocated to the different specialities as recommended by the nursing review team?

ANSWERTHE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The position has remained unchanged since I answered Question No. 208 of 2000 in that it will be considered by the Government in the light of other priorities.

SUPPLEMENTARY TO QUESTION NO. 516 OF 2000

HON MISS M I MONTEGRIFFO:

Can the Minister say in view of the exchanges we have had in this House reference the Nursing and the Medical Review but in this particular case the Nursing Review, can he actually confirm that even though he is looking at other priorities in the health service taking into account the other priorities, are the Government keen in implementing this particular recommendation?

HON DR B A LINARES:

I cannot use the adjective keen in that respect. I would have been keen once I have reached the conclusion. What I can confirm is this matter which I agree is one of the recommendations in the Medical Review and the Nursing Review is being seriously considered in my on-going discussions with the nursing section of the Transport and General Workers Union.

HON J J BOSSANO:

When the policy decision was taken by the Government in the long period of discussion that took place post the recommendations of the Review Team, did that policy decision include proceeding with this recommendation or not proceeding with the recommendation?

HON DR B A LINARES:

The decision was to pursue the policy within the global context of other priorities and that it was not discarded by the Government, it was taken on board as I have said in my initial answer to the question, considered by the Government in the light of other priorities and that is the policy position of the Government as at present.

HON J J BOSSANO:

Was not the decision that was taken to say yes to some recommendations and no to others? I thought that was the message that had come across.

HON CHIEF MINISTER:

This was one of the items which was included in the list of recommendations that were broadly accepted by the Government not in those that the Government rejected.

HON J J BOSSANO:

Would it not appear logical, would the Minister not agree, that in arriving at the recommendation for ward clerks it had an effect on the recommendation for nursing complement on the assumption that the ward clerk would release nursing staff for other duties and that therefore the decision on the ward clerk does have an effect on the nursing level because presumably some of the pressure on the nurses would be released?

HON DR B A LINARES:

I would agree entirely with that. It is quite obvious that the employment of ward clerks to carry out administrative chores in the wards will, of course, relieve the nurses of this work and therefore to some extent relieve them of their workload. That is as much as I can say on that.

NO. 517 OF 2000

THE HON MISS M I MONTEGRIFFO

CONVERSION OF EUROPORT BUILDING INTO HOSPITAL

Can Government state when works on the conversion of the Europort building into a hospital are scheduled to commence?

ANSWER

THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH

The works on the conversion of the Europort building into a hospital are scheduled to commence in the summer of 2001.

SUPPLEMENTARY TO QUESTION NO. 517 OF 2000

HON MISS M I MONTEGRIFFO:

Will the Minister confirm whether the works will go out to tender?

HON DR B A LINARES:

Yes, I can confirm that the works will go out to tender.

HON MISS M I MONTEGRIFFO:

In view that the works are bound to commence next year, does that mean that it is likely that the hospital will not be finished by the end of this term of office in Government?

HON DR B A LINARES:

Not at all. The works are scheduled to commence in summer of 2001 and the contract will be completed well before the end of this term of office.

HON MISS M I MONTEGRIFFO:

Does the Minister have at this stage any ideas of, for example, how many beds we are speaking about; what facilities will be included in the hospital?

HON DR B A LINARES:

This is all part of the work that is going on now steered by the design group in consultation with the user groups and the exercise is still not complete to be as specific as that.

HON J J BOSSANO:

Is the work of the conversion so specialised that it will need to be done by people coming in from outside? That is to say, when the thing goes out to tender, is it something that the local construction industry would be able to take on or will it have to go outside?

HON DR B A LINARES:

I cannot say that, I am not an expert in that respect but the actual selection, the advertisement as the hon Member will know following European Regulations will have to be published in the Official Journal of the EEC; applications will come from different quarters and it will be in the procurement and the selection process to decide the competence of all the individual bidders to carry the work as required in the build design.

HON J J BOSSANO:

I accept that when it goes out above a certain sum it has to be available to anybody anywhere in the European Union but in fact I do not think we have had to date construction companies from the European Union apparently taking much interest in the construction work in Gibraltar but in other areas the Government have taken a view that specialist skills or experience or whatever was required and a hospital presumably might fall into that category. I am trying to establish whether the nature of the conversion work is such that a construction company used to converting offices or houses or whatever would be able to take it on.

HON CHIEF MINISTER:

It is not so much the fact that it is a conversion into a hospital that requires expertise but the fact that it is a conversion at all. In other words, conversion of existing buildings into different uses is itself a specialisation within the construction industry. The health related expertise, obviously all the design, all the specifications and all the planning are done by expert hospital planners and designers. I do not think there is anything magical requiring particular experience about the actual construction work except to the extent that it is conversion work but it arises, say, if one was converting it into something else, if one was converting it into a theatre. It is the element of conversion that is a specialist rather than it is conversion into medical services. I think one goes back to medical expertise when one comes to fitting out the hospital and installing the equipment but the actual civil engineering works I do not think experts require medical related expertise.

NO. 518 OF 2000

THE HON J J BOSSANO

TRANSFER OF THE GARRISON LIBRARY

Can Government state whether there has been any progress in discussions with the MOD on the transfer of the Garrison Library?

ANSWER

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

There has been considerable progress in discussions with the MOD on the transfer of the Garrison Library. The MOD has made certain proposals concerning the future management and purposes of the Garrison Library and Government are putting to the MOD some counter-proposals which we hope will lead to a conclusive agreement.

SUPPLEMENTARY TO QUESTION NOS. 439 AND 518 OF 2000

HON S E LINARES:

Can the Minister state what is going to happen to the books that are worth quite a lot of money from that Library?

HON DR B A LINARES:

Yes, the books will certainly be kept in the possession of the Library once it comes under the ownership and control of the Government.

HON S E LINARES:

Will the books be available to the general public as in the John Mackintosh Hall, for example?

HON DR B A LINARES:

This comes within the range of the purposes and functions of the Garrison Library which is one of the aspects which are now under consideration and discussion with the MOD.

HON J C PEREZ:

Are the Government considering moving this House of Assembly to the building of the Garrison Library?

HON CHIEF MINISTER:

The Government have seriously considered that possibility to the extent that I have visited the Garrison Library with a view to forming a preliminary view as to whether the idea was even worth floating. If others think it is worth floating the Government are certainly willing to float it. My own personal assessment of it is that neither of the two large rooms, the one on the ground floor or the one above it on the first floor, are

wide enough; they are long enough but they are much narrower than this and my personal view, for what it is worth, is that there would not be room to walk behind, it would be a much less comfortable arrangement. That is my preliminary personal view. But the idea of transferring the House to the Garrison Library is one that in principle is attractive if it is viable. Certainly hon Members might wish to visit the place themselves to form their own view.

HON J C PEREZ:

I have myself and I think with an imaginative draftsman there could be plans which might be acceptable to the Government. At one stage it was being mooted, it was thought that perhaps the seats of hon Members should be as in other Parliaments, scaled, one behind the other and that might help in the narrowness of the hall. But I accept the Chief Minister's view that it could be used for other things as well.

NO. 519 OF 2000

THE HON S E LINARES

COMMERCIAL UNITS AT EUROPA BUSINESS CENTRE AND GOVERNOR'S COTTAGE CAMP

Who has been allocated the four commercial units at Europa Business Centre and the two commercial units at Governor's Cottage Camp, and for what purposes?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The four commercial units at Europa Business Centre and the two commercial units at Governor's Cottage have been allocated as follows:-

Unit F2 Europa Business Centre

BDO Fidecs Chartered Accountants Limited – to use for document storage.

Units F7 and F8 Europa Business Centre

Beacon Press – for the storage of stationery and office supplies.

Unit F1 Europa Business Centre is unallocated, no tender was received.

Unit 12 Governor's Cottage Camp

On Guard Limited – to use as a workshop for the installation and maintenance of fire and intruder alarm systems.

Unit 34 Governor's Cottage Camp

Mr Julio Ryan – to use as an electrical workshop.

NO. 520 OF 2000

THE HON S E LINARES

ALLOCATION OF COMMERCIAL/DOMESTIC UNITS

Who has been allocated the commercial/domestic units advertised in the Official Notice published on 16 February 1999, and for what purposes?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The units were allocated as follows:

41c Town Range - Victor Ochello and Christine Figueras for Hair and Beauty Salon and retail/wholesale of Hair and Beauty Products.

7 Paradise Ramp - Master Service (Gib) Limited for storage.

6A Fish Market Road - Not allocated. Reserved for Public Market use.

15 Castle Road - Mrs Sandra Shipley to use as a domestic store.

37 Castle Ramp - Master Service (Gib) Limited for storage.

28/30 Lower Castle Road, ex Artillery Arms - Michael Pitaluga, Eligio Santos and Tony Cruz for conversion into garages.

3A Naval Hospital Hill - Mr Dominic Francis for the setting up of a new business.

47 Naval Hospital Road - Mario Jesus Parody to use as a shop/store.

12A Renown House, Laguna Estate - Mr M Napoli to use as an office/store.

3 West Place of Arms - Michael Macedo to use as a carpentry/paint workshop.

5A/1 Glacis Road - Albert Parody to use as a domestic store.

NO. 521 OF 2000

THE HON S E LINARES

REPORT BY SEGAL QUINCE WICKSTEED (SQW) LTD

What is the projected total cost and the cost to date of the investigation by Segal Quince Wicksteed (SQW) Ltd into developing a Science Park in Gibraltar and when is the report expected to be completed?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The projected total cost of the study is £23,500. To date no payments have been made. The report is expected to be completed by the end of September 2000.

SUPPLEMENTARY TO QUESTION NO. 521 OF 2000

HON J J BOSSANO:

Is the report identifying a site or where they asked to look at a particular area as a potential site if this was a feasible thing?

HON K AZOPARDI:

I understand that the report is looking at a whole variety of factors including sites.

NO. 522 OF 2000

THE HON S E LINARES

DEVELOPMENT AT OLD NAVAL HOSPITAL

At what stage is the development at the Old Naval Hospital and when is it expected to be completed?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

A conditional Outline Permit has been issued and a Building Application is being considered by the Development and Planning Commission. As soon as all relevant departments and authorities have given their respective approval, a permit will be issued which will be issued for a term of three years. As to the land issues, a Development Licence is being put in place and the period of the works will be determined within the terms of the licence. This is still to be established.

SUPPLEMENTARY TO QUESTION NO. 522 OF 2000

HON J J BOSSANO:

When the project came out to tender was there any indication in the tender of the sort of time-scale within which it was expected?

HON K AZOPARDI:

The reason for the answer I gave is that it is customary even though in the tender obviously there is some expression of time, that in the Development Licence these things are tied down a bit better and there is a reference made to the time-scale in the Development Licence at least to anticipate the time-scale. That still has not happened because those clauses have not been inserted yet. But I am told by the developer that we are probably looking at about two years from commencement of the works but at the moment it is rough and I would suggest that perhaps we wait until the discussions of the Development Licence so we can have a clearer picture and a clearer commitment.

HON J J BOSSANO:

The payment by the successful tenderer, is that something that had to be made or has to be made at a time in the process that the Minister has described or has it been paid already?

HON K AZOPARDI:

It is customary that any payments that are made need to be made at the time or prior to the signing of the development licence. I cannot tell the hon Member what the status of this particular project is but we will certainly expect payment by the time of the Development Licence.

NO. 523 OF 2000

THE HON S E LINARES

WISEKEY CONSORTIUM

Are Government having discussions with or been approached by the Wisekey Consortium in relation to their project?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The Government are not in discussion with the Wisekey Consortium. Wisekey held a very preliminary meeting with the Finance Centre Director several months ago to explain their ideas. There has been no contact with Government since then.

ORAL

NO. 524 OF 2000

THE HON S E LINARES

ATTENDANCE AT LUXEMBOURG RENDEZVOUS 2000

What was the cost to the taxpayer of attending the Luxembourg Rendezvous 2000 Exhibition and Conference?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The cost involved was £5,312.49.

NO. 525 OF 2000

THE HON J C PEREZ

DTI - E-COMMERCE SURVEY

How many e-commerce survey questionnaires were sent out by the Department of Trade and Industry and how many have been returned?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

One thousand two hundred questionnaires were sent out by the Department of Trade and Industry and a total of 346 responses were received.

SUPPLEMENTARY TO QUESTION NO. 525 OF 2000

HON J C PEREZ:

Of the responses received is there a recurring issue raised by the respondents on the matter of e-commerce?

HON K AZOPARDI:

Perhaps it is useful if I give the hon Member a flavour of the analysis that has been done on the survey itself. If I can just read part of the analysis. The response rate of businesses are broken down in this way – 28 per cent are retail/wholesale; 27 per cent are financial services; 7 per cent maritime services; 20 per cent tourist services and 18 per cent others, mostly construction and estate agents. The questionnaire itself asked people not only to respond on issues of e-commerce activity but also on things like recruitment and training, computer literacy, availability of personnel and future trends and success of e-commerce activity of particular businesses. The key findings are these – more than half of the respondents have internet access although only 22 per cent have a web site. The sectors with the highest internet access are maritime and financial services. The findings show that 55 per cent of the employees are computer literate; 36 per cent of the employees have access to the internet; 93 per cent of the respondents are looking to introduce ICT personnel within the next 12 months; training is an area that needs to be developed with only 12 per cent of the respondents attending e-commerce related courses and seminars. Interestingly enough it appears that the skills to develop e-commerce seem to be available locally in that 70 per cent of the web sites are developed locally and only 28 per cent are developed externally; 25 per cent of the respondents expect an increase in the use of e-commerce over the next five years and again, I think importantly, 48 per cent of the businesses with web sites state that between 5 per cent and 10 per cent of their customers are now approaching them via web sites and 44 per cent of the respondents recorded an increase in business as a result of e-commerce activity. The points of the questionnaire obviously was for us to assess the private sector base for us to continue in the formulation of our strategy in relation to e-business and that I think these conclusions will assist us substantially in that regard.

HON J J BOSSANO:

Would the Minister not agree that although the percentages in relation to the 300 seems to reflect that, in fact, 300 is a very low percentage of the total that was sent out? We are saying that 900 did not even bother to answer.

HON K AZOPARDI:

When I gave instructions on the survey I said to my department that they should blitz the private sector and I think the number of 1,200 was a very high number that went out but because of my instructions I wanted to get a good response. I admit that 346 out of 1,200 does not seem like a big response but what I wanted to get was not just a response, not just send a questionnaire out to 10, 20 or 50 businesses to sample the private sector and then perhaps get 10 back which has happened before when the private sector has conducted its own analysis and then one ends up extrapolating statistics and percentages on the basis of a sample only of 20 or 30 people. I think the fact that we have had 350 back is actually a good response in the context of the fact that we wanted a good number to sample from and therefore I think that the analysis that I give the hon Member is fairly reflective of the state of the private sector and at least it confirms what has been our suppositions so far in our conversations with the GFSB, the Chamber and the Finance Centre Councils. So far they have only been assumptions but the analysis reflects that the assumptions have been based on reality which is that there are trends that people are having more internet access; training seems to be a big picture that we need to tackle but that there is a marked trend also that many private sector businesses are remarking that they are receiving a large percentage of their business now exclusively on web sites nature. So I do think in fact that the e-commerce survey as conducted is helpful in that regard.

HON J J BOSSANO:

Is the distribution that the Minister has given of the 300 in fact reflective of the distribution of the 1,200 in terms of the proportions in finance and retail and so forth or is it that the response has been greater in one sector than in another?

HON K AZOPARDI:

I gave the hon Member a breakdown of the response rate and it is fairly equal. As I say, 28 per cent retail response; 27 per cent financial services response; 20 per cent tourist response. *[HON J J BOSSANO: No, no.]* If he is meaning of the 1,200 that went out, I asked them to be representative of the businesses that are in Gibraltar, I cannot give him a breakdown of that.

HON J J BOSSANO:

What I am trying to establish is whether the composition of the response is the same as the composition of the survey recipients? That is to say, is it that 28 per cent of the respondents were from retail and 28 per cent of the 1,200 were from retail or has there been a greater response in one sector than another?

HON K AZOPARDI:

The strict percentages are not the same but I do not have the figures in front of me.

HON J J BOSSANO:

Would the Minister not agree that it is relevant to know whether the representation in the respondents is in fact an indication that e-commerce is more relevant to one sector than another?

HON K AZOPARDI:

I do not have that information. I will certainly look at that matter but I can tell the hon Member that it will not be markedly different because my instructions were not only to send it to a wide variety of businesses but to keep a balance between the sectors.

NO. 526 OF 2000

THE HON J C PEREZ

DTI - E-COMMERCE

Can Government say how many organisations were sent the Government's discussion paper on e-commerce and draft legislation, how many have replied and how many have not done so giving the names of the entity in question?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

All individuals and representative bodies on the e-business think tank set up by me were sent the e-commerce consultative paper and draft legislation. I also sent one to the Hon Dr Joseph Garcia.

The consultative paper and draft legislation was published generally and as is customary the public was invited to obtain copies and present comments if they wished. Several copies were handed to interested individuals at their request. The paper was also put on the Government web site. I cannot judge how many people accessed this through that medium. The Government received comments from a variety of individuals and representative groups, 12 in all. Some comments were received well after the closing date of 7 July but all have been taken into account.

Though I do not think it is a controversial matter, I would rather not publicly name the individuals or groups who have or have not submitted comments without seeking their consent in that respect. What I will say is that Government are satisfied of the outcome of the consultative process and that anyone who has wanted to put their view forward has had an opportunity to do so.

SUPPLEMENTARY TO QUESTION NO. 526 OF 2000

HON J C PEREZ:

Is it still the intention of the Minister to bring legislation to this House at this meeting on e-commerce?

HON K AZOPARDI:

It was my intention to move as quickly as possible and I think I said that I wanted to present the legislation, if possible, in September. Two days ago though I was handed a copy of amendments that the European Commission seems to have approved to the draft directive that had been approved in May and so that has been sent to the draftsman only on Wednesday which means that there might be a slight delay, they are not major comments but they have to be taken into account. But I do not anticipate there will be much delay on that.

HON J C PEREZ:

Is the legislation on e-commerce separate to the long-awaited Telecommunications Bill? One is not linked to the other, am I right?

HON K AZOPARDI:

Yes.

NO. 527 OF 2000

THE HON J C PEREZ

DTI - ACTEL

Can Government state whether ACTEL have now entered into real estate arrangements in respect of their intended satellite project?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

ACTEL have not entered into any arrangements on real estate. There has been very little progress on the ACTEL project and the company informed the Government last year that it was in negotiations to have British Telecoms as a strategic partner. As far as we are aware, and despite several requests for updates, ACTEL has not confirmed that the negotiations have been concluded.

In mid-July ACTEL informed the Government that the investment decision regarding BT had been passed to the BT's Chief Finance Officer for analysis. They also informed us that ACTEL's Chairman had written to BT's Chairman asking for his assistance in obtaining a final decision by BT.

The Government are unhappy with the delays in the ACTEL project and are writing to ACTEL's Chairman giving ACTEL a deadline of 30 September to finalise the contracted arrangements regarding the acquisition of real estate in Gibraltar.

I should tell the hon Member that since the formulation of that answer we have now had a response that BT are not going to enter into a strategic partnership with ACTEL.

SUPPLEMENTARY TO QUESTION NO. 527 OF 2000

HON J C PEREZ:

Do I understand it correctly, the requirement for real estate at Lathbury Barracks is for the second stage of the project. Did ACTEL actually pay the £90,000 TFL licence fee last year as part of its intention of proceeding with the initial stage of the project?

HON K AZOPARDI:

Yes, they last paid in September.

HON J C PEREZ:

So the renewal of that licence is due now?

HON K AZOPARDI:

There is an annual mark-up and the renewal, yes. That is pending but it is all tied up with the issue of real estate and the general context of the project.

HON J J BOSSANO:

Is the implication of the answer that the participation of BT was the determining factor in whether they would proceed or not? Is that what it implies?

HON K AZOPARDI:

That seems to be the case. At the time they were telling us that BT was important, we will soon know whether it is in fact of paramount importance because we are giving them the deadline.

NO. 528 OF 2000

THE HON J C PEREZ

DTI - AFRO ASIAN SATELLITE COMMUNICATIONS

Can Government state whether Afro Asian Satellite Communications still intend to proceed with their project in Gibraltar, and if so, whether they have entered into a lease with Government for the real estate required at Lathbury Barracks?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

ASC tell the Government that they do intend to proceed with their project in Gibraltar but have not yet entered into a lease with the Government. Negotiations on the building licence with lease annexed is close to being finalised and the Government expect to meet ASC's Chief Executive Officer in a few weeks time to discuss some final matters in order to be able to complete the real estate documentation.

ASC continue to make good progress in the international co-ordination of the first two orbital locations filed by Gibraltar which the company intends to use.

SUPPLEMENTARY TO QUESTION NO. 528 OF 2000

HON J J BOSSANO:

So there is no constraint in the case of this project that they have a deadline to meet like there is in the other one because things are happening, is that the case?

HON K AZOPARDI:

We obviously want things to happen soon but we expect, given the way the negotiations are progressing for matters to be finalised and we are awaiting the visit of the Chief Executive Officer, that will happen in early October to be able to finalise those matters.

NO. 529 OF 2000

THE HON J C PEREZ

DTI - GE AMERICOM SATELLITE PROJECT

Can Government state what is the direct revenue yield to Government, on an annual basis, of the GE Americom Satellite Project and whether this is expected to change, year by year?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

GE Capital Satellites (Gibraltar) Limited was granted a Class III Teleport Facility Licence on 5 March 1998. Under the Teleport Facility Licence Regulations, the minimum fee for a Class III Licence is £90,000, increased by 4 per cent cumulatively each year.

GE have not yet completed the real estate documentation and the Government are writing to the Managing Director-Europe giving GE a deadline of 31 October to complete the building licence with lease annexed. The initial rent for GE's site at Lathbury Barracks will be around £145,000 per annum with rent reviews every five years.

SUPPLEMENTARY TO QUESTION NO. 529 OF 2000

HON J C PEREZ:

I thought the Minister had said in the last meeting of the House that the lease arrangements with GE Americom had been completed and that the company was initiating the project to be ready, it was at the stage of advertising for employees. How is it that the Minister says that those lease arrangements have not been completed? Have they taken possession of the building and they are still negotiating the lease, is that the case?

HON K AZOPARDI:

The real estate documentation that needs to be finalised is in relation to the property at Lathbury Barracks which is for the stage 2 of the development. What they are doing at the moment is they have rented property in Leanse Place where they have set up a control centre and recruited people and recently there were adverts in the Chronicle inviting applications for people that they are going to send for training in the US. That part has been done which shows the level of commitment to the establishment of the project in Gibraltar. But this is part of stage 2 and even though the satellite is going to be launched and is expected to be launched some time in September, the Government are also eager to finalise the real estate documentation even though it relates to a subsequent stage of the general project of GE.

HON J C PEREZ:

Could I ask the Minister whether what his predecessor said about GE Americom that they were interested in expanding their business outside the telecommunications industry in Gibraltar and were talking to the Government about that, whether that is happening or there is an expectation that that shall happen or whether they are committing themselves at the moment only to this project?

HON K AZOPARDI:

GE have not talked to me about that matter.

ORAL

NO. 530 OF 2000

THE HON J C PEREZ

PRIVATE MOTOR VEHICLES

What was the value and number of private motor vehicles imported by licensed dealers for each month of the year 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question No. 531 of 2000.

NO. 531 OF 2000THE HON J C PEREZ**PRIVATE MOTOR VEHICLES**

What was the value and number of private motor vehicles imported by individuals for each month of the year 2000?

ANSWERTHE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The value and number of private motor vehicles imported by licensed dealers for each month of the year 2000 are as follows:

<u>Month</u>	<u>Quantity</u>	<u>Value</u>
January	134	£869,710
February	107	£775,995
March	110	£917,986
April	100	£777,507
May	145	£1,122,661
June	137	£1,089,787
July	<u>78</u>	<u>£657,598</u>
	<u>811</u>	<u>£6,211,244</u>

The value and number of private motor vehicles imported by individuals for each month of the year 2000 are as follows:

<u>Month</u>	<u>Quantity</u>	<u>Value</u>
January	12	£51,697
February	12	£53,392
March	7	£21,086
April	10	£46,692
May	10	£35,944
June	7	£15,501
July	<u>10</u>	<u>£40,448</u>
	<u>68</u>	<u>£265,750</u>

ORAL

NO. 532 OF 2000

THE HON DR R G VALARINO

COMMERCIAL FREIGHT BY AIR

What was the value and amount of commercial freight set down and picked up by air in each month of the year 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

I now hand the hon Member a schedule with the information requested.

I would ask the hon Member to add that the value is £29,270,723.

Answer to Question 532 of 2000

The amount of commercial traffic set down and picked up by air in each month of 2000 are as follows:

MONTH	SET DOWN		PICKED UP	
	BA	ZB	BA	ZB
Jan-00	21,819	7,611	5,083	381
Feb-00	24,016	10,165	5,013	410
Mar-00	26,003	8,211	4,287	998
Apr-00	22,718	3,504	3,223	540
May-00	27,573	11,223	4,883	389
Jun-00	28,403	11,684	5,493	23
Jul-00	22,640	9,967	5,299	549
Aug-00				
Sept-00				
Oct-00				
Nov-00				
Dec-00				
	173,172	62,365	33,281	3,290
TOTAL		235,537		36,571
		Kilos		Kilos

NO. 533 OF 2000

THE HON DR R G VALARINO

RESIDENTIAL PROPERTIES SOLD TO SITTING TENANTS

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

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Eighty-four residential properties have been sold to sitting tenants by Government since October 1997. The amount collected from these sales was £2,316,890.

The individual properties and prices are set out in the attached list, a copy of which I now hand to the hon Member.

SUPPLEMENTARY TO QUESTION NO. 533 OF 2000

HON J J BOSSANO:

There is a property here in Prince Edward's Road which we raised in a previous meeting of the House which was sold at a special price and the Government said they were looking at the situation in the light of its subsequent early resale. There is a property in 5 Prince Edward's Road which was the subject of a question in a previous meeting of the House which had been sold at a special price because of special circumstances and in the supplementaries to that question the Government said they were looking at that situation to see what measures it might be possible to take. Has anything happened in relation to that?

HON CHIEF MINISTER:

I am aware of the case to which the hon Member refers. It was a case where a property had not been valued by the Government's valuers in the usual way, was subject to a further discount because of the very special needs of a person that formed part of the family in question. It was therefore a matter of great angst to the Government to discover that no sooner had the Government agreed to that discount for that purpose, to discover that the family in question had placed the property on the market at figures much higher than the original valuation, let alone the original valuation minus the special discount. I think the matter has been looked at. I do not believe but I would like the hon Member to give me the opportunity to check on those facts before giving them to him formally, I do not believe that the property has been sold and I think the matter rests there.

HON J L BALDACHINO:

Could the Minister explain, 73 Europa Road, has as the sitting tenant "Europa Views Terrace Management", is this the case?

HON K AZOPARDI:

I do not have that information. It may be that as has happened in some cases, if it is a block of connecting houses that have been put out to tender or at least where there are several tenants that want to buy, we have asked them all to buy jointly and have asked them to form a management company to deal with the situation.

HON CHIEF MINISTER:

My hon Friend said that he will get details of that particular item. I have a suspicion that the management company asked to buy the plot of land between the Rock face to provide some facility for all the residents as a management company. I think it was a plot of land that could not be developed otherwise and I think the Government sold that plot of land to the management company for that purpose.

HON CHIEF MINISTER:

I wonder if Mr Speaker would give me the opportunity to correct an erroneous answer given to a question this morning. In answer to Question No. 533 where the hon Members had asked for the list of residential properties that had been sold to sitting tenants, we provided a schedule with the 80-odd items. Not unsurprisingly one of the Opposition Members was struck by the third item which suggested that a property in Mount Road had been sold for £23,000. That has been looked into as a result of the query placed and I am able to inform the House that that is a mistake in the schedule, the actual price was £85,000 for a 60-year lease.

HON J J BOSSANO:

I take it that the figure has been checked because it stood out, we can take it that the rest is accurate, can we?

HON CHIEF MINISTER:

I suppose, Mr Speaker, if one finds an error in the telephone directory one is entitled to lose confidence in the whole book and not believe any of the numbers that the telephone directory gives because one has found a mistake in it. With that approach to life, of course the hon Member can decide for himself what degree of reliability he wants to place on the statistics. I think the others are right, seriously now, most of them relate to Elliott's Battery and the figures are more or less the same. I take responsibility for the figures because I am giving them but I cannot personally vouch that there are no more mistakes in them. If there is a mistake it is inadvertent and would be corrected as this one has been following the hon Member's pointing out.

SALE OF RESIDENTIAL PROPERTIES TO SITTING TENANTS

SITTING TENANT NAME	ADDRESS	DATE	SITTING TENANT
Mr & Mrs J Mir	29A/1 Hospital Ramp	Oct 1997	£33,000
Mr & Mrs H Chichon	69B Prince Edward's Road	Oct 1997	£17,500
Mr & Mrs J Canepa	6 Mount Road	Nov 1997	£23,000
Dr G Soler	14 North Pavilion Road	Jan 1998	£94,000
Mr & Mrs P Morello	69C/D Prince Edwards's Road	Mar 1998	£26,000
Mr & Mrs Freyone	46 Rosia Dale	Jun 1998	£15,500
Mr & Mrs Aguilera	5 Hargraves Ramp	Jun 1998	£22,000
Europa Views Terrace Mang	73 Europa Road	Jul 1998	£111,550
Dr & Mrs Fitzpatrick	14 Witham's Road	Sept 1998	£70,000
Mr & Mrs J Capurro	2 Rodger's Steps	Sept 1998	£44,500
Mr & Mrs Facio-Beanland	26/2 Town Range	Oct 1998	£16,500
Mr & Mrs Watts	26/3 Town Range	Oct 1998	£16,500
Mr & Mrs B Catania	5/2 Baca's Passage	Oct 1998	£11,300
Mr & Mrs Langston	26/6 Town Range	Oct 1998	£12,400
Mr & Mrs Guy	7B Elliot's Battery	Oct 1998	£15,000
Mr & Mrs Garcia	23A Elliot's Battery	Oct 1998	£27,500
Mr & Mrs Barbara	14B Elliot's Battery	Oct 1998	£15,000
Mr & Mrs Olivero	13C Elliot's Battery	Oct 1998	£16,000
Mr & Mrs Cruz	15A Elliot's Battery	Oct 1998	£21,650
Mr & Mrs Guy	6A Elliot's Battery	Oct 1998	£17,420
Mr & Mrs Vinales	17B Elliot's Battery	Oct 1998	£18,500
Mr & Mrs Dyke	19A Elliot's Battery	Oct 1998	£21,460
Mr & Mrs Walton	7/9 Demaya's Ramp	Nov 1998	£16,500
Mr & Mrs Hoare	1A Elliot's Battery	Dec 1998	£18,250
Mr J M Pincho	1C Elliot's Battery	Dec 1998	£16,900
Mr & Mrs R Tosso	3B Elliot's Battery	Dec 1998	£15,000
Mr & Mrs Byrne	4C Elliot's Battery	Dec 1998	£18,600
Mr & Mrs J Ramirez	8C Elliot's Battery	Dec 1998	£16,900
Mr & Mrs J Sheehan	9C Elliot's Battery	Dec 1998	£16,000
Mr & Mrs M Apap	10A Elliot's Battery	Dec 1998	£19,900
Mr & Mrs J Ochello	11C Elliot's Battery	Dec 1998	£16,900
Mr & Mrs L Chipolina	12C Elliot's Battery	Dec 1998	£16,000
Mr & Mrs A Lopez	14A Elliot's Battery	Dec 1998	£18,600
Mr & Mrs E Amor	14C Elliot's Battery	Dec 1998	£16,900
Mr & Mrs A Ullger	16B Elliot's Battery	Dec 1998	£15,000
Mr & Mrs J Huart	19B Elliot's Battery	Dec 1998	£18,500
Virgina Caroline Beltran	19C Elliot's Battery	Dec 1998	£18,600
Mr & Mrs M Sciortino	20A Elliot's Battery	Dec 1998	£29,260
Vivienne Fiol	21B Elliot's Battery	Dec 1998	£25,940
Mr & Mrs F Parody	21C Elliot's Battery	Dec 1998	£18,600
Mr & Mrs D Harrison	22B Elliot's Battery	Dec 1998	£18,500
Mr & Mrs F Galea	22C Elliot's Battery	Dec 1998	£18,600
Mr & Mrs A Perez	24A Elliot's Battery	Dec 1998	£30,700
Mr & Mrs A Barcio	24C Elliot's Battery	Dec 1998	£18,600
Mr & Mrs V Latin	25C Elliot's Battery	Dec 1998	£18,600

Contd.....

Contd. Answer to Question 533 of 2000

SITTING TENANT NAME	ADDRESS	DATE	SITTING TENANT
Mr & Mrs F Becerra	26A Elliot's Battery	Dec 1998	£27,200
Mr & Mrs F Rodriguez	26/7 Town Range	Dec 1998	£12,500
Mr & Mrs L Wood	17C Elliot's Battery	Dec 1998	£18,600
Mr & Mrs F Galea	23C Elliot's Battery	Dec 1998	£18,600
5 Naval Hospital Hill Mang Ltd	5 Naval Hospital Hill	Jan 1999	£75,600
Mr & Mrs Baldachino	24B Elliot's Battery	Jan 1999	£18,500
Mr & Mrs G Olivero	Lewis Cottage, Upper Rock	Feb 1999	£79,000
Mr & Mrs Consiglierio	20B Elliot's Battery	Mar 1999	£18,500
Mr & Mrs Lima	8B Elliot's Battery	Mar 1999	£15,000
Mr & Mrs Charvetto	2B Elliot's Battery	Mar 1999	£18,500
Mr & Mrs Gomez	16C Elliot's Battery	Mar 1999	£16,900
Mr & Mrs Martinez	18A Elliot's Battery	Mar 1999	£18,300
Mr & Mrs Lavagna	5 Prince Edward's Road	Mar 1999	£50,000
Mr & Mrs Cerisola	1B Elliot's Battery	Apr 1999	£15,000
Mr J & Ms & Ms E Chipolina	6B Elliot's Battery	Apr 1999	£16,000
Mr & Mrs Lomax	18C Elliot's Battery	Apr 1999	£16,900
Mr & Mrs Perez	23 Hospital Ramp	Apr 1999	£29,000
Mr A Morello	3/3 Paradise Ramp	Apr 1999	£15,000
Mr & Mrs Gomila	26/1 Town Range	Apr 1999	£36,000
Mr & Mrs Lagomassino	26B Elliot's Battery	May 1999	£18,600
Mr & Mrs Cisarego	5/2 North Pavilion Road	May 1999	£36,000
Mr & Mrs H Hosken	18B Elliot's Battery	May 1999	£15,000
Mr & Mrs Massa	16A Elliot's Battery	Jul 1999	£17,960
Mrs M Britto	25B Elliot's Battery	Jul 1999	£18,500
Mrs Viagas	19 Prince Edward's Road	Aug 1999	£17,000
Mr & Mrs M Isola	3 Secretary's Lane	Aug 1999	£139,000
Mr & Mrs Langtry	7C Elliot's Battery	Aug 1999	£16,900
Mr M Baglietto	6C Elliot's Battery	Sept 1999	£16,000
Mr & Mrs Napoli	17 Prince Edward's Road	Sept 1999	£23,500
Mr & Mrs Gilbert	63/4 Europa Road	Oct 1999	£15,500
Cerisola/Freyone	10B Elliot's Battery	Oct 1999	£16,000
Audrey Perez & Victor Schembri	26 Prince Edward's Road	Dec 1999	£30,000
Mrs Yome	15C Elliot's Battery	Jan 2000	£18,600
Mr & Mrs M Azopardi	25 Scud Hill	Jan 2000	£44,000
Mr & Mrs Domingo Collado	'D'/2 Devil's Gap	Mar 2000	£38,600
Mr & Mrs Francis Sheriff	'B' Devil's Gap	May 2000	£56,800
Dr & Mrs Benady	Woodland's, 6 Buena Vista Rd	May 2000	£109,000
Mr & Mrs J Pinna	10C Elliot's Battery	Jul 2000	£16,000
Mr & Mrs T Serra	Flat 7, Rose Shrine House	Jul 2000	£21,000
Mr & Mrs Dominic Collado	'D'1/1 Devil's Gap	Aug 2000	£32,800

NO. 534 OF 2000

THE HON DR R G VALARINO

MOD PROPERTIES RELEASED TO GOVERNMENT

Can Government state how many MOD properties have been released to Government broken down for the years 1998, 1999 and 2000, their sites and how many have been put out to tender for residential purposes?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The following MOD properties have been released to Government, one of which released in 1998 has been put out to tender for residential purposes, this being the Old Naval Hospital.

1998

1 and 2 Warrant Officers Quarters, Europa Road
Queensway Tennis Courts
Block 'A' Alexandra House and Dental Care Centre (part of the Royal Naval Hospital)
USOC Hockey Ground, Queensway
The RNH

1999

Two strips of land at Waterport Stores
10 Governor's Lane (Ombudsman's Office)

2000

None as yet.

NO. 535 OF 2000

THE HON DR R G VALARINO

PRINCE GEORGE'S BLOCK

Can Government state if Prince George's Block at Europa Road opposite St Bernard's Church has now been handed over to the Government by the MOD?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

No.

SUPPLEMENTARY TO QUESTION NO. 535 OF 2000

HON J L BALDACHINO:

Is the Government's position on Prince George's Block exactly the same as the position that was taken by the previous Minister for Trade and Industry?

HON CHIEF MINISTER:

Yes, the Government's position was that we did not want to take possession of the site which contained a building which had to be demolished and had transferred to us the cost of demolition. Indeed the MOD are now reconsidering whether they wish to transfer the property at all and that is where the matter lies.

HON J L BALDACHINO:

Would the Government's position be even if the MOD demolished the property that they would still request the handover of the area involved rather than stay with it even though they had demolished it?

HON CHIEF MINISTER:

I have given the hon Member an indication that the MOD are reconsidering whether they wish to hand over the property at all. The Government can request what we like, regrettably we are not still in the position where we can demand from the MOD transfer of land. One of the reasons why so few properties have been transferred, for example, in the year 2000 none and in the year 1999 only two, as he has been told in answer to the previous question, is that the MOD have been conducting during the last two years another – having just finished the previous one – state reassessment plan, a state of view plan with a view to concentrating their facilities in fewer geographical locations. The MOD are now ready and a date has been fixed for the MOD to make that presentation to the Government of the results of that plan. It will result in the transfer of many properties to the Government but it may also result in some properties that we had expected to receive not now being received because it forms part of the musical chairs of locations. I think the MOD may be keen to keep this site because it is close to their services infrastructure – water, drains, electricity which exists in large measure in that area of Gibraltar. But the fact that they do not give us this is bound to result in something else that they were not previously going to give becoming available.

NO. 536 OF 2000

THE HON DR R G VALARINO

I&D FUND - HEAD 106, SUBHEAD (5)

Can Government state how much of the estimated £99,000 in Head 106, subhead 5, in the Improvement and Development Fund has been spent to date?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

There has been no expenditure to date.

SUPPLEMENTARY TO QUESTION NO. 536 OF 2000

HON DR R G VALARINO:

Will there be expenditure in this coming year? Is anything expected to be done as far as heritage is concerned?

HON K AZOPARDI:

Yes, the department expects to spend the budget allocated but we have not done so yet because we are waiting for detail costings and in relation to one bigger project we are waiting to go out to tender.

HON DR R G VALARINO:

I imagine that this figure does not include at all the Theatre Royal?

HON K AZOPARDI:

Yes, it does not include it.

NO. 537 OF 2000

THE HON DR R G VALARINO

CONFERENCES ORGANISED BY GOVERNMENT

Can Government say how many conferences organised by the Government were attracted to Gibraltar in chronological order since 1 January 1999, giving the dates, number of participants, the venue and the subject matter of each conference?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The Government have assisted with and sponsored or co-sponsored the following conferences since 1 January 1999 to date:

Finance Centre assisted with the Second Gibraltar Offshore Financial Services Conference in September 1999.

The Calpe '99 Conference was a Heritage UNESCO Conference in November 1999.

The Inter Island Public Health Forum was hosted by the Gibraltar Health Authority in May 2000.

Apart from these conferences, I would refer the hon Member to the answer given by my hon Colleague the Minister for Tourism in answer to Question No. 140 of 2000 when he stated the Gibraltar Tourist Board's general policy aim in this field.

NO. 538 OF 2000

THE HON J L BALDACHINO

APPLICATIONS FOR GIBRALTAR GOVERNMENT FUNDING

Can Government list the companies that have applied for Gibraltar Government funding, from the Gibraltar Enterprise Scheme or from any other source in 2000, since the information published in answer to Question No. 215 of 2000, indicating the amount of funding required and the purposes for which it was intended, listing those that have been successful, those that have been unsuccessful and those applications that are still pending?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Six applications for Gibraltar Government funding under the Gibraltar Enterprise Scheme have been submitted since the information published in answer to Question No. 215 of 2000. Three applications have been approved and three are currently under consideration. The approved projects are:

Serviceall Centre - a total grant of £800 for the refurbishment of the entrance of the building.

Dolphin Bay (Gibraltar) Ltd - a grant of £20,000 for the fitting-out of unit and the purchase of equipment and marketing.

Peralta Distributors Ltd - £55,000 grant and £45,000 loan for the strategic support for the restructure of the business.

The projects under consideration are:

Brookwest Co Ltd (trading as Metro Rod) - purchase of an Aquavac vehicle, £29,928 grant.

Rock Construction Ltd - £920 grant for the purchase of a work vehicle.

Easi Print - purchase of property, £7,000 grant and £15,000 loan.

ORAL

NO. 539 OF 2000

THE HON J J BOSSANO

CATEGORY 2 QUALIFYING INDIVIDUALS

How many applications have been received for the status of Category 2 Qualifying Individuals since March this year and of these, how many have been approved or rejected?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 540, 541 and 542 of 2000.

ORAL

NO. 540 OF 2000

THE HON J J BOSSANO

**HIGH NET WORTH INDIVIDUALS TRANSFERRED TO CATEGORY 2
QUALIFYING INDIVIDUAL**

How many High Net Worth Individuals have transferred to Category 2 Qualifying
Individuals since March this year?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 539, 541 and 542 of 2000. .

ORAL

NO. 541 OF 2000

THE HON J J BOSSANO

CATEGORY 3 QUALIFYING INDIVIDUALS

Have Government received any further applications for Category 3 Qualifying Individual status since March this year?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 539, 540 and 542 of 2000.

ORAL

NO. 542 OF 2000

THE HON J J BOSSANO

CATEGORY 4 QUALIFYING INDIVIDUALS

How many applications have Government received and approved or rejected for Category 4 Qualifying Individuals since March this year and in respect of which occupations have these applications been made?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The Government have received a total of 33 applications for Category 2 status since March 2000. Of these 24 have been approved and the remaining are pending.

No High Net Worth Individuals have transferred to Category 2 Individual status since March this year.

Since March 2000 we have received 15 Category 3 applications.

Since March 2000 we have received 10 Category 4 applications; two have been approved; one refused and the remaining seven are pending.

All Category 4 applications are in respect of gaming operators.

SUPPLEMENTARY TO QUESTION NOS. 539, 540, 541 AND 542 OF 2000

HON J J BOSSANO:

The one refused is what for Category 3 or Category 4?

HON K AZOPARDI:

Category 4.

HON J J BOSSANO:

Was that also a gaming application?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

Is the issue of the OECD approach to taxes relevant to these categories or not?

HON CHIEF MINISTER:

The OECD have indicated the list of Gibraltar tax measures that they think may infringe on their harmful tax measures report. Although the process is not finished until the fat lady sings, in conversations and discussions with the OECD indications have been given that this is not an area that they will be pursuing.

ORAL

NO. 543 OF 2000

THE HON J J BOSSANO

COMPANIES REGISTERED IN GIBRALTAR

What was the total number of companies registered in Gibraltar as at 31 July 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 544, 545 and 546 of 2000.

ORAL

NO. 544 OF 2000

THE HON J J BOSSANO

EXEMPT COMPANIES

What was the number of exempt companies as at 31 July 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 543, 545 and 546 of 2000.

ORAL

NO. 545 OF 2000

THE HON J J BOSSANO

QUALIFYING COMPANIES REGISTERED IN GIBRALTAR

What was the number of qualifying companies registered as at 31 July 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 543, 544 and 546 of 2000.

NO. 546 OF 2000

THE HON J J BOSSANO

QUALIFYING COMPANIES REGISTERED

How many qualifying companies have been registered this year?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

For the reasons I explained to the Leader of the Opposition in answer to Question No.234 of 2000, I would rather not speak of the number of companies that have ever been registered in Gibraltar which would necessarily include statistics on struck off or wound up companies. This would be misleading and would be used by overseas parties to the detriment of Gibraltar.

As I explained, it is more accurate to speak of active or live companies. Companies House estimates that there were approximately 29,000 active companies at 31 July 2000.

The department is at the moment trying to assess a specific figure on live exempt companies. Again the method of compilation of statistics is at the moment not as adequate as I would have liked it to be and I will endeavour to write to the hon Member with a specific figure on tax exempt companies, on what we consider to be live tax exempt companies in Gibraltar during the next couple of weeks. I gave him a specific figure last time and that is my preference rather than giving him a vague figure.

As I explained last time it is not possible because of the current system to give him a specific figure on a backdated basis but we can give him a current figure apparently.

Again I will do the same in relation to the qualifying companies even though I should give him a preliminary figure that we think that 12 new qualifying companies have been registered but I will confirm that to him again in the same letter.

SUPPLEMENTARY TO QUESTION NOS. 543, 544, 545 AND 546 OF 2000

HON J J BOSSANO:

In respect of the exempt companies, is there a procedure which leads to the loss of the exempt status if they do not pay the biannual fee?

HON CHIEF MINISTER:

It is an automatic forfeiture by the application of law. The Companies (Taxation and Concessions) Ordinance says that if they have not paid by the given date the exempt status is forfeit.

HON J J BOSSANO:

Is that date something that changes depending on when the company got it or is it the same date for everybody?

HON K AZOPARDI:

Yes, it is the same date.

HON J J BOSSANO:

So the Government would be able to say at that date how many people were complying then?

HON K AZOPARDI:

Yes, we should be but again I stress the point that at the moment the way the statistics are being compiled is not as adequate as I would have liked it to be and I have asked for a review of the method to ensure accuracy in future.

HON CHIEF MINISTER:

Just so that nothing that I have said might mislead the hon Gentleman because now that I know why he wanted the information to the supplementary that I answered, the number of people who do not pay do not necessarily produce the number of exempt companies because there is also a procedure for salvaging status on payment of the tax, and I think there is a fixed penalty, I am not sure if it is double the amount of the tax that was not paid on the due date or something like that. So it can be clawed back retrospectively subsequently.

NO. 547 OF 2000

THE HON J J BOSSANO

NEW FINANCE CENTRE COMPANIES

Can Government identify what new finance centre companies have been attracted to Gibraltar as a result of the marketing efforts of the Finance Centre Director?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The marketing effort of the Government in respect of the finance centre is aimed at consolidating Gibraltar's image and reputation and at attracting investment in the finance centre and the establishment of new business. Such a strategy, by its very nature, has a long-term effect.

It is clear though that there is a relationship between the arrival of new business and an effective marketing drive even though there are also other reasons why businesses are established or relocate to Gibraltar.

Therefore and while not resting the complete credit of the arrival of new finance centre business on the exclusive marketing strategy of the department, it is clear that there has been a net increase from May 1996 in finance centre operators in various fields as follows:

Investment Services	17
Controlled Activities	27
Insurance	12

Apart from that, other key indicators of the strength of the finance centre are the level of employment, number of qualifying companies and exempt company applications and company incorporations. In all these fields steady growth of the finance centre is reflected.

SUPPLEMENTARY TO QUESTION NO. 547 OF 2000

HON J J BOSSANO:

That is all very interesting but that is not the question that I asked. What I would like to know is if the Finance Centre Director has got a target against which the work can be measured? If he sets out to attract in a given year x people and makes an effort and spends money or visits people then we would like to know if that is happening and if it is, what success is being had. He was not there in May 1996, as far as I recall.

HON K AZOPARDI:

The answer is that for the reasons I have explained to him it is not possible to specifically say what attracts a business to Gibraltar. All we can do is put a huge effort and the Finance Centre Director and his team do that, put a huge effort into marketing Gibraltar to attract business; do the rounds in several countries as they do; try to visit people and make them see the attraction of Gibraltar to do either finance

centre or e-business or telecoms projects and then that has a direct relationship to the arrival of business that we cannot directly judge which of the businesses can be specified as having come to Gibraltar purely as a result of the marketing efforts of the Finance Centre Director. People come to Gibraltar as a result of various things, a combination of various things. They come to Gibraltar because of the good economic and fiscal conditions offered in Gibraltar; they come to Gibraltar because of the marketing efforts and they come to Gibraltar through a variety of other factors all of which are the subject of presentational points that we put to people when we explain to them why they should come to Gibraltar. But for the reasons I have explained it is absolutely impossible to say, "Mr X has come to Gibraltar because of the Finance Centre Director". The Finance Centre Director's role is to contribute towards the marketing of "Gibraltar Inc" so that the people out there get the message that Gibraltar is a friendly place to do business, that they should come to Gibraltar, invest in Gibraltar and create jobs and wealth and that is his role and I think he is doing it well.

HON J J BOSSANO:

I am not questioning how well or how bad he is doing whatever it is that he is doing. I am trying to establish whether in fact there is a methodology in that there are companies targeted in the marketing effort and then an evaluation made of how successful or otherwise that targeting has been.

HON CHIEF MINISTER:

I think the hon Gentleman says he is not asking, I think he would be perfectly entitled to ask, given that it is a significant element of public expenditure, he would be quite entitled to ask and enquire what measure of success the Finance Centre Director is enjoying and whether he is doing his job well or badly so he should not be shy or defensive about asking that. The hon Member is asking a systematic question rather than a qualitative question, there is not a formal performance measurement system in place. What I can say, in support of what my hon Colleague has said, is that everybody that comes to Gibraltar has included in his decision whatever comfort, encouragement, confidence in the jurisdiction, support he will have derived from contact with the Finance Centre Director and the general Finance Centre Department in the Ministry. There are very few people that come, as he remembers from his own days in office, to establish an operation in Gibraltar without touching base with the Government, cross-examining the Government about policies and about administrative arrangements and about where Gibraltar is going in the future, all manner of things and therefore it is an essential part of the role of the Finance Centre Director to support, very often private sector promoters. Most people are brought to Gibraltar not by the Government but by some local law firm or accountancy firm or something else. The role of the Finance Centre Director is very much to support and to enable and to assist the promoter of the incoming new business to have the confidence in the jurisdiction, to make the decision to come and the role that the Government, through the Finance Centre Director and the Minister responsible for financial services plays in procuring the decision to establishing Gibraltar varies from case to case. In some cases it is limited to a visit and a meeting and a chat and in another case we have got to negotiate this or negotiate that or agree this or agree that and in other cases there is a very intense process of handholding. The answer to his question is that no, there is not a form of performance measurement system in place.

ORAL

NO. 548 OF 2000

THE HON J J BOSSANO

LEVEL OF TOTAL ASSETS

What was the level of total assets of commercial banks as at 31 March and 31 July 2000 giving a breakdown of cash, balances due by other banks, loans and advances, investments and other assets?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question No. 549 of 2000.

NO. 549 OF 2000

THE HON J J BOSSANO**LIABILITY OF COMMERCIAL BANKS**

What was the level of total liability of commercial banks as at 31 March and 31 July 2000 giving a breakdown of total deposits, balances due to other banks and other liabilities?

ANSWERTHE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The information is this:

	<u>£'million</u>	
	<u>31.3.00</u>	<u>30.6.00</u>
Cash	6.4	5.9
Balances due by other banks	3,293.4	3,452.0
Loans and advances	1,180.4	1,149.1
Investments	6.3	5.1
Other assets	<u>117.5</u>	<u>107.8</u>
Total	<u>4,604.0</u>	<u>4,719.9</u>

	<u>£'million</u>	
	<u>31.3.00</u>	<u>30.6.00</u>
Deposits	2,138.4	2,245.3
Balances due to other banks	1,615.0	1,587.6
Other liabilities	<u>850.6</u>	<u>887.0</u>
Total	<u>4,604.0</u>	<u>4,719.9</u>

I have given the information to the hon Member at 30 June and not 31 July as he requested but that is because the statistical information is received in the FSC on a quarterly basis.

ORAL

NO. 550 OF 2000

THE HON J J BOSSANO

GIBRALTAR LICENSED INSURANCE COMPANIES OPERATING IN UK

Can Government state how many Gibraltar licensed insurance companies are now operating in the UK since the ability to exercise passporting rights came into effect, and the date on which this was first possible?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question No. 551 of 2000.

NO. 551 OF 2000

THE HON J J BOSSANO

GIBRALTAR LICENSED BANKS OPERATING IN UK

Can Government state how many Gibraltar licensed banks are now operating in the UK since the ability to passporting came into effect and the date on which this was first possible?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The ability of Gibraltar insurers to provide insurance services direct into the UK was confirmed in June 1997. From that date, the Financial Services Commission has made notification to the UK authorities that a Gibraltar insurer wishes to provide insurance services into the UK in respect of eight companies, one of which has surrendered its licence during this period.

The Banking (Gibraltar) Regulations 1999 were passed by the UK Parliament and came into effect in August 1999. The passing of this legislation allows Gibraltar banks to passport into the UK. To date the Financial Services Commission has not received any applications from Gibraltar banks to do so.

SUPPLEMENTARY TO QUESTION NOS. 550 AND 551 OF 2000

HON J J BOSSANO:

In the case of the banks, is this an indication that the banks that are presently in Gibraltar do not seem to attach value to going into the UK and branching into UK?

HON K AZOPARDI:

The hon Member, of course, must be aware that the banks established in Gibraltar are either branches of subsidiaries or very established banks that already have a UK presence in any event. They may not need to use this mechanism, it is certainly available for anyone who wants to use it.

HON J J BOSSANO:

I am aware that there are a number of subsidiaries here but I am talking about obviously the banks that have got their Head Office here. They may be a one branch bank but they are the ones presumably who will want to passport.

HON CHIEF MINISTER:

I am aware of only one bank that has its Head Office in Gibraltar. I think it is the one towards the end of Main Street. I think the hon Member will acknowledge that as we were in the process of obtaining banking passporting it was widely acknowledged, certainly by the Government and I think recognised by Opposition Members that banking passporting was not an area in which Gibraltar expected to do a great deal of business as far as we were concerned. The important ones were insurance and investment services and that banking was a necessary badge to obtain because it

had been agreed at some stage, that they would be obtained in the order – insurance, banking, investment services. The point implicit in the hon Member's supplementary is correct, there has not been any interest since August 1999 in any Gibraltar headquarters bank establishing a branch in the United Kingdom. Can I just say that if business does materialise it is much more likely to be somebody who arrives in Gibraltar to establish himself in Gibraltar because we have this facility to branch out. So it is not so much the existing banks that are the target but rather whether this is something that can attract banks to Gibraltar because we have this and they can use Gibraltar as a launching pad for other jurisdictions in the Community.

HON J J BOSSANO:

Is it the case that the ability to launch into other jurisdictions other than UK is already in place?

HON CHIEF MINISTER:

It is in place in insurance and in banking. In other words, by in place does he mean available or actually being used?

HON J J BOSSANO:

No, I mean available.

HON CHIEF MINISTER:

Yes, it is available. The last remaining obstacle was the practical obstacle that we have been resolving for a year, this business of direct notification which was resolved to the Government's entire satisfaction and to the hon Member's apparent total dissatisfaction as is usual in democracies as between Governments and Oppositions by the very sensible post boxing arrangements that the Government have reached to.

HON J J BOSSANO:

Has that been tested at all?

HON CHIEF MINISTER:

Yes, the post boxing arrangements have been tested. They have actually been tested in the case of Spain in relation to notifications of cross border transportation of hazardous waste. Whether there has been a test with Spain in respect of financial services, I am not aware. Yes, the post boxing arrangements have been tested and have been found to work as intended.

HON J J BOSSANO:

In relation to the licence insurance companies, the notification is in relation to providing services from Gibraltar as opposed to having a presence in UK?

HON CHIEF MINISTER:

No, the notification is of the fact that a Gibraltar entity intends to provide services in the United Kingdom, not into the United Kingdom from Gibraltar, in the United Kingdom in the sense of established in the United Kingdom usually through a branch.

HON J J BOSSANO:

In this case we are not talking then about companies that have branched into Gibraltar, presumably in insurance, we are talking about Gibraltar headquarters insurance companies?

HON CHIEF MINISTER:

Absolutely right and non-EEC or EEA entities established in Gibraltar.

HON J J BOSSANO:

Not EEC owned presumably, they are EEA if they are established in Gibraltar.

HON CHIEF MINISTER:

Yes, exactly.

ORAL

NO. 552 OF 2000

THE HON J J BOSSANO

NEW BANKING LICENCES

How many applications for new banking licences have been received in the financial year 1999/2000 and how many are pending?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 553 and 554 of 2000.

ORAL

NO. 553 OF 2000

THE HON J J BOSSANO

NEW BANKING LICENCES

Can Government say how many new banking licences have been issued since May 1996?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 552 and 554 of 2000.

NO. 554 OF 2000

THE HON J J BOSSANO

BANKING LICENCES

Can Government state how many banking licences have been discontinued since May 1996?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

No formal applications for banking licences were received in the financial year 1999/2000.

Three banking licences have been issued since May 1996, primarily because of restructure of existing business operations.

That same reason accounts for the surrender of two banking licences from the same date. Three banks ceased operations from May 1996 - Discover Card Bank in March 1999; Springfield Bank and Trust in February 1999 and Republic National Bank of New York which announced its closure in January 2000. The latter held and therefore surrendered three licences when they ceased operations.

SUPPLEMENTARY TO QUESTION NOS. 552, 553 AND 554 OF 2000

HON J J BOSSANO:

So that in fact the position is that we are down by five? That is, eight have been surrendered and three issued, is that correct?

HON K AZOPARDI:

In strict numerical terms yes but I think in real terms we are down by three, the three that I have mentioned just now which are the ones that ceased operations as well, the others are a combination of factors, restructures, hand-overs and authorisations.

HON CHIEF MINISTER:

It depends on whether he is talking about number of entities or number of licences. If one entity had three licences, one entity goes but three licences are surrendered as in the case of Republic. The hon Member will be aware that with the exception of Discover Card Bank the other two have been the result of take-overs.

HON J J BOSSANO:

Is there indication of further consolidation or restructuring which could lead to more being surrendered at present?

HON K AZOPARDI:

There is the restructure of ABN Amro which is an internal one for the closure of retail banking. To my knowledge there is no other restructure on the cards. That is not to say that there will not be one but I do not have any other information apart from ABN Amro.

HON J J BOSSANO:

The Republic National Bank I think was one that held on its books quite large sums. Is that reflected in the answers that he gave me before on deposits and assets and liabilities? Is Republic out of the system in the figures that I have been provided with?

HON K AZOPARDI:

The answer must be yes, we will have to check that but to the extent that the last time when the hon Member asked the question the total figure of liabilities and assets was £7.56 billion so I think that accounts for that.

NO. 555 OF 2000

THE HON J J BOSSANO

EU FUNDING

Can Government list the companies that have applied for EU funding since the information provided in answer to Question No. 216 of 2000, indicating the amount of funding requested and the purposes for which it was intended, listing those that have been successful, those that have been unsuccessful and those applications that are still pending?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

There have not been any EU funding applications since the information provided in answer to Question No. 216 of 2000.

NO. 556 OF 2000

THE HON J J BOSSANO

UNUSED OBJECTIVE 2 1997/99 PROGRAMME

Can Government state what is the balance of unused Objective 2 1997/99 Programme funds as at 31 July 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The balance of unspent EU funds in respect of the Objective 2 1997/99 Programme as at 31 July 2000 stood at:

	<u>ERDF</u>	<u>ESF</u>
EU Allocation	£3,142,989.67	£908,351
EU Commitment	£3,560,964.00	£901,121
EU Spent	£721,390.42	£714,624
Unspent	£2,421,599.25	£193,727

The hon Member should note that if he asks me in future or if he refers this to the past the EU Allocation figure fluctuates with the exchange rate.

SUPPLEMENTARY TO QUESTION NO. 556 OF 2000

HON J J BOSSANO:

I take it that the £2.4 million unspent is committed?

HON K AZOPARDI:

Yes.

NO. 557 OF 2000THE HON J J BOSSANO**KONVER 1995/99 PROGRAMME**

Can Government state what is the balance of the unused Konver 1995/99 Programme funds as at 31 July 2000?

ANSWERTHE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The balance of unspent EU funds in respect of the Konver 2 1995/99 Programme as at 31 July 2000 is as follows:

	<u>ERDF</u>	<u>ESF</u>
EU Allocation	£2,728,000.00	£316,000.00
EU Commitment	£3,124,968.00	£185,962.50
EU Spend	£1,378,852.00	£142,800.00
Balance on EU Spend	£1,349,147.46	£173,200.00

The reason for the balance on the ESF is that the use of ESF under this programme is quite restrictive as it was limited to assisting persons in the MOD who were either threatened with unemployment or unemployed. The fact that the MOD rundown which projected hundreds of job losses by 1999/2000 actually has not materialised to the fortune of the economy, has meant though that the original sum that we envisaged would be spent will now not be spent.

SUPPLEMENTARY TO QUESTION NO. 557 OF 2000

HON J J BOSSANO:

Is there a constraint in terms of former MOD workers as to how long before they became redundant? Is it that the money can only be spent for people who are recently redundant and not people who go further back?

HON K AZOPARDI:

My information is they either have to be unemployed or threatened with unemployment. As to the specific time-scale as to when they envisage it, how they envisage it, how they are threatened I cannot tell the hon Member. All I can tell him is that the conclusion of the department in its dealings with people has been that there will be an inevitable underspend because the people who have access to these funds are no longer threatened with unemployment or certainly unemployed.

HON J J BOSSANO:

The reason for my supplementary is precisely the answer that he has given me. All he has done is repeat the same answer. What I am saying to him is if that is the constraint does it then mean that somebody who was made redundant a year ago which was not the one that was expected to be made redundant now cannot access the fund?

HON CHIEF MINISTER:

No, I do not know whether there is a specific regulation saying, "You cannot go retrospectively back more than a year, two years or a fixed period of time". I suspect it is limited to the programme dates, that would be my guess but it is an interesting question worth knowing the answer to. I do not think that there is any impediment in going back to people who have been made redundant for a qualifying activity so long as one does not go outside the dates of the programme committed by 31 December and there may, I suppose, be a requirement that the redundancy did not occur before the starting date of the programme, 1995 but even that would have to be looked at carefully. But it is an interesting issue and we will look into it and give a more scientific answer.

ORAL

NO. 558 OF 2000

THE HON J J BOSSANO

UNITED NATIONS OFFSHORE FORUM

What has been the cost of attending the United Nations Offshore Forum held on the 30 to 31 March in the Cayman Islands?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The cost involved was £7,190.39.

ORAL

NO. 559 OF 2000

THE HON J J BOSSANO

HAND-OVER OF THE FLEET PAVILION

Has there been any further progress on the possible hand-over of the Fleet Pavilion to the Government?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The MOD has indicated to the Government that it has a need for the Fleet Pavilion until summer 2001.

NO. 560 OF 2000

THE HON S E LINARES

GIBRALTAR CHRONICLE

What is the planned rent for the Gibraltar Chronicle for the proposed new printing works at New Harbours and what is the size of the area in question?

ANSWER

THE HON THE CHIEF MINISTER

I appreciate that the hon Member is asking these questions on behalf of his Colleague and indeed leader of that half of the party that sits across the bench and who is absent on honeymoon and I am sure that had he been here to ask the question in person he would have declared an interest in respect of this and the two questions that follow it since the Panorama, with which he is closely connected, is asking for premises in the same building so I suppose that the question is not asked with an entirely disinterested or public sector interest only public interest motive.

The rent is £17,125 per annum and the area is 4,893 square feet.

SUPPLEMENTARY TO QUESTION NO. 560 OF 2000

HON S E LINARES:

What is the difference between the rent paid normally and the rent paid by the Gibraltar Chronicle then by square feet?

HON CHIEF MINISTER:

The very question betrays the motives behind its asking. The question assumes that there is a difference.

HON S E LINARES:

This supplementary has come from myself, Dr Garcia has not even prepared a single supplementary question, this is a question that I have asked and I have no interest whatsoever. So it is just a genuine question.

HON CHIEF MINISTER:

Well, I believe the hon Member but many would not. The question should be, "Is there a difference?" not "What is the difference?" What is the difference suggests necessarily that there is one and the answer is that if he wants to know whether there is a difference the answer is that as far as the Government are aware, these are the usual rents in respect of New Harbours.

HON S E LINARES:

So there is no difference.

NO. 561 OF 2000

THE HON S E LINARES

GIBRALTAR CHRONICLE

What is the planned rent for the Gibraltar Chronicle for the proposed premises which have been offered in the old Health Centre building, and what is the size of the area in question?

ANSWER

THE HON THE CHIEF MINISTER

As yet no final decision has been taken as to the space to be offered to the Gibraltar Chronicle. This matter is still under discussion.

SUPPLEMENTARY TO QUESTION NO. 561 OF 2000

HON S E LINARES:

Can the Chief Minister give an indication of how the rent will work by square metres?

HON CHIEF MINISTER:

No, as I have said in this House before, the Government do not consider the first and second floors, as opposed to the ground floor, of the old Health Centre building as part of the Casemates project. The Government's interest is to put in those first and second floors entities that form an active part of the local community in the sense of perhaps not being entirely profit motive driven entities and that the Government would put them in there being part of the hub of the city. The two organisations that so far have approached the Government for spaces there and which in principle the Government have approved are the Gibraltar Chronicle and the Chamber of Commerce, both of which entities fall into the category of not being entities which exist for the purposes of making profit for the benefit of any particular individual. There may be others that come forward seeking premises there, I am not aware that any others have. Those are the two that have been tentatively agreed to so far.

HON J J BOSSANO:

In terms of the sort of requirements of these two organisations, is the Chief Minister saying that in fact there is still spare capacity in those two floors that can accommodate these two and there is still room for others?

HON CHIEF MINISTER:

I do not know if between them they take one whole floor or almost one whole floor but certainly not more than one floor between them. I think the Chamber of Commerce has been offered half of one floor and the Chronicle has been offered all or part of the other half of that floor and there is still a whole floor vacant. I am not entirely sure that between them they occupy even the one whole floor, there may be a bit of space left even on that floor.

ORAL

NO. 562 OF 2000

THE HON S E LINARES

CASEMATES DEVELOPMENT

Are there any units remaining unallocated in the Casemates Development?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 563 of 2000.

NO. 563 OF 2000

THE HON S E LINARES

OLD HEALTH CENTRE BUILDING

Are there any units remaining unallocated in the old Health Centre building?

ANSWER

THE HON THE CHIEF MINISTER

There are no units remaining unallocated in the Casemates Development which comprises the Casemates Barrack Block and the ground floor of the ex-Health Centre building.

The Government have agreed to allocate part of the first floor of the ex-Health Centre building to the Chamber of Commerce and another part of that floor to the Gibraltar Chronicle.

NO. 564 OF 2000

THE HON S E LINARES

RATES RELIEF

How many applications for rates relief were received by the Government following publication of the official notice on 28 March and how many were successful indicating the names of those successful and those unsuccessful and the premises in question?

ANSWER

THE HON THE CHIEF MINISTER

A total of 29 applications have been received and are being considered by the Government. The Public Health (Exemption from Rates) Order 2000 listing the successful applicants, the premises in question and the extent of relief granted by the Financial and Development Secretary will be published in the Gazette later in the year as usual.

NO. 565 OF 2000

THE HON J C PEREZ

ADMINISTRATIVE OFFICERS

Do Government intend to recruit any Administrative Officers into the Civil Service during this financial year?

ANSWER

THE HON THE CHIEF MINISTER

Recruitment occurs following the arising of a vacancy which needs to be filled.

SUPPLEMENTARY TO QUESTION NO. 565 OF 2000

HON J C PEREZ:

Are there any vacancies that need to be filled?

HON CHIEF MINISTER:

I cannot say at the moment whether there are any vacancies. I know we have just had an intake of AOs recently in the last month or two which was the tail end of the dominoes effect that we have been discussing for the last two years. Government policy now that the establishment is more or less settled down is that vacancies are filled as a matter of course when they arise. However, recruitment processes, given that they require advertisements and the conduct of selection boards are most efficiently dealt with in respect of a largish intake and therefore the vacancy may be held over, that does not mean to say that the Government do not reserve the right, the reshaping of the public service has not finished which is not to say that the Government do not reserve the right to take the view in the case of vacancies that might occur in the future that they do not need filling because other things might then have happened which may have released officers from other areas of Government.

HON J J BOSSANO:

Following the decision the Government took to make the last group of AAs in the service AOs, is it that now the recruitment is into the AO grade?

HON CHIEF MINISTER:

The Government made the batch of AAs that were in place AOs because they were almost to a person if not all acting AOs all the time, such was the number of vacancies in the AO grade. In addition, the last intakes were also drawn into AOs directly because that is where the vacancies were and had they been inducted as AAs they would also have moved straight on to an AO acting. Now that that situation is more stable and given the, I think, unjustified expectations amongst some quarters of the aspirations for AO grade, depending on how that exercise has concluded, the Government may well wish to revisit our decision not to induct people at AA grade.

ORAL

NO. 566 OF 2000

THE HON J C PEREZ

EXECUTIVE OFFICERS

Do Government intend to recruit any Executive Officers by direct entry into the Civil Service during this financial year?

ANSWER

THE HON THE CHIEF MINISTER

There are no current plans to do so.

ORAL

NO. 567 OF 2000

THE HON J C PEREZ

SUMMER HOURS

Can Government confirm that it is not their intention to do away with summer hours in the Government service?

ANSWER

THE HON THE CHIEF MINISTER

I can indeed confirm what the hon Member asks.

NO. 568 OF 2000

THE HON J C PEREZ

PUBLIC SERVICE VEHICLE LICENCES

Do Government intend to issue more Public Service Vehicle Licences in the current financial year?

ANSWER

THE HON THE CHIEF MINISTER

Public Service Vehicle Licences are not issued by the Government. However, Government expect that the new Transport Commission will make such decisions by reference to the needs of the growing tourist market.

SUPPLEMENTARY TO QUESTION NO. 568 OF 2000

HON J J BOSSANO:

Is the new Transport Commission already operational and does it have any applications before it?

HON CHIEF MINISTER:

The Transport Ordinance under which the Commission would be appointed came into effect as the Ordinance, not the Regulations made under it which we have agreed to suspend or to delay until the 21 September, the Ordinance itself was commenced with effect from Thursday's Gazette of last week. The members that will compose the Commission have been selected and their appointment, under the Ordinance, can now be gazetted following the commencement of the Ordinance and I expect that they will be gazetted either this week or next. They therefore cannot have any applications pending because the Ordinance under which the applications would be made has only just commenced last Thursday; the Commission to which they would make the application has not yet been constituted. However, the Government are well aware, as are others, that there is more than one transport contractor in Gibraltar who feels that the growth in the tourist market and therefore the demand for transport in Gibraltar, would justify the issue to them of further licences.

HON J J BOSSANO:

I have no doubt that there are some who want more licences and I have no doubt it would not take a great deal of ingenuity to guess who but what I want to know is, given the information the Chief Minister has just provided whether, in fact, the predecessor that would have taken the decision had it not been discontinued last Thursday had applications before it at the time that it ceased to exist under the previous Ordinance?

HON CHIEF MINISTER:

No, I believe the answer to that is no.

HON J J BOSSANO:

So the position then is that irrespective of what is being anticipated or not being anticipated or thought desirable or otherwise, until the new Commission is appointed there is formally no request from anybody for more licences?

HON CHIEF MINISTER:

There are requests in letters to the Government overlooking the fact that the Government are not the Licensing Authority for public sector vehicle licences. Certainly people have written to the Government saying, "We would like more licences". I do not consider that to be an application because it is addressed to the wrong party and not in accordance with law so there is no valid extant application but I have no doubt that such applications will materialise almost as soon as the Transport Commission is constituted.

HON J J BOSSANO:

When the Government have received such letters, have they not pointed out to the letter writer who I must say is peculiar that if they are people in the industry they are unaware of the fact that they were addressing it to the wrong party, but in fact did not the Government in reply say to them, "You have sent it to the wrong place, the right place to send it to is the following"?

HON CHIEF MINISTER:

We have pointed that out both to the parties that the hon Member is describing and indeed to their opponents, the Gibraltar Taxi Association. That nevertheless did not prevent the Gibraltar Taxi Association from stating the opposite publicly, namely, attributing to me the statement that the Minister for Transport would issue new licences if I, the Chief Minister, instructed him to do so. Far from saying that, what I told the Gibraltar Taxi Association at a meeting in my office was that it was not for the Government to decide whether licences should be issued, that I was not in a position to instruct either the Transport Commission or the Minister for Transport to issue licences, therefore my experience is that whatever one tells people in private does not necessarily condition what they say in public for their own ends.

HON J J BOSSANO:

Yes, I think that that is quite true. I think there is a lot of us that believe it is true of the Chief Minister, what he says in private and what he says in public for his own political ends are two totally different things. But given that the Government have received it from persons that are interested, I would have thought that people who are not applying may say what they think is right or what may even suit whatever cause they are pursuing, I do not dispute that, but the point is if somebody is interested in getting a licence I would have thought that if he writes to the wrong Government office or to the wrong Government Minister and he is told, "If you are interested in the licence address your application to so and so" then they would go and do it if they genuinely want a licence so what I am asking is, were people pointed in the right direction and did they follow it up because if they did not then one must question how keen they are to get the licence?

HON CHIEF MINISTER:

All that has been pointed out to the people in question who have nevertheless chosen to await the constitution of the new Commission under the new Ordinance given that the legislation that we passed in this House, albeit that it had not commenced until Thursday repealed the jurisdiction of the previous body. One could argue technically that until the new Ordinance is commenced neither the new Commission is constituted and therefore neither is the repeal effective of the previous so theoretically they could have applied but they would have been applying, in effect, to a lame duck body. Let me say, Mr Speaker, the hon Member gives me a welcome opportunity to explain that it is not the policy of the Government that further licences should not be issued. It is not the policy of the Government that anybody in the sector, whether it is the taxi or the buses, should decide whether there are more taxi licences issued or not issued or whether there are more bus licences issued or not issued. The only entity that will decide whether more taxi licences should be issued or not issued or more bus licences issued or not issued is the new Transport Commission and people can make their representations to the new Transport Commission and the new Transport Commission will make the decisions, I have no doubt, in accordance with proper objective and a sensible criteria. What everybody else in the industry should understand is that none of them have a veto, however much they may pressure, however much they may threaten, however much they may choose to over-estimate their power and their muscle, no one else in the industry has the right to veto or to pretend to dictate when the lawfully established authority for the issue of licences issues or decides not to issue licences of that sort.

HON J J BOSSANO:

I know that it is in a democracy the privilege of the majority to make the legally established mechanism whatever suits them in order that their policies are fulfilled because they select the people on it and they select the law that the people on it have to enforce. But it seems to me very odd that if one believes so strongly in legally established mechanisms that here we have a situation where persons who believe that the industry needs more transport choose to wait until a new body is set up because it is not just a question that one might assume, presumably if the law that was passed some time ago repealed the existing body and substituted the new one, then unless there was a commencement date for the repeal different from a commencement for the creation, then the body must be there, must have been legally constituted and ought to have had the requests presented to it unless somebody in the industry believes that the old committee might be less receptive than the new one.

HON CHIEF MINISTER:

I am not accountable for the actions or deeds of anybody other than the Government of Gibraltar and there is no point the hon Member putting to me for comment or still less speculative theories about what may or may not have been in the minds of private sector entities when they decide to apply or not to submit an application under the old or the new legislation.

HON J J BOSSANO:

Then he should not invite me to do so by giving me in an answer to a previous question a speculative theory of his own.

HON CHIEF MINISTER:

No, I gave him what is Government policy not a speculative theory.

HON J J BOSSANO:

No, when the Chief Minister said in answer to the previous question about the fact that the applications had not gone to the old committee, he then speculated that possibly those concerned may have decided that since the old committee was a lame duck then they were waiting for the new one. I do not know whether he is now telling me that making the old committee was a lame duck is now Government policy instead of speculation on his part of what private sector operators wanting licences thought of the old people. I took it to be speculation and I felt that if he could give me a speculative answer I could ask a speculative supplementary.

HON CHIEF MINISTER:

It does not necessarily follow although I understand how the hon Member would have fallen into that conclusion.

HON J J BOSSANO:

Because of the logic that if he projected that possibility then I would suggest to him that it might mean that they thought it was a lame duck because they had less expectation. Would the Chief Minister not agree that the way that he has described people thinking they are strong or less strong or more strong that, in fact, it is quite common throughout Europe for persons who see their livelihood or commercial interests affected to organise in a way which is much more vociferous than anything we see in Gibraltar, we have just seen it in France and we are going to be seeing it very soon in Spain, in order to impress the Government about the strength of feeling that they have of their grievance?

HON CHIEF MINISTER:

I fully understand and appreciate that but they do not need to impress anything upon the Government because it is not the Government making the decision although, of course, the Chairman will be the Minister for Tourism and Transport, it is not that the Government are doing a Pontius Pilate on this, the Government are not completely unconnected to the process of licensing because the Licensing Commission will be chaired by the Minister for Transport. I have not said anything that entitles the hon Member to make the remark that I should be surprised that people whose commercial interests are affected, on the contrary, I have said the opposite, I have said that I hope that the Transport Commission will make its decisions by reference to objective criteria relating to the growth in the tourist market. I know the hon Member likes to consume statistics and then apply them to purposes that he regards as logical, if there were X bus licences and Y taxi licences at a time when Gibraltar was receiving 85 cruise ships and 3.5 million day visitors and half of the number of coaches that it is receiving now, I applying pure logic but not as part of any pre-judged position on my part would assume that if the number of cruise ships has doubled, if the number of coaches has nearly doubled and that if the number of day visitors has nearly doubled then at first sight, the first gut reaction would be to say, "Well, if the demand has doubled there must be a need for more transport infrastructure to service it" unless half of the transport infrastructure was previously lying idle of which the Government have no evidence. Therefore what I believe the Transport Commission should do is to assess the needs of the market, assess the

ability of companies to service their legitimate transport requirements and decide whether the demands in the market place require or justify the issue of more licences. If the answer is no, then such licences should not be issued; if the answer is yes, then they should be issued and can be issued without it adversely affecting the commercial interests of any party because the conclusion that the market requires it means that this is needed to service additional new business and that this is not at the expense of any business that would have been serviced by anybody before. That is what is usually meant by assessing in the judgement of whether the market requires it or not. I realise that it is implicit from the hon Member's tenor of questions that he has accepted hook, line and sinker the suspicions of the Taxi Association that the Government have already decided that MH Blands Ltd should have an extra 10 licences and that is why they have already bought the buses and imported them because after all, all that is now required is the rubber stamp of the new Commission. I realise that the hon Member, it is obvious from his line of questioning, that he has chosen to subscribe to that theory in this matter. I cannot stop him subscribing to that theory, all I can do is offer to him the same assurance that I have offered the Taxi Association, I have no doubt to the same little effect, that it is not the position and that if the Government had wanted to decide who gets licences, the Government could have constructed the legislation to make the Minister the Licensing Authority and then we could have decided who has licences and who has not. we have not chosen to do that. We have chosen to give the power to a statutory commission..... *[HON J C PEREZ: Which includes the Minister.]* Yes, as happens in democracies all over the world or who does he think in our particular democracy should appoint the members of the Transport Commission? The Opposition Spokesman for Transport or perhaps he thinks that because he cannot trust his democratically elected Government that we should still ask the Governor to appoint the members to the Transport Commission? *[HON J C PEREZ: What he cannot do is say that he has not got a policy when it is him who is going to take the decision.]* Mr Speaker, we are not going to take the decision. The hon Member does the considerable disservice to whoever may be appointed to that Commission that they are simply rubber stamps of the Chairman's wishes. I think the hon Member should wait to see who are going to be appointed to that board before they decide what degree of independence of judgement they are capable of exercising. Of course, the hon Member will forgive us if we have not rushed to appoint members who are much more likely to do his bidding than mine, after all there is a small matter of the fact that we are the elected Government and not them.

HON J J BOSSANO:

I think the last line gives the whole thing away because if the old members were more likely to do my hon Friend's bidding than his then it is an inevitable corollary that the new committee are more likely to do his bidding than anybody else's. So now we come to the conclusion that nobody is independent in any place which anybody who has been in politics for 30 years did not need to be told by him, we all know that nobody is independent. Can I ask whether, in fact, it is the case that if vehicles are imported other than for the public service with a public service licence they are supposed to pay import duty on importation and that only the public service vehicles are the ones that do not pay import duty?

HON CHIEF MINISTER:

Vehicles can be held in bond like any other commodity.

HON J J BOSSANO:

So he is then saying that the 10 buses are in bond and they have not been taken out?

HON CHIEF MINISTER:

They are certainly not free to circulate for any public sector purpose and if they have not paid import duty they are certainly not free to be used for any purpose at all, absolutely, that is right.

HON J J BOSSANO:

My question was, does it mean they are in bond because if the Chief Minister is saying that they are not free to circulate am I to take it then that if any citizen tomorrow buys a car he can actually keep it parked outside his door or in his garage and until he starts driving it around he does not have to pay import duty until that point?

HON CHIEF MINISTER:

No, I am not here to give the hon Member free legal advice but I understand that the position is that thanks to their amendments to the laws when they were in office, a bond for the purposes of holding things duty not paid is any secure premises to the satisfaction of the Collector of Customs. This was the quaint definition of bond that they contrived to introduce into the laws of Gibraltar and therefore whereas the Collector of Customs may – I cannot speak for him of course and this exchange is entirely speculative because I do not know where these buses are being held – but whereas I can envisage the Collector of Customs may accept a garage in which 10 buses are kept unregistered with no number plates by a leading company on the basis of an assurance not to remove them from there, whereas he might accept that as bond for the purposes of the Import and Export Ordinance I doubt whether the Collector of Customs would accept the same assurance from the hon Member or indeed from me in respect of leaving a car parked outside our front door on the public highway. But having said all that, it is a matter for the Collector of Customs as to what he regards as a bond in any given circumstances.

HON J J BOSSANO:

I think probably he is quite right in that he can blame that quaint change in the law to the previous administration. I believe we did it so that Sakata in Devil's Tower Road could import Seiko watches and have them in bond there pending re-export so it was for a good cause.

HON CHIEF MINISTER:

We, of course, have never had the thin skins that they have in the Opposition but if our skin were as thin as theirs is, I could now be reminding his hon Colleague, Juan Carlos Perez sitting next to him of just how hysterical he became yesterday and how

he accused me and how he said that he would not tolerate the hon Member becoming personal in this House when I had the audacity to suggest that he might have gone to dinner at Puerto Banus. The Leader of the Opposition, as he used to do almost every Question Time in the House of Assembly when he was Chief Minister and I was sitting there, has just done exactly the same thing in a completely gratuitous unsustainable and actually factually incorrect manner in respect of the Minister for Tourism and Transport.

MR SPEAKER:

I think one further question and one answer.

HON J J BOSSANO:

If he checks the record in Hansard he will find that I have not mentioned the name of the Minister, I have mentioned the name of the company and I have said that because it shows that the Chief Minister was insinuating that that peculiar situation of creating that provision in the law was something that was done by the previous administration as if it was something bad and I am pointing out that it was something good because it was done for the benefit of a business where, irrespective of whether the business happens to be owned by a member of the GSD – although he might not have been a member of the GSD at the time – or not, the point is that if it is good for the Gibraltar economy it is good for all of us so we are not saying we did it for anything other than a very good reason, it was a very good thing to do and if they did it today we would support it and welcome it because the easier we make it for businessmen in Gibraltar to deal with the external world the better it is for them and the better it is for all of us, I do not know why he should get so hot under the collar.

HON CHIEF MINISTER:

A very brief answer, Mr Speaker, the hon Member puts his finger on one of the great differences between the party that he lead in Government when it was and the party that I lead in Government. They see everything in life, even in Opposition, as they used to see it in Government as who is the member of what party – he was a member of the party, he may not have been a member of a party, he is a supporter, he is not a supporter. I lead a party where people's political persuasions are irrelevant when it comes to their dealings with the public administration unlike when he was in Government when it was the first matter that was looked up about anyone who approached the public administration for any purpose whatsoever.

ORAL

NO. 569 OF 2000

THE HON J C PEREZ

WHATLEY AND FOSDYKE

Can Government state whether Whatley and Fosdyke, who were awarded the contract for the new coach park terminal, actually completed the works or was the tender rescinded at some stage?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 570 of 2000.

NO. 570 OF 2000

THE HON J C PEREZ

WHATLEY AND FOSDYKE

Can Government state whether they made any payments to sub-contractors of Whatley and Fosdyke for works on the coach park in respect of monies owed to them by the main contractor?

ANSWER

THE HON THE CHIEF MINISTER

Whatley and Fosdyke did not complete the coach park terminal works as their contract was rescinded. Government have not paid any monies to Whatley and Fosdyke's sub-contractors for the coach park terminal.

SUPPLEMENTARY TO QUESTION NOS. 569 AND 570 OF 2000

HON J C PEREZ:

If the contract was rescinded and the Government did not pay any monies directly to the sub-contractors, is it that the sub-contractors did not finish the work, is it that a third party finished the works?

HON CHIEF MINISTER:

Yes, if the Government rescind a contract, sub-contractors are in contract with the main contractor. There is sometimes an exception to that when the Government, or any other employer for that purpose, nominates a sub-contractor. Government can say to a contractor, "I employ you to do this job but I nominate that particular company to be your sub-contractor in respect of windows or doors". If an employer under a building contract does that then the employer under the building contract is responsible to that sub-contractor. That did not occur in this contract and therefore when the Government rescinded Whatley and Fosdyke's contract all the sub-contractors who were in contractual relationships with Whatley and Fosdyke simply disappeared from the scene and the Government contracted JBS to complete the contract at additional expense, of course.

HON J C PEREZ:

Can the Government state whether Whatley and Fosdyke kept monies for works which they did not do and can they further state how much more was the cost of the project as a result of having to rescind the tender?

HON CHIEF MINISTER:

I am afraid I cannot answer the last part of that question. In respect of the former part, my understanding is that Whatley and Fosdyke did not keep the benefit in any significant amount. There was some fixtures and fittings or windows or something that they had already been paid for because they had bought but these contracts are paid for against certificated work done and that therefore that the Government only disburse money against work actually done and certificated and goods bought on site

under some contracts. So I believe that Whatley and Fosdyke did not receive substantial payments which they have not earned, to put it that way, in respect of work done and that the cost to JBS of completing the contract did end up added to what had already been paid to Whatley and Fosdyke as being more than what the contract price would have been in total to Whatley and Fosdyke had they completed the contract but not substantially more. If the hon Member is interested in the details of that I can certainly provide that information to him but I do not have the information to hand.

HON J C PEREZ:

We have had in reply to another question the total cost of the coach park so perhaps what we need is the estimated cost to compare with the total cost.

HON CHIEF MINISTER:

One has to be careful when doing that because even in the hands of Whatley and Fosdyke the contracts may have been subjected to increases, extra works ordered and things of that sort.

HON J C PEREZ:

So I can safely say then that what the Hon Col Britto told this House last September and that was that officials in his department were seeing sub-contractors because they had not been paid by the main contractor and there was a possibility of paying them directly, that that did not occur? This is what the Hon Col Britto told us in Hansard last September.

HON CHIEF MINISTER:

I cannot recall what the Minister said but if my Colleague said that that has not materialised. I am not challenging him as to whether he said it or not but if he did say it it did not happen.

HON J J BOSSANO:

Can I ask how long Whatley and Fosdyke were on the site and when was the contract rescinded?

HON CHIEF MINISTER:

It was rescinded on the 26 October 1999 but I cannot tell him here the date on which the site was first made available but I think at the time that the contract was rescinded they were already over the whole contract period and it was far from finished.

HON J J BOSSANO:

This is why we are questioning exactly what happened because it seemed to us that if by the time it was rescinded it was after the date when it should have been finished then the problem must have been going on for quite a long time.

HON CHIEF MINISTER:

It is a common problem with Government contracts and I suspect even private sector contracts. In the first place, most building contracts and certainly the standard form of JCT contracts contain what is called liquidated damages for delay. That is to say, that the first rights that the employer obtains for going beyond the contract specified time is that the contractor has to pay the employer so much per week or so much per day of delay. It is a matter of legal judgement and a very complicated one at that, when the delay has become so great that liquidated damages is not an adequate remedy. In other words, that the delay is so great that one's rights extends beyond the weekly compensation payment and actually becomes the right to terminate, to rescind the contract for material breach, as it is called. In this case my recollection is that the decision to rescind the contract was not made on the basis of delay but on the basis that the contractor had fallen into a financial situation in which the Government were satisfied that he was incapable of completing the contract in any period of time. The hon Member I am sure will know from his time in office that it is always a fine judgement when to tire of contractors for delay because it is invariably expensive to replace them even if one has not paid them more than they are due, the mobilisation costs of the new contractor that one brings in invariably itself adds additional cost so what Government tend to do especially in the case of non-urgent contracts is that we just absorb the delay and deduct the liquidated damages at the end of the contract as has happened in several contracts. I think it has happened in the case of Bishop Canilla House where there have been delays which have been deducted from the final certificate payable to the contractor. But in this case it was because the contractor simply got into financial difficulty and could not finish.

HON J J BOSSANO:

When JBS stepped in to take over and complete the work, did they use the sub-contractors who were there already or was it all done with direct labour?

HON CHIEF MINISTER:

I remember that issue arising as an issue at the time but I cannot recall how it was resolved. But I recall that the question was posed to the Government whether they should do that or the other but I would need notice of that question.

NO. 571 OF 2000

THE HON J C PEREZ

REGULATION 118(1)(d) OF THE PROPOSED TRANSPORT REGULATIONS 2000

Have Government taken legal advice on any possible conflict between the intended Regulation 118(1)(d) of the proposed Transport Regulations 2000 and the rights and immunities enjoyed by individuals under the Trade Union and Disputes Ordinance or under the Gibraltar Constitution Order?

ANSWER

THE HON THE CHIEF MINISTER

The Government are satisfied that the intended Regulation 118(1)(d) is totally consistent with the rights and immunities enjoyed by individuals under the Trade Union and Disputes Ordinance and the Constitution.

SUPPLEMENTARY TO QUESTION NO. 571 OF 2000

HON J C PEREZ:

Have the Government taken any legal advice on the matter?

HON CHIEF MINISTER:

The Government have taken a view of the matter which includes a legal view. The Government are blessed with not one but two lawyers in its ranks and even allowing for the saying that "he who advises himself has a fool for a client", I am still satisfied that the point is so demonstrably obvious as not to require the taking of external legal advice.

HON J C PEREZ:

So the Chief Minister is relying on the expert professional view of two of the Members of the Government in their personal capacity on this occasion, on others they take reports and views from experts and everything else, but on this occasion they do not feel that they need advice from outside on this matter?

HON CHIEF MINISTER:

No, I cannot interpret my answers for him. I already make my answers full enough, I would have thought. What the hon Member has said is that because the Government were satisfied that there is no issue of the sort that he has described in his question, the Government did not consider it necessary to take the legal advice that the hon Member suggests in his question might have been taken, I think it is unarguable seriously by anybody that this could possibly be in breach of the Constitution. The Government are entirely satisfied especially with the words that we have now added as we have stated publicly just to make the Government's intention crystal clear that an event has got to be unlawful in itself before section 118(1)(d) arises. In those circumstances it is inconceivable that they could be in breach of either the Constitution or the Ordinance. That said, there would be nothing, not that we have tried to do it in this case nor even succeeded in doing it without trying, but there is

nothing to prevent a Government or a House to pass a law in what the hon Member would call inconsistent with another law. If the Government were to pass a law at any given time as a matter of policy which overrode the Trade Union and Disputes Ordinance, that would not render the law improper or ineffective. It is the last Ordinance that is passed that is the valid one but that is all entirely academic. I can assure the hon Member that nothing in Regulation 118(1)(d) curtails the right to take lawful action by anybody, including the taxi drivers and that the Trade Union and Disputes Ordinance and the Constitution does not give anybody the right to take action that is unlawful.

HON J C PEREZ:

Is the Chief Minister not aware that any action which is unlawful is already covered by other Ordinances for which penalties are specified in other Ordinances for that particularly unlawful act and is he not penalising the person twice by having him judged by the Ordinance which already makes that act unlawful and then again by this new Regulation which invokes a further punishment on the individual for the same unlawful act?

HON CHIEF MINISTER:

The hon Member's point is wholly absurd. Is he suggesting that if somebody commits an act of theft, for example, and that he is prosecuted and convicted for theft that other bodies, for example, if he is a licensed lawyer where integrity is thought to be an essential requirement for the profession, is he seriously suggesting that in his view if one has been charged and convicted for theft and therefore already punished that the Chief Justice or the Bar Council or the Accountants Body or if one is a doctor the Medical Council who have licensed oneself, then cannot take into account one's unlawful conduct in order to withdraw one's licence because that would be double jeopardy? The hon Member's point is not only absurd but it is unsustainable by reference to existing practice under many laws never mind outside of Gibraltar, under the laws of Gibraltar. A Licensing Authority is always given the right to take into account relevant considerations when deciding whether a licence that it has issued should stand or be forfeit. A licence is after all a permit from the State. The fact of the matter is that the difference between the two, what he calls the double punishment is that it would be absurd for a Licensing Authority not to have the power to apply the facts to its area of responsibility which is the licensed activity. The question of the sanction of the criminal law and criminal prosecution is something completely separate and different.

HON J C PEREZ:

Is it then the intention of the Government to equally penalise any other business in Gibraltar in the same manner by withdrawing their business licence if a shop assistant or an owner of a shop commits an unlawful act in pursuance of a grievance in the same way as he is trying to impose this to the taxi driver as a businessman? He might give the fine example of the ethics of lawyers and so on but he is treating the business of a taxi driver and the business of a coach operator differently to any other business in Gibraltar who have not got the same penalty as the Chief Minister wants to impose to this trade.

HON CHIEF MINISTER:

What the hon Member demonstrates is that a little knowledge is a dangerous thing. The hon Member appears not to appreciate the distinction between a trade licence which is a permit to do business for one's own account, whether one does it successfully or whether one does it unsuccessfully is entirely a matter for oneself. A licence issued under the Trade Licensing Ordinance to a business is a permit to do business. A licence issued to a public service vehicle under the Traffic Ordinance is a concession to provide a public service on behalf of the State; either one provides that service on behalf of the State on the terms upon which one has been licensed to do so by the State or the State is entitled to revoke it and the hon Member's attempt to suggest that a trade licence is the same as a public service vehicle licence suggests that he does not know the difference between the two of them.

HON J C PEREZ:

The Chief Minister is wrong, I do know the difference between the two. The one who is confusing the issue is himself because the clause in question has nothing to do about the public service, it has to do about people acting against a grievance against the Government as a result of that public service. The Chief Minister is not saying in that clause, "If you do not give a public service you are liable to have your licence withdrawn", he is saying, "If you disobey an instruction from a member of the Tourist Board you might have your licence withdrawn and if you act in a way which the Minister believes is contrary to the tourist trade and to the economy of Gibraltar" - and the Minister is the one that takes the final decision on whether that is in pursuance of a grievance - "then you are liable to have your licence withdrawn". So it is not whether he gives a proper public service or not, it is whether he defends his job and how he defends his job which is going to bring him in conflict with the law.

HON CHIEF MINISTER:

Holders of licences to provide public services on behalf of the Government to the general public are not in a job with the Government. They are not the Government's employees, they are licensed concessions that the Government issue any more than Barclays Bank is in the employment of the Government because it has a licence from the Government. The hon Member has moved on, what he has now described is a different issue which has at least the virtue of not confusing the differences between the two types of licence but he cannot offer that presentation as evidence of the fact that he understands the difference between the two licences, he can offer it as evidence of the fact that following my explanation he has now understood the difference and at last has formulated the correct question. But the hon Member is disingenuous, these are hon Members who constantly week in, month in and month out pepper the Government with questions about the success of its cruising policy, when the number of cruise ships falls by one his new party Colleague, the Hon Dr Joseph Garcia, leaps up to his feet and suggests the world is about to grind to a halt because Malaga is growing faster than Gibraltar and their growth rate is 1,000 per cent and ours is only 300 per cent and on the one hand his Colleague, the Minister with responsibility for tourism makes it perfectly clear and correctly so that cruising is now a vital part of the economy of Gibraltar and that the Government are duty bound to promote and protect it. And at the same time the hon Member is sufficiently disingenuous to believe that the Government are doing what we are doing now in relation to cruising to protect the Government against grievances from the taxi drivers. The Government are doing what we are doing because in the Government's judgement it is essential to promote and protect the vital interests of Gibraltar in the cruising business which is what his Colleague, the Hon Dr Garcia is constantly urging

us to do. If the hon Member thinks that the ambitions of his Colleague, the Hon Dr Garcia in relation to tourism and cruising in Gibraltar can be promoted and protected with the Gibraltar Taxi Association telling P & O passengers as they disembark from a P & O ship that they have been conned by P & O, the hon Member must be more worldly than that. I am sure that the hon Member understands that the party that brings tourists on cruise ships to Gibraltar is the cruise company and the people who decide whether cruise ships visit Gibraltar or not are the cruise companies. Therefore what the Government are doing is not as the Gibraltar Taxi Association publicly say but in private recognise to the Government that they accept that that is not what motivates the Government to create a monopoly in favour of M H Bland Ltd or Gaggero or anybody else because it is not the interests of Mr Gaggero that are being threatened. As far as I am concerned the Gibraltar Taxi Association and M H Bland can do battle in competition against each other until they are blue in the face. What neither of them can do, because the Government will not permit it in the interests of Gibraltar is to treat cruise companies in a way which will, as a matter of certainty, provoke them into stop coming into Gibraltar and then there would be no business for Blands, no business for the Taxi Association, no business for the shops up Main Street, no business for anybody at any price.

If the hon Member just gave the Government a modicum of credibility for acting in good faith, the hon Member would conclude that that is what has motivated the Government. The Government could have tackled the taxi drivers in hostile and aggressive fashion at any time during the last five years and we have chosen not to do it because we recognise that they are an important part of the transport and tourism industry in Gibraltar and are entitled to have their interests promoted by the Government as anybody else and no one, Mr Speaker, that looks at the details we published in the press the other day, no one that looks at what the Government have done to guarantee the Taxi Association a share of the market place whether there is demand for it or not, can possibly accuse the Government of any action calculated to injure the legitimate commercial interests of Gibraltar. But the guardians of the public interest of Gibraltar is the Government and not the Taxi Association. The party that has to decide what needs to be done in order to protect those public interests is the Government and not the Gibraltar Taxi Association. If we get it wrong, one way or the other, the electorate will judge us but in the meantime we have to exercise those judgements.

HON J C PEREZ:

There is no conflict at all with the line I am taking, with the line the Hon Dr Garcia takes in defence of tourism from the Opposition which the Chief Minister seems to take such offence to given that the hon Member is not even here and he starts criticising him every minute that he can and, Mr Speaker, the Chief Minister does not need the legislation that he is passing to achieve what he says he wants to achieve but certainly if we were to judge the situation by the Government's own measure what did the Government do three or four weeks ago? They left passengers on the Upper Rock stranded, things that they say that they are trying to avoid the taxi drivers to do they themselves did by their own actions, they should have their licence withdrawn.

HON CHIEF MINISTER:

With the greatest of respect to the hon Member, there is a great difference between subjecting to temporary inconvenience in the face of extreme provocation and disregard of warning. What happened there was that this..... [INTERRUPTION] if he wants to hear the answer to his question, I am quite happy to sit down and not

give him the information but if he asks the question presumably he is interested in the facts of the matter. What happened in that situation was that one particular company thought that they could, in effect, hold the Government to ransom because the Government would not be willing to inconvenience any tourists in the face of a point blank refusal to pay the Upper Rock entry fees which the Opposition Members established, not me, which every other bus company is paying and they thought that because they decided that they should not be paid or they did not want to pay or they thought that it was unfair or they thought that there was a dispute, they decided that they were not going to pay and they were going to carry on driving and the Government gave them due warning that they would do this. There is a difference, Mr Speaker, between the Government being forced into taking a necessary and tough stance that creates certainly we understand ill will amongst a group of 1,000 people and on the other hand, taking action which means that the people who bring all these people to Gibraltar in cruise ships will not come at all thereby depriving Gibraltar of 200 or 300 cruise calls a year. The position, I assure the hon Member, is very different. And as to the first half of his supplementary, as to whether the Government already having the power et cetera, et cetera I would ask the hon Member to accept, as a matter of judgement on the Government's part, even if he does not agree with it but at least let him accept that it is a matter of judgement for the Government, that it is not possible to promote and project and protect an on-going cruise business in Gibraltar if every time the Taxi Association think they have a grievance they have recourse to blockading the harbour as a means of projecting it. *[INTERRUPTION]* Well, perhaps I have been surprised that the hon Member may wish to defend even that and we can all in Gibraltar decide if we want to but the right to project and promote our grievances against one another should entitle us even to obstruct and harass. We can certainly come to that conclusion but in coming to that conclusion let us be in no doubt whatsoever that we cannot have the right to do that and have a vibrant prosperous cruising industry as well. We can choose between the two, we cannot have both. *[HON J C PEREZ: We can have both things because we have had it for the last 10 years.]* No, we have not had it for the last 10 years, Mr Speaker, we have not had, unfortunately Gibraltar went through an episode which we need not revisit here and now whereby the cruise industry went into terminal decline, it has taken the Government an awful lot of work to regain the ground, Gibraltar is now on the threshold of a bigger explosion in tourism and the Government, which have always been predisposed to seeking and dialogue with all parties including the Taxi Association, are not willing to allow irresponsible, ill-thought out, knee-jerk actions by anybody in Gibraltar to put all that work and all that interest of the economy of Gibraltar in jeopardy. If that requires a firmer hand than some parties in Gibraltar have been accustomed to being subjected to than in the past well so be it.

HON J J BOSSANO:

I do not think anybody here wants, not even the taxi drivers or M H Bland, a decline in the industry that is their livelihood so I do not see why the Chief Minister should think that the Government want more business and everybody else wants less. Would the Government not agree that if the example that he has given at one stage, because he has given very different examples, of people handing out leaflets saying, "You are being conned by P & O", if that is what he means by harassment and illegal acts then, in fact leaflets are given by people who want the petrol reduced and they do not just give leaflets, they put tractors in the street, they block ports. Is he saying that in the illegal act definition is now not going to be merely a question of there being a law that says, "You shall not hand out leaflets" which is specific and clear but it is not just illegal acts because in the judgement of the Minister the leaflets.....

HON CHIEF MINISTER:

Can I just interrupt because he is not going to have another opportunity to stand up, if he waits so that I can give him some information before he carries on formulating his question. Mr Speaker, I have tried to explain, we have said publicly twice now and I have said I think twice here this evening that the need for it to be unlawful is a precondition to the section so that it needs to be first unlawful and then in addition also severely prejudicial to the interests of Gibraltar. In other words, it is not enough for it just to be unlawful. First of all it has got to be unlawful action and then, in the opinion of the Commission, it has to be severely prejudicial in the interests of Gibraltar. So the action has got to be unlawful before section 118(1)(d) is invoked at all. I accept that that is not what the first draft of the Regulations said. This is something that we put in and we said publicly that we were putting in when we started hearing reactions that people thought that we were trying to make lawful things unlawful.

HON J J BOSSANO:

So then, in fact, the example that was given of somebody giving out leaflets to passengers coming out is not an example that would be caught by this section?

HON CHIEF MINISTER:

Not at present.

HON J J BOSSANO:

Not at present.

HON CHIEF MINISTER:

No, and the hon Member if he had read my public statement would know that the Government have said that this particular conduct is not presently covered in the Regulation and need not be covered in the Regulation. If the Gibraltar Taxi Association under its new Presidency restores the assurance given by his predecessor that the Taxi Association would not engage in such behaviour. And if the Taxi Association give that assurance which has already been given once, the Government would feel no need to legislate against it.

HON J J BOSSANO:

Mr Speaker, if the Government are prepared to give explanations then I have to be allowed to ask questions.

MR SPEAKER:

Yes, but this has been going on for half an hour. If it is a big issue it should be a motion not a Question and Answer.

HON J J BOSSANO:

But it is an important issue, we are focusing this from the point of view frankly of civil rights.

MR SPEAKER:

Yes, I know, but if it is an issue it has got to be a motion condemning.

HON J J BOSSANO:

Is the Government then saying, that although there is nothing illegal at present in giving out leaflets pointing to passengers that in the judgement of the taxi drivers they are being conned by P & O because P & O is charging them considerably more than the taxi driver is getting paid, that is their version of it, that the Government view is that if they give an assurance not to do that even though they are permitted to do it, then there will not be a law prohibiting it? Surely there must be something wrong. I would have thought the Chief Minister with his own background in legal trade which he is always trying to remind us that we get things wrong in terms of distinctions et cetera, is there not something fundamentally wrong if the approach is to say, "The law allows you to do it but unless you promise not to do it I will change the law so that you cannot do it"?

HON CHIEF MINISTER:

The position is that there cannot be an issue of civil liberties here. What regulation 118(1)(d) does is give a Licensing Authority rights to take certain actions if somebody commits an unlawful act. There cannot be a constitutional right to commit an unlawful act and therefore there is no civil liberty to commit an unlawful act and therefore there can be no question of a breach of civil liberty or a breach of constitution or anything else. It happens all the time, the whole purpose of legislation, all legislation is the Legislature's conversion of something that was previously lawful into something which becomes unlawful. Every time we pass a new Ordinance in this House we are necessarily making something unlawful which previously was lawful, that is what Legislatures do and it is perfectly acceptable for a Government to say, "In the Government's judgement the public interest requires that a certain activity be prohibited" and pass legislation to sanction its commission but that is perfectly normal, that is what we do every time we legislate in this House and that is what the Government will do in the case of leafleting if the Taxi Association, which we are confident will give us the assurance, do not give us the assurance. Let me finish with five words, the hon Member is being hasty if he assumes that the issuing of leaflets in all circumstances in all places is per se lawful.

NO. 572 OF 2000

THE HON J C PEREZ

REMOVAL OF INTERNET CAMERAS FROM THE FRONTIER

Have the Government received any representations from any association or any individual asking for the removal of the internet cameras from the frontier?

ANSWER

THE HON THE CHIEF MINISTER

Yes.

SUPPLEMENTARY TO QUESTION NO. 572 OF 2000

HON J C PEREZ:

Can we know from what party he has received representations?

HON CHIEF MINISTER:

From the Comité Consultivo which, as the hon Member knows, is a joint body between several Gibraltar representative groups and their counterparts in the Campo area. Indeed the hon Member should know because it is in the public domain, it has been heavily reported at the time the call was made.

HON J C PEREZ:

But the Chief Minister keeps on reminding us that we should not believe everything we read in the press and we should ask him so that is why I am doing it. Has he received it from any other party other than from the Comité Consultivo?

HON CHIEF MINISTER:

The hon Member has received it collectively and individually, I think I am right in saying, from all the local constituent elements of the Comité Consultivo.

HON J C PEREZ:

What has been the response of the Government, can we know that?

HON CHIEF MINISTER:

Yes he can. The Government's view is that one of those cameras serves no purpose and should be removed and will be removed at an appropriate moment. Just so that I am not misleading him, the Government are giving serious consideration to the removal of all the cameras altogether and we are simply, in that respect, abiding events in the European Commission's investigation into the frontier situation generally.

NO. 573 OF 2000

THE HON J C PEREZ

LAND PROPERTY SERVICES LTD

Can Government state whether they have now resolved the issues surrounding the contract with Land Property Services for the collection of electricity arrears?

ANSWER

THE HON THE CHIEF MINISTER

The matter is still under negotiation.

SUPPLEMENTARY TO QUESTION NO. 573 OF 2000

HON J C PEREZ:

Is the Chief Minister any nearer to meeting them or is it that he has not had time? I know he is personally involved with this because the matter seems to be dragging from year to year and the Chief Minister has mentioned on several occasions in the House that he is at the point of sorting it out.

HON CHIEF MINISTER:

I assume the hon Member does not have a brief for the beneficiaries of the renegotiations. I am not sure that there is any great public interest in the renegotiations but he is wrong in suspecting that I am conducting them.

HON J C PEREZ:

We do not do everything for votes, there is no public interest.

HON CHIEF MINISTER:

I am not personally conducting the negotiations although those that are conducting it report to me.

NO. 574 OF 2000

THE HON J C PEREZ

EAST SIDE RECLAMATION

Can Government confirm that they are planning to use a contractor to continue with the work of the east side reclamation?

ANSWER

THE HON THE CHIEF MINISTER

If the work to which the hon Member refers is the on-going work at the reclamation, I can tell him that Government do not have any intention to use a contractor. However, the Government do expect, in due course, to put the whole site out to tender for development.

SUPPLEMENTARY TO QUESTION NO. 574 OF 2000

HON J C PEREZ:

So at the moment the site is being managed by Community Projects and that situation will remain?

HON CHIEF MINISTER:

Unfortunately the hon Member keeps on using terminology which is insufficiently precise to enable me to understand exactly the point that he is trying to get at.

HON J C PEREZ:

I can put it in another way if the Chief Minister gives way. Is it the intention to replace the work being done by Community Projects with a private contractor?

HON CHIEF MINISTER:

No.

NO. 575 OF 2000

THE HON J C PEREZ

GIBNET LEGAL CASE

What was the cost to the Government of the entire Gibnet legal case broken down as follows:-

- (a) the original court case which was lost by the Government
- (b) the appeal which was held in April 2000 and lost by the Government
- (c) the decision to seek leave to appeal to the Privy Council which was lost by the Government?

ANSWER

THE HON THE CHIEF MINISTER

The final cost of the legal action is not known. To date the Government have paid our legal advisers a total of £128,999.33 for work carried out in relation to the Gibnet case. Additionally, the legal advisers for Gibnet are claiming over £117,000 in respect of their costs. The Government are disputing this amount and the matter will go before a Costs Judge.

SUPPLEMENTARY TO QUESTION NO. 575 OF 2000

HON J C PEREZ:

The figure of £128,000 is not the total legal cost irrespective of the claim for costs by Gibnet? Separate from the claim for costs by Gibnet the £128,999.33 is not the total cost to the Government of their legal bill, is that the case?

HON CHIEF MINISTER:

I am not sure. The last bill included in that total is dated the 10 July 2000 from the Government's solicitor. I should hasten to add that the hon Member appears to have formulated the question in order to repeat three times that it considers that the Government have lost. That is not a value judgement in which I am in any great hurry publicly to disallow him but if the hon Member knew what was the issue and the local interests that the Government were seeking to protect the local economy from and was intimately familiar with the terms of the judgement and its limited application and scope, he may not be in such a hurry to conclude that the Government have lost at any of the three stages of the case.

HON J C PEREZ:

I am sad that the Government have lost but the fact is that the Government have lost, regrettably and that is why the Government are negotiating costs with the party that won. I am sad that the Government have lost because I do not think Gibraltar's interests are well served.

HON CHIEF MINISTER:

The hon Member may not think that making Gibraltar an extension of La Linea for telephonic infrastructure purposes and exposing to the consequences of that, the two local telephone companies and indeed their employees, the Opposition may not consider that that was something worth trying to protect and defend. I have to tell him that the Government in our judgement..... [INTERRUPTION] I have not finished. He may think that that is not itself a prize worth fighting for and, frankly, although the bottom line of each judgement has gone against the Government, the extent and effect of those judgements is not, we are advised, to compel the activity that it was sought to be licensed. That decision which is the only thing that the Government were seeking to protect whilst the law was in a state of flux the decision of whether to licence that or not to licence that activity is now a matter, given that it is cross-frontier, for the new Licensing Authority under the new directives. The hon Member is entirely right and he is perfectly entitled to stand up and say, "As between plaintiff and defendant, the court ruled in favour of the plaintiff" the Government being the defendant and therefore we are on the losing side. However, the Government consider that the litigation has had the effect of establishing the point that the Government thought needed to be established in the interests of the telecommunications industry in Gibraltar. I am not trying to engage the hon Member in debate, if he wants a full explanation in private of why that is the Government's view I am very happy to give it to him.

HON J C PEREZ:

I would be delighted to receive it from the Chief Minister. I just want him to know that I am not making a value judgement on the matter. I am not saying whether the Government were right or wrong, in fact, at the time of the budget I think I told the Chief Minister that I understood why he was appealing to the Privy Council. I am not making a value judgement one way or the other, I am just asking for the facts as they are but I would be delighted if the Chief Minister would give me a detailed explanation because he knows that it is of interest to me.

HON J J BOSSANO:

Was there anything to prevent the Government protecting the local interest initially by giving a licence to Gibnet for their laser link with conditions which would protect local interests which presumably is what they are going to be required to do now?

HON CHIEF MINISTER:

I am afraid the answer to that question is precisely what I was going to make the subject matter of the private briefing. The answer is that what was in issue was which directives were of direct application and therefore directly enforceable. Let me put it this way, Mr Speaker, the Government, notwithstanding that we have lost the case, are entirely satisfied with the position that results from the termination of this case even though we have been nominally on the losing side and I am willing to explain that apparently obscene position in private to the hon Members.

HON J J BOSANO:

Other than the costs of the legal fees of the other side which we have been told are being questioned as to the quantum and we are going to a Costs Judge, is there anything in the judgement that allows Gibnet to seek compensation for the period that this has been under dispute?

HON CHIEF MINISTER:

I do not want to say too much but that is one of the areas where the Government have a good deal of satisfaction.

ORAL

NO. 576 OF 2000

THE HON J C PEREZ

I&D FUND - HEAD 104

Can Government state how much has been spent to date of the estimated amount of funds under each of the 26 subheads in Head 104 of the Improvement and Development Fund?

ANSWER

THE HON THE CHIEF MINISTER

The total expenditure to date, as at the 25th August; under Head 104 of the I&D Fund is £2,084,829.45.

I would emphasise to the hon Member that these are tentative Treasury figures which may vary as a result of any departmental adjustments received.

SUPPLEMENTARY TO QUESTION NO. 576 OF 2000

HON J C PEREZ:

That is the total. Would the Chief Minister have it by subheads?

HON CHIEF MINISTER:

Yes, I will hand the hon Member a statement showing the totals per subhead.

ANSWER TO QUESTION 576/2000
THE HON THE CHIEF MINISTER

HEAD 104 INFRASTRUCTURE & GENERAL WORKS

	<u>Estimate</u>	<u>Actual Exp</u>
<u>Chief Secretary</u>		
Item 1 Government Furniture and Equipment	£100,000.00	£14,919.93
Item 2 Government Buildings and Works	£1,000,000.00	£412,571.61
Item 3 Government Vehicles and Plant	£310,000.00	£140,354.00
Item 4 Consolidation and Printing of Laws	£70,000.00	£6,953.50
Item 5 Renovation of St Bernard's Church	£50,000.00	£50,000.00
<u>Chief Fire Officer</u>		
Item 6 Item 6 Equipment	£60,000.00	£1,049.00
<u>Collector of Customs</u>		
Item 7 Equipment - including Asycuda	£20,000.00	£0.00
<u>Commissioner of Police</u>		
Item 8 Equipment	£40,000.00	£0.00
Item 9 Radio Communication	£40,000.00	£0.00
<u>Chief Executive, Telephone Services</u>		
Item 10 Computer Developments & Equipment	£300,000.00	£51,863.50
Item 11 Rock Safety, Coastal Protection & Retaining Wall	£1,100,000.00	£79,016.16
Item 12 Maintenance & Security of Existing Structures	£179,000.00	£171,715.00
Item 13 Beautification & Refurbishment Works	£2,900,000.00	£813,208.23
Item 14 Demolition Works	£200,000.00	£1,750.00
Item 15 Storm Water Drains & Sewers Replacement	£350,000.00	£0.00
Item 16 Incinerator	£1,000.00	£0.00
Item 17 Gibraltar Broadcasting Corporation	£100,000.00	£16,225.26
Item 18 Provision & Refurbishment of Vacant Premises for Clubs & Associations	£50,000.00	£7,465.89
Item 19 Improvements to Sporting & Leisure Facilities	£100,000.00	£32,889.69
Item 20 New Sports & Leisure Facilities	£990,000.00	£100,274.70
<u>Principal Secretary, Environment</u>		
Item 21 Environment Projects	£40,000.00	£0.00
<u>Accountant General</u>		
Item 22 Gibraltar Health Authority - Capital Works	£500,000.00	£153,780.82
Item 23 New Hospital - Europort	£1,400,000.00	£0.00
<u>Superintendent of Prison</u>		
Item 24 Equipment and Refurbishment Works	£40,000.00	£72.45
<u>Principal Secretary, Employment Service</u>		
Item 25 Employment Services Projects	£30,000.00	£30,719.71
<u>Principal Secretary, Social Affairs</u>		
Item 26 Elderly Care Agency, Equipment	£30,000.00	£0.00
	<u>£10,000,000.00</u>	<u>£2,084,829.45</u>

ORAL

NO. 577 OF 2000

THE HON J C PEREZ

INPUT/OUTPUT STUDY 2000

How many questionnaires on the Gibraltar Business Expenditure Survey – Input/Output Study 2000 were sent out and how many have been returned?

ANSWER

THE HON THE CHIEF MINISTER

I am informed by the consultants who were engaged by Government to undertake the study that some 500 questionnaires were distributed during the visit of the data collection team last May. To date around 100 of these have been returned.

ORAL

NO. 578 OF 2000

THE HON J C PEREZ

OFFSHORE BETTING

How many applications for licences to conduct offshore betting from Gibraltar are currently pending?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 579 and 580 of 2000.

ORAL

NO. 579 OF 2000

THE HON J C PEREZ

OFFSHORE BETTING

How many licences to conduct offshore betting from Gibraltar were refused during 1999 and during this year to date, who were the applicants and on what date were they refused?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 578 and 580 of 2000.

NO. 580 OF 2000THE HON J C PEREZ**OFFSHORE BETTING**

How many licences to conduct offshore betting from Gibraltar were granted during 1999 and this year to date, and on what date and to which applicants?

ANSWERTHE HON THE CHIEF MINISTER

There are currently five pending applications for licences to conduct offshore betting from Gibraltar.

Over 100 enquiries have been received since January 1999 expressing interest in applying for offshore betting licences. With the exception of those five applications which are currently pending and which I have referred to in answer to Question No.578 of 2000, 10 enquiries progressed to the stage of formal application which were subsequently refused. The Government's policy is to limit the number of gaming licences generally and will only consider applications from experienced operators who have been properly licensed in reputable jurisdictions and who have a proven track record and sufficient financial backing and resources.

Two licences to conduct offshore betting were granted in 1999 and a further two licences have been granted this year to date as follows:

Rock Game Limited	-	July 1999
Simon Bold (Gibraltar) Limited	-	December 1999
Demmysportsbet.com Limited	-	June 2000
George (International) Limited	-	July 2000

ORAL

NO. 581 OF 2000

THE HON DR R G VALARINO

BAYSIDE STUDIOS

How much are Government paying for the property at Bayside Studios which they intend to demolish?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 582 and 583 of 2000.

ORAL

NO. 582 OF 2000

THE HON DR R G VALARINO

BAYSIDE STUDIOS

Why is the present owner of Bayside Studios not being required to re-accommodate the tenants in comparable facilities at similar rents?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 581 and 583 of 2000.

NO. 583 OF 2000

THE HON DR R G VALARINO

ENSIGN CLUB

Can Government explain how persons being re-accommodated in a refurbished Ensign Club in Engineer Lane are not going to be Government tenants?

ANSWER

THE HON THE CHIEF MINISTER

I am going to answer the hon Member's question, the figure that I have printed in front of me here is £650,000 but I am reluctant to give him that figure because I think it is a touch higher than that, I think it is £30,000-odd higher than that and I should have spotted that before coming to the House but I will confirm it to him tomorrow whether my suspicion is right and it is slightly more than £650,000. But if he will allow me, subject to that caveat, to read out the answer as it has been prepared.

Government are paying £650,000 for the whole site of the ex-canneries which includes, but is not limited to, the site of the Bayside Studios.

Government have agreed to re-accommodate the tenants. The tenants at Bayside Studios do not enjoy security of tenure. The law does not require the landlord to re-accommodate the tenants. Government agreed to re-accommodate the tenants because Government are not willing to be the cause, through our purchase of the property, of people being made homeless.

It is intended to structure the ownership and refurbishment of Ensign Club so that the tenants will be tenants of Gibraltar Residential Property Company Limited, a wholly owned Government company.

SUPPLEMENTARY TO QUESTION NOS. 581, 582 AND 583 OF 2000

HON J J BOSSANO:

This would be the first time, in fact, then that the Residential Property Company has been used for renting accommodation as opposed to home ownership, would that be correct?

HON CHIEF MINISTER:

I believe that what the hon Member says is right. Commercial Property Ltd rents out but I believe not Residential Property.

HON J J BOSSANO:

On the basis of Residential Property being the landlord it would be covered then by the Landlord and Tenant Ordinance because they will be treated as a private landlord would it?

HON CHIEF MINISTER:

That is one of the issues that the Government are still considering before we decide on how this is structured. The Government could give a lease to Gibraltar Residential Property Limited who would then sublet to the tenants and the tenants cannot have more rights against the sub-landlord than the sub-landlord has against the head landlord.

HON J J BOSSANO:

Is the implication of the answer that in fact the price of the properties as such is not identifiable out of the total cost that is being paid for the land? The question was, in fact, trying to establish what was the value that had been given to the Bayside Studios. We have been given the price for the whole area, is it that it is not possible to identify it?

HON CHIEF MINISTER:

I do not know if the hon Member is familiar physically, I myself was not with that area, I would hesitate to describe it as real estate of value frankly, it is not the sort of environment of which there should be pockets left in Gibraltar of that sort. The land has been valued as land and not as land with the odd structure built here and there. The Action for Housing Group appears to think that the Government have a political and moral responsibility to re-house these tenants. The Government had, regardless of that, at the very outset of the negotiations well over 18 months ago, formed the view that it was not willing to see the landlord evict these tenants for the purposes of having vacant possession to sell to the Government and therefore we negotiated with the landlord on the basis that we would make ourselves responsible. Responsible does not necessarily mean that we will re-house every tenant directly or indirectly in Government property. Responsible means that if we can find accommodation of the same standard and the same price in the private sector and we can procure it for the tenant then that is a discharge of the Government's obligation because, of course, they are in private rented accommodation now. The accommodation by the Government in its own property, so to speak, is the last resort.

HON J J BOSSANO:

What exactly is the nature of their tenancy agreement now? Is it that they can just be evicted with virtually no notice, is that the position?

HON CHIEF MINISTER:

Yes, being post-war unfurnished and furnished accommodation they are in a very precarious position, they have got a three months tenancy, it is a three months notice to quit. They do not enjoy security of tenure as pre-war properties do, it is not pre-war anymore so it is now the 40-year rule.

HON J L BALDACHINO:

I understand by the information that has been given out in the news that some of the tenants at Bayside are entitled to Government housing and some are not. So I understand that the Government might be making this decision because they cannot house persons who are not entitled to apply for Government housing and this might

be the solution for that. What about the ones that are entitled to Government housing, will they also be included in this building or will they be treated as somebody else?

HON CHIEF MINISTER:

No, because the hon Member has used the right expression once and the wrong expression twice in his question. There are people who are entitled to apply for Government housing but are not entitled to a Government house now. Entitlement to be on the housing waiting list is one thing, entitlement to a house depends on being on the top of the housing list at the time that a house becomes available. The Government are not going to use this transaction as a means of allowing the tenants albeit that they are entitled to be on the Government housing list, to leapfrog over people who are already on the housing waiting list.

HON J L BALDACHINO:

But there might be the case, I am only suggesting this to the Chief Minister and maybe they can have a look at it, that there might be people who are entitled to apply for Government housing who have not been able to apply for Government housing precisely because the property they are living in now is of the same standard as post-war and therefore that is why they have not been able to apply for Government housing so there is a difference there.

HON CHIEF MINISTER:

The Government are not going to make any exception to the housing allocation rules in respect of anybody in this building. So the answer to the hon Member is even if there are such people they will not get special treatment.

NO. 584 OF 2000

THE HON MISS M I MONTEGRIFFO

TRANSFER OF BOATS AT WESTSIDE BEACH TO COALING ISLAND

Can Government confirm how the discussions are progressing with the MOD so as to be able to transfer boats at Westside Beach to the area of Coaling Island?

ANSWER

THE HON THE CHIEF MINISTER

Negotiations with MOD are proceeding to seek a way of overcoming the very high cost of building a new jetty to re-provide MOD facilities at Coaling Island, in a manner which Government hope will allow the transfer of boats at Westside Beach into Coaling Island.

SUPPLEMENTARY TO QUESTION NO. 584 OF 2000

HON MISS M I MONTEGRIFFO:

Does that mean that the Government do not intend to build the berth for the aircraft carrier?

HON CHIEF MINISTER:

It means what I think I have said which is that the Government are looking at alternatives which avoid the cost of building the jetty which are very high as I told her last time.

HON MISS M I MONTEGRIFFO:

Is the Chief Minister hopeful then that a solution might be forthcoming soon?

HON CHIEF MINISTER:

Yes, we are very hopeful.

NO. 585 OF 2000THE HON J L BALDACHINO**RATES**

Can Government state what was the total amount of rates paid for the quarters ending October and December 1999, March and June 2000, in respect of commercial rates where the 20 per cent rebate was obtained by those paying the rates demanded within three months of the due date?

ANSWERTHE HON THE CHIEF MINISTER

30 September 1999	-	£1,148,361.30
31 December 1999	-	£1,123,403.42
31 March 2000	-	£1,158,341.27
30 June 2000	-	£1,154,982.08

SUPPLEMENTARY TO QUESTION NO. 585 OF 2000

HON J J BOSSANO:

The figures indicate very little movement. Is there in fact evidence that the effect of the rebate which was hoped would be that more people would be keen to pay on time and less people would fall into arrears? Has that been manifested because there seems to have been very little movement over the quarters since the rebate was brought in, the figures are very similar.

HON CHIEF MINISTER:

I think they have levelled out. In other words, I think that this is the number by value of rate payers who are motivated by the discount to pay on time. The hon Members will recall that it was structured in this way but this was not a measure that was introduced to procure early payment of rates, it was supposed to reduce the cost of doing business in Gibraltar to local businesses and delivered this way.

NO. 586 OF 2000

THE HON J L BALDACHINO

IMPORT DUTY

What is the procedure for relatives of disabled persons to apply for exemption of import duty on the purchase of a motor car?

ANSWER

THE HON THE CHIEF MINISTER

There is no legal provision for the exemption from import duty of motor cars purchased by relatives of disabled people.

Under the Import and Export (Franchise) Regulations 1993, goods imported by or on behalf of a blind or otherwise handicapped person and specially designed for the education, scientific or cultural advancement of such a person may be exempted from duty by the Collector of Customs.

Historically, and in particularly deserving cases, the amount of import duty has been reimbursed by the Government on an ex gratia payment basis. The procedure for this is that each such application is considered on its merits.

SUPPLEMENTARY TO QUESTION NO. 586 OF 2000

HON J L BALDACHINO:

Who considers the merits of the case?

HON CHIEF MINISTER:

Usually the applications are submitted through and to the Collector of Customs who makes a recommendation to Ministers as I believe was the practice in their time. But yes, it is the Government who decide at Ministerial level whether a particular case falls within what Government's policy is of the sort of people who should benefit in terms of the need for the vehicle and the particular circumstances of the family.

HON J L BALDACHINO:

So the only people who can apply are those that the vehicle has a special modification?

HON CHIEF MINISTER:

Yes, but the hon Member is mistaken in assuming that the regulation that I have read out to him entitles even blind and handicapped persons to apply in the case of specially designed. If Government wanted to be hostile to this whole practice it is certainly arguable that vehicles, even specifically adjusted, are not goods imported for the education, scientific or cultural advancement of a person but historically, that provision has been used and interpreted as liberally as possible to mean that if the vehicle is specifically modified for the driver then that falls under this rule, which is not an entitlement, it is still discretionary on the part of the Collector of Customs but

such things have been given as a matter of course. The issue as to whether it applies only for modified vehicles or even vehicles that are not modified, this Government's policy - I am not beginning to suggest that they had a different one it is just that I do not know whether they still had the same one - we take the view that if it is a proper case worthy of consideration under the ex gratia principle, that it is illogical to limit it to cases where it is modified for the driving of the handicapped person. That benefits a handicapped person who is not quite handicapped enough to be completely immobile but penalises the people who are so handicapped that they rely on somebody to drive them around. Therefore we apply the policy whether the vehicle has been specially modified to be driven by the handicapped person or not.

HON J C PEREZ:

Is the Chief Minister aware that when the Hon Dr Linares was responsible for the disabled an administrative system was applied whereby if the car was going to be driven by a disabled person himself then the Customs would automatically exempt it but that if it was not the case then applications used to go I think directly to the Minister and the Minister used to take them up?

HON CHIEF MINISTER:

It may be that I am only aware of the controversial cases that come up, it may be that these cases have been routinely dealt with by the Collector of Customs. Certainly I can tell the hon Member that there was a point about two years ago when the Disability Society tried to persuade the Government to extend the statutory exemption to the families of disabled people on the basis that they had mobility problems. The Government informed the Disability Society that we were reluctant to do that firstly because it was open obviously to abuse, every relative of a disabled person could go and buy themselves a supercar free of tax. Secondly, of course, if mobility is going to be the criteria for duty exemption then it has got to be recognised that physically handicapped people are not the only people with mobility problems. Elderly people are immobile, does that mean that the families of an elderly person who cannot walk ought to have the same opportunity to buy duty free cars? Indeed very young children are immobile in the sense that they cannot walk, does that mean that the parents of every toddler who has not yet learnt to walk should be able to buy a duty free car? So we were not willing to have a statutory entitlement to duty exemption on the basis of immobility. Of course, since that debate took place between the Government and the Disability Society, the Government have cut import duty on cars by half so the incidence of import duty is now at a much reduced level than used to be the case.

HON J C PEREZ:

I would like to know, there has recently been two cases, one which has solved itself satisfactorily but there has recently been two cases where the persons concerned have gone to the Department of the Hon Lady and have finished up in the Department of Trade and Industry seeing Mr Bruzon who does not know anything about the matter. If people want to apply for the discretion who have they got to apply, do they have to apply to the Minister for Social Services or to someone in the Department of Trade and Industry or to the Chief Minister?

HON CHIEF MINISTER:

No, the person who raises import duty is the Collector of Customs and I think the proper procedure is that on all occasions the application should be made to the Collector of Customs. The Collector of Customs will then take Ministerial instructions if he thinks that they are required. If it is an ex gratia payment there are procedures, I believe the Financial and Development Secretary has a say in the matter, Ministers have a say in the matter. I think in the four years that I have been in office, one case has reached my office because those who were dealing with it thought that it was borderline. But the procedure I think is and I will take this opportunity to make it clear, I think that these approaches should not be made directly to Ministers, that it ought to be made to the administration, that the correct party in the administration is the Collector of Customs. He will know whether the case falls squarely within his standing instructions or whether he needs to pass it on for further instructions. But in any case I would not have thought that the part of the Government that the hon Member has just described is in any case the correct one for the decision to reach.

HON J C PEREZ:

That is the point, that the two persons concerned went to the Collector of Customs, the Collector of Customs explained that they could only exempt vehicles which were driven by disabled persons, they seemed to have gone to the Department of Labour and Social Security who in turn sent them to the Department of Trade and Industry and eventually they finished up in my office because they did not know where else to go.

HON CHIEF MINISTER:

Well, in order to make sure that people do not end up in his office again, I will certainly make sure that the administration understands what the correct channels are. These things happen so infrequently that there is possibly no hard and fast rule but I accept that the hon Member makes the point that there ought to be an established procedure and we will establish it.

NO. 587 OF 2000

THE HON J J BOSSANO

VISAS

Given the new arrangements put in place for a speedier issue of visas at the British Consulate in Casablanca for non-EU nationals wishing to travel to Gibraltar, how many such visas have been issued on a monthly basis since 1 March 2000?

ANSWER

THE HON THE CHIEF MINISTER

A total of 70 visas for Gibraltar have been issued by the British Consulate General at Casablanca since 1 March 2000. This figure is broken up as follows:

March	-	8
April	-	9
May	-	4
June	-	11
July	-	34
August	-	<u>4</u>
Total		<u>70</u>

SUPPLEMENTARY TO QUESTION NO. 587 OF 2000

HON J J BOSSANO:

Is this an improvement on the level of visas that were being issued? Is there a reflection of faster delivery of visas?

HON CHIEF MINISTER:

No, not only is it not an improvement but in fact all 70 were issued under the normal old arrangements and none of them issued under the arrangements which are called "Grant Report". In other words, they grant and they simply report to Gibraltar that they have granted. Let me say to the hon Member that there is a possibility that we may be able to extricate ourselves from this whole area, these are problems with Morocco, the hon Member will recall the days when before the Common Visa List requirements Gibraltar was able to exercise that degree of judgement and flexibility as to who it let in. That was rendered impossible when the Common Visa List required the Community territories to require a visa as a mandatory matter from a list of countries which included Morocco. The hon Member may be interested to know that in the context of the re-negotiation of the legal basis for the Common Visa List the United Kingdom is planning to opt out of the Common Visa List Regulation which it now has the opportunity to do under the Amsterdam Treaty and of course if the United Kingdom does that it will no longer be in a position to argue that we are bound by Community law to demand a visa from Moroccan nationals. We judge that as meaning that we will be free legally to go back to the previous practice.

HON J J BOSSANO:

Yes, I agree that that could significantly improve the situation from our point of view since we are interested in people coming as opposed to being interested in keeping them out. Have the Government an indication of when this might happen in terms of timescale?

HON CHIEF MINISTER:

I do have jotted in my file the date when the new Common Visa List Regulation is scheduled to come in but I cannot recall it. I think it is still a few months away.

NO. 588 OF 2000

THE HON J J BOSSANO

GIBRALTAR OFFICE IN MADRID

What is the cost to date of the Gibraltar Office in Madrid since it was set up?

ANSWER

THE HON THE CHIEF MINISTER

The cost to date incurred in the running of the Gibraltar Office in Madrid is £231,972.

SUPPLEMENTARY TO QUESTION NO. 588 OF 2000

HON J J BOSSANO:

Does the office deal with anything other than tourism from Spain to Gibraltar?

HON CHIEF MINISTER:

I would rather not answer that question in public, I am quite happy to answer it in private. The reason for that is that the office is licensed only as a Tourist Office. If he means do we use it in order to establish political contacts with the Spanish Government, the answer is that we have not yet had an opportunity to use it for that purpose but would not object to doing so if the opportunity arose. It is of course available to any businessman from Gibraltar, it has got quite good meeting boardroom facilities and office facilities if any businessman from Gibraltar was in Madrid doing business and wanted a meeting place, it is available for that sort of thing. But at the moment it is being used for promoting tourism, having discussions with tour operators in Spain, that sort of thing. I visit it occasionally when I visit Madrid myself.

HON J J BOSSANO:

In terms of the contact between the office and tour operators, are these the people that are responsible for coach trips to Gibraltar, is that what we are talking about?

HON CHIEF MINISTER:

That sort of entity, yes, the organisers of coach tours.

HON J J BOSSANO:

Have the Government set for themselves any methodology for measuring the impact of the office in terms of to the degree to which the fact that there is an office there is producing more traffic than it otherwise would?

HON CHIEF MINISTER:

No, it is very difficult. I see where the hon Member is coming from. The Government formed the view that the three most relevant places for Gibraltar to have a presence were Madrid, because of its physical proximity and Spain's physical proximity and the role that it plays in our economy in terms of being a source of tourism, a source of visitors and a source of trade; London for obvious reasons which has been long established but which significantly expanded – I do not know if the hon Member has had the opportunity to visit the offices in London since they have been expanded, I think when he goes he will see that they are really quite impressive; and Brussels because increasingly as the Government are particularly pleased with the payback, again not measurable, that we have obtained from the Brussels Office and particularly the role of Michael Llamas in the Brussels Office. The Madrid Office is cheaper to run than the Washington Office and I am not sure that the Washington Office is something that is there for historical reasons, Perry Steiglitz does a very good job. I indicated to Perry Stieglitz when I was last in New York that whilst we would respect his position, we did not think that we would replace him when he retires.

NO. 589 OF 2000

THE HON J J BOSSANO

GOODS IMPORTED

What was the value of goods imported by land and sea, other than petroleum products, between 1 January 2000 and 31 July 2000?

ANSWER

THE HON THE CHIEF MINISTER

The following is the information which has been obtained from Customs Department records, as opposed to the Statistics Department.

<u>2000</u>	<u>Imports</u> <u>(£ million)</u>	
	<u>Land</u>	<u>Sea</u>
January	35.4	1.8
February	18.7	10.9
March	18.7	2.5
April	28.1	1.3
May	22.1	1.6
June	47.5	7.3
July	<u>26.8</u>	<u>2.6</u>
Total	<u>197.3</u>	<u>28.0</u>

NO. 590 OF 2000THE HON J J BOSSANO**INCOME TAX - PAYE**

Can Government state what was the amount of PAYE payable in the tax year 1998/99 by area of employers and the number of employees in each area as follows:

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

ANSWERTHE HON THE CHIEF MINISTER

Based on the information available to date the following is the analysis required:

	<u>£m</u>	<u>Employees</u>
(a) MOD	4.1	2,754
(b) Gibraltar Government	14.8	5,233
(c) Government owned and joint venture companies	2.7	933
(d) Private sector	<u>22.9</u>	<u>12,482</u>
	<u>44.5</u>	<u>21,402</u>

ORAL

NO. 591 OF 2000

THE HON J J BOSSANO

INCOME TAX - SELF-EMPLOYED

Can Government state, for the tax year 1995/96, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of taxpayers involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 592 to 595 of 2000.

NO. 592 OF 2000

THE HON J J BOSSANO

INCOME TAX - SELF-EMPLOYED

Can Government state, for the tax year 1996/97, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of taxpayers involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 591 and 593 to 595 of 2000.

ORAL

NO. 593 OF 2000

THE HON J J BOSSANO

INCOME TAX - SELF-EMPLOYED

Can Government state, for the tax year 1997/98, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of taxpayers involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 591, 592, 594 and 595 of 2000.

ORAL

NO. 594 OF 2000

THE HON J J BOSSANO

INCOME TAX - SELF-EMPLOYED

Can Government state, for the tax year 1998/99, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of taxpayers involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 591 to 593 to 595 of 2000.

NO. 595 OF 2000

THE HON J J BOSSANO

INCOME TAX - SELF-EMPLOYED

Can Government state, for the tax year 1999/2000, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of taxpayers involved?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a list giving the information requested.

SUPPLEMENTARY TO QUESTION NOS. 591 TO 595 OF 2000

HON J J BOSSANO:

In respect of Question No. 591, I note that the figure has gone up again since the information provided in Question No. 257 of 2000. Do the Government have an indication as to whether there is still likely to be more assessments in the pipeline or are we now, in the case of 1995/96, at the end of the line as it were?

HON CHIEF MINISTER:

I cannot tell him. I would hope that we must be pretty near the end of the line. It is inconceivable that there should be people self-employed in Gibraltar that have not yet been submitted to taxation or at least made to submit assessments in respect of the period which is now five years ago, certainly four years ago. I cannot say whether a few more will not fall out of the woodwork but that must be a pretty final figure by now. I cannot remember when he last asked me and how much it has gone up by because I have not got that.

HON J J BOSSANO:

In Question No. 257 in March this year, it had gone up from £2.2 million to £3.3 million but in fact the number of persons involved was not provided in the answer although it was asked it was left out. But the sum had gone up by 50 per cent, in fact, between September and March last year or whenever it was that we had Question Time. So I wondered really because it seems at six-monthly intervals it still seems to be going up. In September it was £2.2 million and then six months later it was £3.3 million which when one thinks of it there is a 50 per cent increase and now it is £3.8 million.

HON CHIEF MINISTER:

Then it may be that that rate of acceleration will not be eliminated or that that rate of yield, so to speak, I know he understands me, may not peter out quite so soon because certainly the door was not going to slam shut and it may well be on the basis of his assessment that he has just made that there may well be further increases.

HON J J BOSSANO:

The figure of the amount discharged is, as I understand it, where the Tax Office makes an assumption on the level of earnings that have been obtained by self-employed and then accept on the basis of the person's representations that they have been assuming too much and then the figure is corrected. I note that in fact the discrepancy was much higher in 1995/96 than it is in subsequent years. Is there anything to indicate how this has come about?

HON CHIEF MINISTER:

Again I cannot tell him on the basis of any information that I have been presented for that purpose. I can only assume that it means that in the years 1995/96 and perhaps earlier years, the Commissioner of Income Tax used the mechanism of excessive assessments in order to lure people to submit assessments. But once they have submitted assessments that has given the Commissioner an indication for future years upon which he has based assessments or perhaps there have been returns put in in respect of subsequent years and that therefore there have been fewer people who were subjected to assessments in the absence of returns. That is the only logical explanation that I can think of for which in 1995/96 the level of discharges was £6.3 million and by last year they were down to £2.2 million. As compared to £3.2 million that still suggests a high proportion of discharging as a percentage of the total.

HON J J BOSSANO:

In the answer that I got in the last Question Time this year the figure was that the amount paid was £2.1 million for 1995/96, and now it is £2.7 million so the amounts collected I take it then is as it were as at the time of preparing the answer to the question, am I right, in respect of all the years?

HON CHIEF MINISTER:

I am told that the answer to the hon Member is yes but I have to be perfectly frank with him, I have not followed his question. Would he like to repeat it for my benefit?

HON J J BOSSANO:

I note that in the last time that the answer was given in the last meeting of the House at which we tabled questions in respect of 1995/96, the amount that had been collected was £2.1 million and now it is £2.7 million and therefore I am asking for confirmation that the figures shown as paid in respect of each year is as paid as at the date the answer was prepared?

HON CHIEF MINISTER:

Yes, that must necessarily be so. In other words, monies may have been received subsequently, is that the point?

HON J J BOSSANO:

Yes, what I am trying to establish is that, in fact, when we are looking at the money that is coming in, for example, this year in respect of self-employed persons we are having, as it were, proportions of that money in respect of all the years going back all the way to 1995/96 given the fact that, for example, the figure collected for 1995/96 has gone up by £600,000 since the last answer was given six months ago?

HON CHIEF MINISTER:

In other words, that current revenue relates to a variety of years going back as he has suggested, as far back as 1995/96. He has not asked the question so the information is not here but it may be possible that even the year before that may still be creeping up.

Answer to Question 595 of 2000

	<u>Answer to Question 591 of 2000</u>	<u>Answer to Question 592 of 2000</u>	<u>Answer to Question 593 of 2000</u>	<u>Answer to Question 594 of 2000</u>	<u>Answer to Question 595 of 2000</u>
	1995/96	1996/97	1997/98	1998/99	1999/2000
	£m	£m	£m	£m	£m
Assessed	10.1	9.9	9.7	6.8	3.2
Discharged	<u>6.3</u>	<u>5.3</u>	<u>5.2</u>	<u>3.3</u>	<u>2.2</u>
	3.8	4.6	4.5	3.5	1.0
Paid	<u>2.7</u>	<u>3.4</u>	<u>2.7</u>	<u>1.9</u>	<u>0.5</u>
Outstanding	<u>1.1</u>	<u>1.2</u>	<u>1.8</u>	<u>1.6</u>	<u>0.5</u>
No of Taxpayers	1148	1050	996	741	294

NO. 596 OF 2000

THE HON J J BOSSANO

INCOME TAX - PAYE

Can Government now state what was the amount of PAYE payable in the tax year 1999/2000 by area of employers and the number of employees in each area, as follows:

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

ANSWER

THE HON THE CHIEF MINISTER

Given that 448 Employers' PAYE Declaration and Certificates for the tax year 1999/2000 reporting on approximately 4,000 employees (employees include pensioners) have not yet been returned, any figures produced of PAYE payable would not be accurate enough to give meaningful information of the breakdown of PAYE payable by the different sectors which the question seeks.

SUPPLEMENTARY TO QUESTION NO. 596 OF 2000

HON J J BOSSANO:

This is, in fact, the same answer that I got in September last year in respect of the previous year. Can the Government say to what extent the Government themselves are a major contributor to this situation this year as compared to last year?

HON CHIEF MINISTER:

I think the Government are a major contributor. If the hon Member will recall that in September 1999 he sought, in Question No. 818, information of this nature for the tax year 1998/99 and it was not until March 2000 in answer to Question No. 256 when the majority of employers had returned the 1998/99 PAYE returns that we were able to make the information available and certainly we expect that he will ask the question and that the time will come when the information will be made available to him on the same basis as on that occasion. But yes, those 4,000 employees are bound to include a high number of Government employees.

HON J J BOSSANO:

I think the last time I was given the information on how many were the Government ones.

HON CHIEF MINISTER:

Yes, and it will be when the information is generally available.

HON J J BOSSANO:

No, I was saying at the time that I was told I could not be given the answer because 400-odd employers under which so many thousand employees were, I think in the prepared answer the element that was due to the Government was actually identified in the answer telling me that the information was not available.

HON CHIEF MINISTER:

I do not have the information but it is obviously readily available to the Government and could have been given but it is not on my notes so I cannot give it to him on this occasion.

HON J J BOSSANO:

Presumably it can be provided

HON CHIEF MINISTER:

Yes it can be.

ORAL

NO. 597 OF 2000

THE HON J J BOSSANO

INCOME TAX

Can Government state what was the actual amount collected in the financial year 1999/2000 in respect of income tax and of this how much was PAYE?

ANSWER

THE HON THE CHIEF MINISTER

In the financial year 1999/2000 gross income tax receipts amounted to £51.95 million of which gross PAYE revenue was £46.2 million. The total for the year, net of PAYE refunds effected was £49.73 million.

These figures are based on the Tax Office records and are subject to change when reconciled with the Treasury Books.

NO. 598 OF 2000THE HON J J BOSSANO**PAYE**

Can Government state how much was collected in PAYE in March, April, June and July this year?

ANSWERTHE HON THE CHIEF MINISTER

The figures (net of refunds) and subject to possible adjustments when reconciled with the Treasury Books are:

<u>2000</u>	<u>£m</u>
February	3.5
March	3.8
April	3.0
May	3.7
June	4.3
July	5.0

NO. 599 OF 2000THE HON J J BOSSANO**AVERAGE EARNINGS**

What was the average earnings per employee based on PAYE returns in respect of the tax years 1995/96, 1996/97 and 1997/98?

ANSWERTHE HON THE CHIEF MINISTER

The information sought in respect of average earnings per employee based on PAYE assessments (excluding pensioners and directors whose income is also not taken into account to arrive at the Employment Survey Report figures) is as follows:

<u>Tax Year</u>	<u>Average Annual Earnings</u>
1995/96	£10,078.40
1996/97	£10,262.71
1997/98	£10,256.49

HON CHIEF MINISTER:

If the hon Member would just allow me to make, with your indulgence, Mr Speaker, a clarificationary caution in respect of Question No. 599. The figures have been arrived at by dividing the total assessable income of all PAYE assessments irrespective of the number of weeks or months that that assessable income represents by the number of assessments issued and it is important that the hon Member bears that in mind because that contrasts with the Employment Survey figures which are based on a snapshot as at April and as at October. In other words, the figures that I have given him take into account people that may not have worked all year and they count as one just as everybody else and that distorts the average earnings because the figure therefore is not average earnings of the people who have worked a full year.

HON J J BOSSANO:

It is perfectly clear except that I do not see why it is distorted because it would be a person included in the number, presumably we are talking about a figure of something like 19,000 people working throughout the year but not all at the same time. But, of course, we will also be counting, presumably, in arriving at total earnings for the year, people who would have been left out of the snapshot in October and April so I assume that although the divisor is higher the amount divided is also higher.

HON CHIEF MINISTER:

Yes, but not by a sum that represents 12 months income. In other words, whereas the divisor is increased by one person the sum into which it is divided is the income of that person who may only have worked for a month or two or three. So the total sum of the cash value of the total assessable incomes includes the contribution of people that have not worked for a whole year and therefore it does not represent one year's worth of income but he counts, in the divisor, as a person just as much as the man who has contributed a year's salary.

HON J J BOSSANO:

And in the case of the Employment Survey I take it that those individuals are treated as if they were a year even though they might not be, so the income of that particular week or month of the survey is then multiplied by 52 or by 12, is that correct?

HON CHIEF MINISTER:

I am not sure if it is done that way or whether they are stripped out by only taking into account from the survey employees that have been engaged for the year. So the enumerators could do that.

HON J J BOSSANO:

Surely on the basis of the fact that the answers that were given previously that it is not possible to identify or it is not possible to identify it anymore because they do not exist but when it was possible I think the answer I used to get was that it was only possible in respect of the two months in which they were included in the Employers' Return which was April and October and that therefore I do not see how the Tax Office will be able to know whether they were there in the other 10 months because they were not included in the other 10 months, they would only know they were there in those two months, they would not know how long they had worked because the snapshot is the snapshot surely of October and then the only way presumably that a figure of average earnings is produced differently is by extrapolation in respect of everybody that was in October and an assumption is made that he was there the other 11 months.

HON CHIEF MINISTER:

Yes, when the figures for April and October were drawn from the PAYE returns the information of over what period of time those earnings had been earned, of course..... *[HON J J BOSSANO: Was not there.]* Well, they were not there on the card but the information was available. Yes, from the contribution records of the individual taxpayers but I hesitate to even speculate as to whether the Statisticians delve into that extent. The answer is that I do not know how they flatten out that for the purposes of the Employment Survey but I will find out and let the hon Member know.

ORAL

NO. 600 OF 2000

THE HON J J BOSSANO

1999/2000 EMPLOYERS' DECLARATION AND PAYE CERTIFICATES

How many employers have returned the 1999/2000 Employers' Declaration and PAYE Certificates and what is the amount of tax deducted and the number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

One thousand four hundred and twenty-three employers, reporting on a total of 5,923 taxpayers have lodged their 1999/2000 Employers' Declaration and PAYE Certificates, at the close of business on 25 August 2000. The amount of PAYE deducted is approximately £30.9 million.

ORAL

NO. 601 OF 2000

THE HON J J BOSSANO

1997/98 EMPLOYERS' DECLARATION AND PAYE CERTIFICATES

How many employers have not yet returned the 1997/98 Employers' Declaration and PAYE Certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

One hundred and thirty employers under which approximately 190 taxpayers are registered, had at the close of business on 25 August 2000 not returned the 1997/98 Employers' Declaration and PAYE Certificates. I am glad to say that the Government have done so at least for that year.

NO. 602 OF 2000

THE HON J J BOSSANO

1998/99 EMPLOYERS' DECLARATION AND PAYE CERTIFICATES

How many employers have not yet returned the 1998/99 Employers' Declaration and PAYE Certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

As at 25 August 2000, 148 employers under which approximately a total of 1,900 taxpayers are registered, have not returned the 1998/99 Employers' Declaration and PAYE Certificates. Just to save the hon Member getting up, I can tell him that of those 1,900 approximately 1,300 are Government pensioners, details of which have not yet been returned by the Treasury.

SUPPLEMENTARY TO QUESTION NO. 602 OF 2000

HON J J BOSSANO:

So we are really talking about 600 employees in relation to 148 employers?

HON CHIEF MINISTER:

Well, 147 employers.

NO. 603 OF 2000

THE HON J J BOSSANO

1999/2000 EMPLOYERS' DECLARATION AND PAYE CERTIFICATES

How many employers have not yet returned the 1999/2000 Employers' Declaration and PAYE Certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

As at 25 August 2000, 448 employers under which approximately a total of 4,000 employees are registered have not returned the 1999/2000 Employers' Declaration and PAYE Certificates.

The current total of approximately 4,000 employees includes approximately 2,300 Government employees and pensioners, details of which have not yet been returned by the relevant departments.

ORAL

NO. 604 OF 2000

THE 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?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 605 to 607 of 2000.

ORAL

NO. 605 OF 2000

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state how many companies have now had assessments for the tax year 1997/98, the total amount of corporation tax assessed and the amount received to date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604, 606 and 607 of 2000.

ORAL

NO. 606 OF 2000

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state how many companies have now had assessments for the tax year 1998/99, the total amount of corporation tax assessed and the amount received to date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 604, 605 and 607 of 2000.

ORAL

NO. 607 OF 2000

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government state how many companies have now had assessments for the tax year 1999/2000, the total amount of corporation tax assessed and the amount received to date?

ANSWER

THE HON THE CHIEF MINISTER

I now hand the hon Member a list giving the information requested.

Answer to Question 607 of 2000

	<u>Question 604 of</u> <u>2000</u>	<u>Question 605 of</u> <u>2000</u>	<u>Question 606 of</u> <u>2000</u>	<u>Question 607 of</u> <u>2000</u>
	1996/97	1997/98	1998/99	1999/2000
	£m	£m	£m	£m
Assessed	14.9	15.7	19.8	13.7
Discharged	<u>3.8</u>	<u>5.0</u>	<u>7.1</u>	<u>2.5</u>
	11.1	10.7	12.7	11.2
Paid	<u>10.0</u>	<u>9.4</u>	<u>11.2</u>	<u>8.8</u>
Outstanding	<u>1.1</u>	<u>1.3</u>	<u>1.5</u>	<u>2.4</u>
No of Companies Assessed	1391	1399	1321	1190

NO. 608 OF 2000THE HON J J BOSSANO**INCOME TAX - CORPORATION TAX**

Can Government state what is the amount collected in corporation tax in each month since January 2000?

ANSWERTHE HON THE CHIEF MINISTER

The corporation tax collected in each month since January 2000 (net of refunds) was:

<u>2000</u>	<u>£m</u>
January	0.2
February	1.2
March	3.4
April	1.0
May	1.3
June	4.9
July	0.2

These figures are subject to reconciliation with the Treasury Books.

ORAL

NO. 609 OF 2000

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government say how many companies have -

- (a) declared a taxable profit of above £35,000
- (b) declared a taxable profit of below £35,000
- (c) declared no profit or made a loss

in the tax year ending June 1999?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 610 of 2000.

NO. 610 OF 2000

THE HON J J BOSSANO

INCOME TAX - CORPORATION TAX

Can Government say how many companies have -

- (a) declared a taxable profit of above £35,000
- (b) declared a taxable profit of below £35,000
- (c) declared no profit or made a loss

in the tax year ending June 2000?

ANSWER

THE HON THE CHIEF MINISTER

For the year of assessment 1999/2000, 95 corporation tax assessments, of which 51 are estimated have been raised on companies with assessable profits of £35,000 and over.

One thousand and eighty-six assessments of which 837 are estimated have been raised on companies with assessable profits of under £35,000.

It is not possible to give information on losses as this would entail a manual examination of each file.

The legislation provides that assessments for any year of assessment cannot be raised earlier than the 30th September of that year of assessment.

Therefore, no corporation tax assessments on profits earned in the year ended June 2000 which would form the basis period for assessments 2000/2001 have as yet been raised.

SUPPLEMENTARY TO QUESTION NOS. 609 AND 610 OF 2000

HON J J BOSSANO:

Is this then the first year of assessment and one for which the information has been provided where the reduced rate of corporation tax is applicable for small companies?

HON CHIEF MINISTER:

Yes, indeed. The concession for companies introduced in the 1999 budget applies as from the year of assessment 1999/2000. That is the first year in respect of which the small companies rate is available.

ORAL

NO. 611 OF 2000

THE HON J J BOSSANO

PRIVATE SECTOR FEES

Can Government provide a breakdown of the £120,000 forecast outturn for 1999/2000 in respect of private sector fees for legal drafting indicating the legal firms that carried out the work and the amount paid?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 612 of 2000.

NO. 612 OF 2000

THE HON J J BOSSANO

PRIVATE SECTOR FEES

Can Government provide a breakdown of the £480,000 forecast outturn for 1999/2000 in respect of private fees for legal advice indicating the legal firms that carried out the work and the amount paid?

ANSWER

THE HON THE CHIEF MINISTER

I will hand the hon Member a list with the information requested.

I should just mention that the words "legal advice" includes litigation costs.

Answer to Question 611 of 2000

PRIVATE SECTOR FEES FOR LEGAL DRAFTING

Hassans	£ 53,120.17
M Llamas	<u>£ 63,473.00</u>
	<u>£116,593.17</u>

Answer to Question 612 of 2000

PRIVATE SECTOR FEES FOR LEGAL ADVICE

Hassans	£361,564.51
Triay & Triay	£ 47,174.10
L W Triay & Partners	£ 48,909.26
Stagnetto & Co	£ 17,609.23
White and Case	£ 17,617.53
Budhrani & Co	£ 2,325.00
Attias & Levy	£ 3,500.00
Charles A Gomez & Co	£ 6,265.00
Isola & Isola	£ 13,250.00
Charles Russell Solicitors	<u>£ 5,791.00</u>
	<u>£524,005.63</u>

NO. 613 OF 2000

THE HON J J BOSSANO

MUTUAL ASSISTANCE DIRECTIVE

How many requests for information under the Mutual Assistance Directive have been received since September 1999?

ANSWER

THE HON THE CHIEF MINISTER

One

SUPPLEMENTARY TO QUESTION NO. 613 OF 2000

HON J J BOSSANO:

The last time when I asked a year ago the Chief Minister preferred not to say across the floor of the House from where but provided me the information afterwards. If he would like to do that again this time.

HON CHIEF MINISTER:

I think I remember the answer I gave him and I think this is the same source.

NO. 614 OF 2000

THE HON J J BOSSANO

CROSS-BORDER INSOLVENCY

Can Government state whether agreement has now been reached in the EU on the text of the proposed regulation on cross-border insolvency?

ANSWER

THE HON THE CHIEF MINISTER

The EU regulation on insolvency proceedings was adopted at the Justice and Home Affairs Council on the 29 May this year and enters into force on the 31 May 2002.

The regulation applies to Gibraltar. The annexes to the regulation list the proceedings and insolvency office holders by type rather than by jurisdiction. References to the United Kingdom as Member State includes Gibraltar and references to the law of the Member State includes Gibraltar law.

SUPPLEMENTARY TO QUESTION NO. 614 OF 2000

HON J J BOSSANO:

Is there any requirement for any action on the part of Gibraltar in relation to this regulation or is the regulation now operational without anything having to be done?

HON CHIEF MINISTER:

The regulation is now applicable subject to its commencement date without anything having to be done by which I understand notification and things of that sort of competent authorities but of course it is subject to the competent authorities agreements that we entered into in April. The insolvency regulation being a regulation has direct application in Gibraltar without need for further legislative action as it does anywhere else. But in accordance with the competent authority agreement, whilst the regulation applies to Gibraltar and Gibraltar will implement it acting through its own competent authority so that, for example, the appropriate insolvency court is the Supreme Court and the insolvency registrar is the Registrar of the Supreme Court of Gibraltar direct communications where necessary between those competent authorities and the competent authorities in another Member State is through the post box. That is not stated in the regulations themselves but is the result of the April agreements.

HON J J BOSSANO:

But the regulation does actually refer to Gibraltar, the word "Gibraltar" appears in the regulation?

HON CHIEF MINISTER:

The way that the matter is dealt with in the regulations is that the definition of jurisdiction is in accordance with the laws of the Member State and therefore in the case of Gibraltar in accordance with the laws of Gibraltar. No jurisdiction is mentioned in the regulations at all.

HON J J BOSSANO:

Are the Government in a position to provide a copy of that regulation?

HON CHIEF MINISTER:

Yes, I am.

NO. 615 OF 2000

THE HON J J BOSSANO

UN CONVENTIONS

Can Government list the UN Conventions which have been temporarily extended to Gibraltar and given effect to by local Ordinance?

ANSWER

THE HON THE CHIEF MINISTER

No UN Convention has been temporarily extended to Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 615 OF 2000

HON J J BOSSANO:

I am not sure how "temporarily" crept into the question but have there been UN Conventions which have been extended to Gibraltar permanently, not temporarily, and given effect to by local Ordinance?

HON CHIEF MINISTER:

Yes, I believe that the answer, I am obviously not ready with that, is yes. I believe that we have implemented the Vienna Convention on Drug Trafficking by local legislation which he did in 1995 Drug Trafficking (Offences) Ordinance and I believe that there are others that have been given effect to by local legislation. I am just trying to think of any others. We have given effect recently to the UN Personnel Convention by local legislation. I am sure that there are many, IMO and ILO Conventions which are all UN which we have given effect to by local legislation, the Merchant Shipping Ordinance and the various amendments that have been made to the Employment Ordinance and I am sure that there will be others. These are just some areas that occur to me on my feet.

NO. 616 OF 2000

THE HON J J BOSSANO

CONVENTION ON UN PERSONNEL

Can Government state whether the Convention on UN Personnel has now been extended to Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

We are advised by the Foreign and Commonwealth Office that the position remains as given in answer to Question No. 841 of 1999.

SUPPLEMENTARY TO QUESTION NO. 616 OF 2000

HON J J BOSSANO:

A year ago the position was that we had, in fact, acted to give effect to the Convention by local Ordinance and were awaiting the actual extension to us and I think the impression was that the United Kingdom, having accepted the Convention in respect of the UK itself, was now finding out which dependent territory wanted to be included. It is very peculiar that a year later the position has not changed. We have actually acted on the basis of obligation in a Convention which does not apply to us.

HON CHIEF MINISTER:

The hon Member will recall that I told him at the time that we had not acted as a matter of obligation clearly because the obligation did not impinge upon us because the Convention had not been extended. We thought that it would be good for Gibraltar in the eyes of the United Nations that whether by compulsion or otherwise Gibraltar had moved to legislate to give its personnel the protection in Gibraltar called for by that Convention even though the Convention had not yet been extended to Gibraltar and it still has not been extended to Gibraltar. There is nothing to stop Gibraltar legislating the effect of the Convention by which it is not legally bound. I would not yet begin to doubt the UK's statement that the delay is due to the fact that some overseas territories, which is the reason that they have given us, that they have consulted overseas territories, that some overseas territories have still not responded to them. There have been occasions in which we have taken a year to respond to the United Kingdom Government whether we want to have a Convention extended to us. So a year seems a long time, it is not yet an extraordinary or unusual period of time.

ORAL

NO. 617 OF 2000

THE HON J J BOSSANO

EUROPEAN PARLIAMENT

Can Government say what is the latest position as regards to the response of the Committee of Ministers of the Council of Europe to the representations of Her Majesty's Government in respect of Gibraltar's participation in elections to the European Parliament?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 618 of 2000.

NO. 618 OF 2000

THE HON J J BOSSANO

EUROPEAN PARLIAMENT

Can Government state whether the United Kingdom has still not obtained the agreement of other Member States to the amendment of the Direct Elections Act to make provision for Gibraltar to be included in elections to the European Parliament?

ANSWER

THE HON THE CHIEF MINISTER

I am informed that no consensus has been reached on the amendment to Annex II of the EC Act on Direct Elections which was tabled on 16 March 1999 by the UK in order to enfranchise Gibraltar. The United Kingdom has kept the Committee of Ministers of the Council of Europe informed about the difficulties which it is facing in resolving the matter. The Committee supervises the execution of the Court's judgement.

I am assured by Her Majesty's Government that the United Kingdom will continue to take all the available steps to comply with the judgement in time for the 2004 Elections.

SUPPLEMENTARY TO QUESTION NO. 618 OF 2000

HON J J BOSSANO:

We will have to see what the UK considers is available to it. Is the difficulty in reaching a consensus the result of one Member not finding the proposal acceptable or are there other Member States creating problems?

HON CHIEF MINISTER:

No, I believe the position is the former. I think only one Member State has indicated concern about this matter.

HON J J BOSANO:

Has in fact that particular Member State put forward any proposals or have they just objected to what the UK is putting forward?

HON CHIEF MINISTER:

Yes, they have objected. If the hon Member is suggesting have they proposed that Gibraltar be enfranchised as a Spanish constituency..... *[HON J J BOSSANO: I imagine it has occurred to them.]*the answer is that they have not yet dared to do so.

ORAL

NO. 619 OF 2000

THE HON J J BOSSANO

ALCOHOLIC DRINKS

Have the Government now taken a view on whether the law should be amended in respect of the sale of alcoholic drinks by shops outside certain hours?

ANSWER

THE HON THE CHIEF MINISTER

All aspects of Gibraltar's very old licensing laws will be subjected to a thorough review this autumn with a view to new legislation in which the Government will seek to include that but, in principle, the Government have identified a need to change the law to which the hon Questioner refers.

NO. 620 OF 2000

THE HON J J BOSSANO

PENSIONER BONDS

Can Government state, as at end of July this year, how many pensioners held 7 per cent pensioner bonds issued by the Savings Bank and the total value of such bonds?

ANSWER

THE HON THE CHIEF MINISTER

As at the end of July there were 720 pensioners holding the 7 per cent pensioner bonds. The total value of the bonds was £24,822,100, a successful initiative.

SUPPLEMENTARY TO QUESTION NO. 620 OF 2000

HON J J BOSSANO:

Yes, I think it shows that there is a demand for the bonds. Obviously, since the Government want to be congratulated on the success of the initiative, I take it that he no longer has the view he used to have at one time that issuing bonds by the Savings Bank increased the public debt of Gibraltar and should be subjected to the £100 million ceiling otherwise he would run out of capacity very soon.

HON CHIEF MINISTER:

I am not sure that I ever put the proposition that the hon Member ascribes to me but it is too late in the evening to challenge him on it now.

HON J J BOSSANO:

I take it then that from the point of view of the Savings Bank this is an operation that the Government will want to keep on-going because it is clearly meeting a need and it is keeping money in Gibraltar rather than abroad?

HON CHIEF MINISTER:

Well, it is certainly meeting a need. Who does not need to get 7 per cent free of income tax. I am not sure it is a very profitable operation for the Savings Bank, I suspect that the margin is minimal and I think, initially, in respect of the first tranche the Savings Bank took the view that it was covered by the yield it was getting on the bonds of the Gibraltar Government 11 5/8s per cent bond that it had purchased from Community Care to increase its cash position but of course at these levels the Savings Bank is now exposed in effect to business which provides practically no margin of profit.

HON J J BOSSANO:

I take it that in spite of that the Government still will keep on providing this facility?

HON CHIEF MINISTER:

The Government have not yet closed the issue. That £24 million represents a wave, there cannot be too many millions of pounds left. The Government do not presently intend to discontinue the issue and certainly, if the pressure of interest rates continues upwards, then there is no pressure on the Government to discontinue, if interest rates were to fall sharply then the Government may have to discontinue the issue to protect the Savings Bank from loss.

ORAL

NO. 621 OF 2000

THE HON J J BOSSANO

IDENTITY CARDS

Can Government state how many new identity cards have been issued in the new format which excludes the words "Government of Gibraltar" and as from what date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 622 and 623 of 2000.

ORAL

NO. 622 OF 2000

THE HON J J BOSSANO

IDENTITY CARDS

Can Government state how many persons have replaced the existing identity card by the new format agreed which does not have the Government of Gibraltar as the issuing authority?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 621 and 623 of 2000.

NO. 623 OF 2000

THE HON J J BOSSANO

IDENTITY CARDS

Can Government confirm that the identity card with the Government of Gibraltar as the issuing authority is still legally valid, as proof of identity?

ANSWER

THE HON THE CHIEF MINISTER

It is expected to commence issue shortly the identity cards, slightly re-formatted, as agreed by the Gibraltar Government, by including the words "United Kingdom" above the word "Gibraltar" and by describing the issuing authority as the Civil Status and Registration Officer, Gibraltar.

However, the hon Member is wholly mistaken in suggesting in his Question Nos. 622 and 623, that the issuing authority is not the Government of Gibraltar. This card continues to be issued, as it has always been issued, by the Civil Status and Registration Office of the Gibraltar Government, under the Civil Status (Registration) Ordinance. Accordingly the card continues to be issued by the Government of Gibraltar in the same way as it has always been issued by it. It is as much the act of the Gibraltar Government as everything else that is done on Government's behalf by a Gibraltar Government civil servant.

The existing identity card remains legally valid for all the purposes that it was legally valid before.

SUPPLEMENTARY TO QUESTION NOS. 621, 622 AND 623 OF 2000

HON J J BOSSANO:

Before he used to think and I used to think that it was legally valid for travel and that the Spaniards were acting illegally. I take it now that he does not share that view because it is not legally valid now for travelling and we both thought it was before.

HON CHIEF MINISTER:

No, I continue to think that it is still legally valid for that purpose. Politically it will not be accepted but the question of the legal validity of it has not been adjudicated against Gibraltar. What there has been is a political agreement, in the context of several other issues to resolve the matter in a way which is entirely satisfactory to the Government of Gibraltar, I take note of the fact that it appears to be much less satisfactory if at all..... [*HON J J BOSSANO: Not at all.*] to Opposition Members but this is the nature of the real world where issues of this sort are resolved on terms that all sides can live with and I think that here we have a solution which gives the identity cards the same treatment that driving licences have had. In other words, the inclusion of the words "United Kingdom" just to associate them with the Member State responsible for Gibraltar in the context of the EU; they remain issued by the Government of Gibraltar in Gibraltar under Gibraltar law, in other words, they do not become UK documents. We acknowledge that they are validated, not issued, by the United Kingdom as valid travel documents, in other words, given that the United

Kingdom is responsible for our external affairs, the United Kingdom has said to its European partners, "The identity cards issued in Gibraltar are to be accepted by you as a valid travel document within the Community". That is what validated by the United Kingdom means, not issued by the United Kingdom. The United Kingdom has validated these things with its partners as being valid travel documents and the change on the reverse also includes the substitution of the words "Government of Gibraltar" for "Civil Status and Registration Officer of Gibraltar" which actually, however much the hon Member may not like it, is the correct person under the laws of Gibraltar. The Civil Status (Registration) Ordinance under which these cards are issued and the regulations made under it, do not say that the cards will be issued by the Government of Gibraltar as the issuing authority, what they say is that the cards will be issued by the person designated for that purpose by the Chief Secretary. The Chief Secretary designated the person who is now called the Civil Status and Registration Officer, Mr Flower, and therefore under our law he is the issuing authority. Therefore I believe that the present card correctly reflects the laws of Gibraltar whereas the previous card does not but in either case the Government's contention is that the card remains issued by the Government of Gibraltar just as the driving licences are issued by the Government of Gibraltar but are issued on its behalf by the Vehicle Licensing Office. We do not take the view, I know Opposition Members take a different view, because the card does not say "Government of Gibraltar", the Government of Gibraltar is not the issuing authority. All that said, I concede to the hon Member, just for the avoidance of doubt, that the Government did contribute to this in order to obtain an agreement which involved recognition as valid travel documents of cards issued in fact by the Government of Gibraltar.

HON J J BOSSANO:

Yes, and the Chief Minister knows full well, does he not, that that is the only reason why we are objecting to the change. If the Government had come in and said in 1996, "We feel that the Gibraltar ID card should be changed because we, the elected Government, want it changed" we would not see anything wrong in them doing that if they thought it was better to say "Mr Flower" instead of saying "Government of Gibraltar". The point is that if they do it because the Spaniards demand it as a condition for us getting the recognition we are entitled to have anyway and would have had if they had not been in the Common Market or if the United Kingdom had protected us better, he may say, "It is the way of the world and we have got to be practical and realistic" but what he ought to stick is to one argument because it seems that the concession we have had to make to pacify Spain actually means that we are now acting better in accordance with our own laws thanks to our friendly neighbours who pointed it out to us. Is it then the case, Mr Speaker, that in terms of the use of the travel document, that has not yet been tested because no new ones have been issued?

HON CHIEF MINISTER:

In the first place we do not concede that there is any concession of anything real. The card remains issued by the Government of Gibraltar under the law that it used to be issued by, by the same person that it used to be issued by, and will continue to be issued by the Government of Gibraltar. The fact that it says, "Civil Status and Registration Office of Gibraltar" on the back of it and does not say "Government of Gibraltar" is not a substantive concession because there is no actual change in who issues it and under what law and on whose behalf. I do not think that that is a concession of substance. The point that the hon Member makes about entering into agreements and being the ways of the world, well fine, Mr Speaker, it may be the hon Member's style of life to draw up long lists of disputes which are not settled. The

Government's position is that we will stand firm on issues that raise fundamental issues for Gibraltar but when they are issues that are causing Gibraltar grief of sorts, that are obstacles to the resolution of problems that are in the interests of Gibraltar that they should be resolved, that acquire things of value for Gibraltar and which can be secured by the conclusion of sensible agreements which do not involve the concession of anything of fundamental importance to Gibraltar, I have said in this House before that the policy and approach of this Government is to resolve such problems when they can be so resolved by agreements that do not involve fundamental concessions or concessions on anything of fundamental importance to Gibraltar. We believe that this falls squarely into this category and we have secured recognition of the card without giving away anything that is of importance to Gibraltar. The Spaniards' starting position was that the card had to be issued in London. Then they retreated to the position that the card could be issued in Gibraltar but by the Governor, all of which was obviously rejected by the Government. They have ended up accepting a situation where the card is issued by the Government of Gibraltar and our officials [HON J J BOSSANO: *As long as it does not say so.*] Well, Mr Speaker, life is about that. The question that should be taxing the hon Gentleman is not whether we have agreed to eliminate a red rag to a bull at no cost but whether the function, the power, the jurisdiction to actually issue the card is being exercised by and on behalf of the people who, from time to time, sit on this side of the House, namely, the Government of Gibraltar. And the answer to that question is yes, absolutely. The card continues to be issued by the same people who used to issue it when they refused to accept it and now they are accepting it notwithstanding that it will be issued and will continue to be issued by the same party as before.

Frankly, the hon Member who was an experienced negotiator in his earlier reincarnation must recognise that that is a good deal for Gibraltar, I do not expect him to recognise it, indeed I am speaking for him which I should not, he may not think it is a good deal for Gibraltar but nothing of substance has been conceded in return for obtaining recognition of the card. The last point that I would like to make in answer to his supplementary is that he makes a mistake if he continues to assume and assert, as he did in his supplementary, that Spain was the only party that was lined up against us on this issue. The reality of the matter is that albeit lobbied and persuaded by Spain, other parties came to the conclusion to which Spain had come and only one country, Sweden, was agreeing or showed any signs of agreeing to recognise the card and there would have been no way of obtaining recognition of the card without pursuing the matter through the courts and the hon Member knows just how precariously we were placed in terms of locus standi to do that although I have to tell the hon Members that we had taken the preliminary steps to do that, a way had been found where the legal advice was that we had a chance of having the matter tested and in the event we took the view that we obtained the same result without the need for expensive and risky litigation.

HON J J BOSSANO:

I only asked one question and that is presumably nobody has tested it because none have been issued but given all the other things.....

HON CHIEF MINISTER:

I am assured, Mr Speaker, that it will pass, it will be accepted.

HON J J BOSSANO:

But given all the other things, it is quite obvious that there is a fundamental difference of approach and if we are talking about previous reincarnations all I can say is that I seem to hear the lawyer in the previous reincarnation saying, "Let us settle out of Court because it is less risky than expensive litigation". But is it not the case, Mr Speaker, that Spain may want to get 100 per cent of its way but it will settle and has settled in the Brussels Agreement, in the Airport Agreement and in everything else on the basis that at least if it gets its way in principle and in theory, it is gaining diplomatic ground and the truth is that what is objectionable to us in the Opposition is the point that I have been making throughout, that we should finish up doing something because Spain has been successful in winding up everybody else against us although we are not convinced that they are in the wrong and we are in the right. If we start on the premise that even if we are right and they are wrong, they are so much bigger than us that it is better to do a deal and then the issue is not whether we have done a deal or not to get them off our back but how painful is the deal and as long as it is relatively painful we are not conceding ground then I think on that point we will never be able to

HON CHIEF MINISTER:

I think Spain only makes diplomatic progress, as he calls it, when we make concessions of substance. I believe that no concession of substance has been made at all. We have not changed the issuing authority, we have not agreed that anybody else issues the card, we have not agreed that we issue the card on behalf of anybody else so that we become their issuing agents, there is absolutely no change in the reality and I believe that in those circumstances Spain has made absolutely no gain. What I said to the hon Members is that Gibraltar should stand and fight when there are things of fundamental concerns and of fundamental importance upon which I agree that making concessions on a salami slice basis would be diplomatic progress for Spain but I do not think the hon Gentleman can be as dogmatic and as unrealistic in the way Europe does business with itself nowadays to put into that category every agreement on every issue regardless of whether it raises fundamental issues or not. The whole essence of the European Community is that countries compromise their rights, their interests and their aspirations in order to arrive at a settlement and an agreement of issues that separate them and they fight harder the more important the issue is to them. And when the issue is sufficiently important to them they veto and that is the position that Gibraltar maintains. When something is sufficiently important to us we stand our ground and we veto and we will not deal with it and that is simply the way of the world and there is no way forward for Gibraltar on the basis of fighting every battle to the death on every issue regardless of whether the battle is worth fighting to the death.

HON J J BOSSANO:

The Chief Minister seems to be talking as if we were declaring war on our neighbour and not the other way round. We have no wish to have battles with anybody. We are not exercising any vetoes on anybody. Is it not the case that what we have is a situation where because of the negligence of the colonial power who should have guaranteed these things for us before 1986, we found ourselves after 1986 with a Member of the European Union who has gone out of its way – and I am not saying this on the basis that I am the only one who says it, I have heard the Chief Minister say it many times – to get us non-recognised in every possible sphere and every time. Tomorrow if we are doing battle at the dog show presumably the Chief Minister will say, "It does not matter if we go there validated by the United Kingdom, after all

we are not making an issue of principle if our dogs are not Gibraltarian dogs and what does it matter? If there are less queues and more dogs, so what?" On each one the point of principle that is at stake is that we have got demands being made on us which are totally unjustified, unjustifiable, immoral and should never be tolerated in a civilised European society. This is not about making a compromise because somebody is defending olive oil and somebody else is defending fish, this is something that Spain comes in and says, "Anything that has to do with giving recognition to Mr Caruana as the leader of Gibraltar instead of an ex-pat British parachuted subject on a piece of Andalucia stolen from us in 1704 is objectionable". Although I may not vote for the Chief Minister, I am doing battle in his defence, in defence of his recognition because he has been elected by the people of Gibraltar and that to me is an important principle.

HON CHIEF MINISTER:

And that principle has not been compromised because in the case of the identity cards the Government of Gibraltar agreed to the association with the United Kingdom because it is a travel document. This is not a document for use in Gibraltar, this is the equivalent of a passport and we readily accept that the United Kingdom issues us with our passports. Why do we accept that for financial services passporting purposes we are willing to accept the United Kingdom's validation? Until the United Kingdom does not write to its partners saying, "Gibraltar now passes muster and we are now willing to give it ..", that is validation and this is in another international dimension of the European Community. In respect of the very important principle which the hon Member knows the Government defend, I spend half of my time defending the ground of the competent authority and that Gibraltar is not jurisdictionally part of the United Kingdom and everything has got to be done separately for Gibraltar by its own competent authority. That has been secured in the April Agreement of Competent Authorities which far from the Spaniards saying, "Anything done by the elected Government of Gibraltar I do not accept", Spain has now signed an agreement that says that it will recognise the competence, in a European context, of the Act of the Gibraltar competent authority, the very same one that accounts to me. So, Mr Speaker, that is enormous progress because immediately before then they were not recognising us at all and that recognition has been obtained in exchange for the post box, that is to say, when our competent authority has to communicate with theirs, we will channel physically those communications through the post box, but European Union instruments will list the Gibraltar competent authority on their face as being competent and all the other Member States are going to accept that European Union instruments will include a Gibraltar competent authority as being competent for Gibraltar in a European context for the purposes of those directives and that, Mr Speaker, even though the hon Member may not wish to accept it, is a battle won for Gibraltar.

HON J J BOSSANO:

What the Government are trying to get us to believe is that we have spent years trying to get Spain to remove its immoral and illegal obstacles that we finish up compromising by giving them what they will accept in order to get recognition which should have been ours unconditionally and that this is a victory for Gibraltar and a big defeat for Spain. He can tell that to the Marines, Mr Speaker, even though they have got the Freedom of the City.

HON CHIEF MINISTER:

Yes, the recognition that we have made in exchange for that unconditional recognition is that we have recognised that when a Community instrument says that the competent authority that communicates with the competent authority of another Member State is the competent authority of that Member State, our competent authority although it is competent and an authority in and for Gibraltar, it is not the competent authority of a Member State, a self-evident reality I would have thought to everyone except Alice in Wonderland. And as we are not a Member State, to concede that when there needs to be communications between the competent authorities of Member States that our competent authority channels its communications through the United Kingdom Government, not the competent authority of the United Kingdom for its domestic competent authority but diplomatically through the Foreign and Commonwealth Office which is responsible for the conduct of our international affairs channelling communications, delivering communications on our behalf I do not see that that is any concession whatsoever of anything that we were realistically entitled to.

The battle that the Government of Gibraltar have fought, continue to fight and has protected and upheld 100 per cent in the Competent Authorities Agreement is that our status in Europe, our membership of the European Union and the application to Gibraltar of European Union instruments and measures should not be used as a direct or indirect way to deprive us of the constitutional autonomy and the institutional autonomy that we have enjoyed in Gibraltar under the 1969 Constitution. In other words, that they could not say that even though the Gibraltar Health Authority is competent under the Constitution of Gibraltar in relation to European matters, the Gibraltar Health Authority is not competent, it has to form part of the Gibraltar Department of Labour and Social Security and the competent authority is the United Kingdom's competent authority. That issue has not only been 100 per cent protected, that battle has been won because now Gibraltar competent authorities will be able to be listed in European Union measures as competent for Gibraltar, something that the hon Member knows has not happened in the past excepting two, ironically it was Peter Nilsson who subsequently came to Gibraltar in the LSU who then was the lawyer inside the DSS back in the 1980s who managed to get Gibraltar mentioned as competent authorities in two DSS health related directives, the only two examples. Now it will happen systematically. European Union instruments on their face will now recognise and declare that there is in Gibraltar the constitutional authority in Gibraltar which is the competent authority in and for Gibraltar for the implementation of that instrument including in relation to things which have direct application in other Member States. Mr Speaker, I genuinely do not expect the hon Member to concede that victory to me but I tell him sincerely that that is a victory for Gibraltar, that that is progress for Gibraltar which would never have been obtained with his approach to life.

HON J J BOSSANO:

That being the case all I can say is not only do I not concede victory to him on this issue, I shudder to think what will be the fate of Gibraltar the time he thinks a deal in which he is involved represents a victory for Spain instead of for him because if this is victory heaven help us when he thinks he is facing defeat. In case he does not know, the Alice in Wonderland that thought a competent authority of Gibraltar was a competent authority of a Member State has a name, it has been every Foreign Secretary of the United Kingdom since 1972 who have been telling us that. This is not a Gibraltar generated concept, it is the..... [HON CHIEF MINISTER: *Except we could not do it in practice.*] Except that they could not deliver because of their

incompetence and their negligence and because of their incompetence and their negligence, the Government of Gibraltar now say that the interpretation of Spain, which has been there since 1986, is the correct one. *[HON CHIEF MINISTER: Absolutely not.]* Yes, because the interpretation of Spain was that under no circumstances could we be deemed to be the competent authority of a Member State. In case the Chief Minister..... *[HON CHIEF MINISTER: How can we be a competent authority of a Member State if we are not a Member State?]* Well, he can tell that to all the Foreign Secretaries.

HON CHIEF MINISTER:

No, Mr Speaker, what I would tell all the Foreign Secretaries is the position that this Government of Gibraltar have always defended and that anybody in Gibraltar who is not an Alice in Wonderland is the only position that they can defend is that because the Treaty of Rome applies itself to us, read in conjunction with the UK Accession Treaty, that the Treaty does not only apply to 15 Member States, it applies to 15 Member States and to one territory which is not a Member State which is called Gibraltar and that proper provision has to be made in the doing of European business to ensure that in the application, administration and implementation of Community measures to Gibraltar, the application of those to Gibraltar was not crafted or structured in a way which deprived us of our constitutional autonomy from the United Kingdom given that we were not a Member State. And that has been 100 per cent upheld and gained and protected by this agreement. What this agreement does not uphold or protect is the absurd proposition that Gibraltar should be able to behave, be regarded by others and be treated for European Union purposes as if it were a separate Member State in its own right which every three-year old knows is not the case.

HON J J BOSSANO:

I am sorry that the Chief Minister has such a low opinion of successive British Governments because I have told him that the concept that Gibraltar should be deemed for all purposes to be a Member State and that its competent authority should be deemed to be the national competent authority of a Member State is a British invention, not a Gibraltarian. So every Alice in Wonderland has been sitting in the seat of the Foreign Secretary in the United Kingdom. *[HON CHIEF MINISTER: That is not true.]* It is true and it is documented, Mr Speaker. *[HON CHIEF MINISTER: It is not true and it is not documented.]* It is documented and the Chief Minister knows that in 1993 the British Government were arguing with the Spanish Government that the competent authority for financial services in Gibraltar had nothing to do with the UK and was a separate entity..... *[HON CHIEF MINISTER: Absolutely right and they still argue that.]* ... and have the right to communicate directly and they could not deliver what they promised. He knows it and I know it and the difference is that that was not the position he was defending before April. If he feels that for the sake of getting people to see him as a great success he needs to say to people that he achieved a great victory by doing a deal in April which is so good and so wonderful, why did he not start in 1996? Why does he say one moment that he was ready to test the locus standi by going to court against Spain and then the next minute he defends, "What we have done does not make any difference because we are not making any concessions". It is a very peculiar way, it seems to me, that it is simply the way that he has been trained to see life. At the end of the day, whatever the result he makes up that he is right and everybody else is wrong, he is the winner and everybody else the loser and the reality of it is that Gibraltar has

been pushed into a deal with he thinks is good for Gibraltar and he is entitled to that judgement, I do not share it with him, but he has been pushed to a deal because of blackmail by Spain vetoing something they had no right to veto.

MR SPEAKER:

You will have the last word and we will finish there.

HON CHIEF MINISTER:

And that is not the case. The United Kingdom still defends the proposition that Gibraltar competent authorities are entitled to implement and to be autonomous. Why does the hon Member think the United Kingdom spent a year with the Government of Gibraltar negotiating the competent authority agreement which does precisely that? The United Kingdom could have turned round to Gibraltar and said, "I am sorry chaps, the heat of the kitchen has become too great, I am not willing to allow European Union business to be paralysed any longer on account of Gibraltar, whatever you may think of your own importance down there. The fact is that the rest of the 250 million Europeans take a very different view of you. I am no longer willing to take the flack from my European Union partners for seeing European business impasssed over Gibraltar. I am responsible for Gibraltar's external affairs under the Constitution and I say that in European Union business we will be your competent authority". They could have done that, they did not. Instead they stood by the proposition that Gibraltar was constitutionally entitled in the context of the European Union to have its own competent authority and to act by the competent authority and we have extracted an agreement from Spain that recognises that fact, recognises the competence of our authorities and enables us to act by the authority. It is not I that asserts that this is a deal. The problem with the hon Member is that he will not recognise that anything that anybody else does or achieves and which disagrees with his philosophy of life and with his opinion may be right. It is easy now for me to understand how he took Gibraltar to the brink of catastrophe. He took Gibraltar to the brink of catastrophe because he is too narrow-minded to understand that negotiating good agreements is not a sign of weakness, it is a sign of strength. Everybody does it, the United Kingdom does it, France does it, Spain does it, even mighty economic Germany does it. Everybody does it, guarding always what is fundamental importance to them. Only the Leader of the Opposition in Gibraltar takes the view that the way to conduct your business in Europe is in a macho way, without being a traitor, is never to facilitate the solution of any problem as if the world owed one a living, as if the European Community were a court of morality where we just hang on for long enough all the chips will fall in our favour. I might very well be able to agree with the hon Member if we were sitting in some debating society about where merit lies and who is in the right and who is the wrong when he knows that we agree but the fact that we think we are right on an issue does not mean that we do not try to settle it if it can be settled on acceptable terms and the Government of Gibraltar that has been elected, twice now, to exercise judgement.

If I had known to answer his question, if I had known that the deal that we did in April this year was available in 1996 I would have done it in 1996 but it was not available because in 1996 the Spaniards were defending the proposition not that we had to communicate through a post box, that there were no circumstances in which they would recognise the competence, the acts, the administrative decisions, the administrative documents of any authority established under the Constitution of Gibraltar. The position now, four years later, is that they have agreed to accept the acts, the decisions, the competence of our authority. The hon Member may think that that is not progress. The hon Member may think that I am just trying to sing victory in

order to gain political brownie points. I happen to believe that these were very good deals for Gibraltar. Frankly, the Spanish Government has come under more criticism in Spain than we have come in Gibraltar. Yes, in Spain, absolutely. The hon Member may not be aware of it in his obsession with criticising everything that the Government do. Let me tell the hon Member so that he understands where this Government come from. We will settle as many problems that Gibraltar faces on favourable attractive terms to Gibraltar as we have settled this, as many Gibraltar problems as we can possibly settle. This Government believe in settling problems if problems can be settled without Gibraltar having to make concessions on anything of fundamental and if we can find three more deals that we can do to settle three items of business we will certainly seek to negotiate a favourable settlement. At the end of the day Government are about enjoying the trust of the people, the people who he warned in 1996 - I remember when he was doing his hustings outside my father's shop in the Piazza in May 1996, "We have got to get Caruana not just out of the House of Assembly but out of Gibraltar because he is going to sell us down the river". Well, the people decided to trust me then, notwithstanding his prophet of doom predictions. And then notwithstanding that he spent another four years subsequently warning the people of Gibraltar that I was the worst thing since sliced bread, again they have chosen to trust me in preference to him. So given how poorly he thinks of me, he ought to examine that equation and wonder just what the people of Gibraltar think of him if I, who am so heinous in his eyes are preferable to the people of Gibraltar. And I am perfectly conscious of the fact, Mr Speaker, that when I present myself to the people of Gibraltar and my Government again in the year 2004, our prospects of re-election depend on whether the people of Gibraltar consider that we have been faithful to the trust that they have invested and I have no doubt that they will do that exercise and I am confident that they will once again come to the conclusion that we have been faithful and trustworthy custodians of their trust. I do not expect the hon Member to agree with that but just as he accuses me of thinking that my view is right, he should not delude himself into the opposite which is always coming to the conclusion that his view is always right.

MR SPEAKER:

Can we have the next question.

NO. 624 OF 2000

THE HON J J BOSSANO

BRUSSELS PROCESS

Can Government say when the next meeting of the Brussels Process is to take place which the UK intends to reply to Spain on the Matutes proposals?

ANSWER

THE HON THE CHIEF MINISTER

Government have not been informed of any date for the next meeting under the Brussels Agreement.

SUPPLEMENTARY TO QUESTION NO. 624 OF 2000

HON J J BOSSANO:

Is the Chief Minister then in a situation not knowing the date of the Brussels Agreement where he is likely to review his position on the rejection of the Matutes proposals in the light of maybe deciding that there are no such fundamentals at stake as requiring their outright rejection given the fact that he reviews his position in other areas?

HON CHIEF MINISTER:

I am sorry, Mr Speaker, I am not sure that I have even understood the hon Member's rather confused question. Is he asking me whether the Government intend to review our rejection of the Matutes proposals?

HON J J BOSSANO:

I am asking him, in the light of his review of other positions that he has adopted in answer to the previous question, is there a possibility that he might find that rejection of the Matutes proposals is something, as the British Government believe, which does not lead to any material benefit to Gibraltar and that in not rejecting it no big concessions of substance is being made because those are the kind of arguments the British Government have used to keep them on the table.

HON CHIEF MINISTER:

No, I do not see ourselves changing that opinion. It has to be said that their non-rejection, and I firmly believe that they should be rejected, mainly because I think they are an obstacle to real sensible dialogue. Whilst they remain on the table the Spaniards maintain hope and until they are rejected they are not going to realise that there is no rapport along that route and perhaps alter their approach. That said, the non-rejection of them, does not make me stay awake at night wondering whether the British are going to hand us over because, of course, we have the assurance of the Preamble to the Constitution and that is not compromised. The British Government have already said that there is no mileage in the Matutes proposals if they are not acceptable to the people of Gibraltar and they are not acceptable to the people of Gibraltar. So their non-rejection does not threaten a transfer of sovereignty although

they should be rejected, first of all, in recognition of the respect of the wishes of the people of Gibraltar which is that they should be rejected and, secondly, so that the Spaniards do not invest their policy in that direction at the expense of perhaps a more enlightened approach which may enable us to make progress. The position of the Government of Gibraltar is that we are perfectly content to enter into discussions with the Spaniards provided that they understand that there can be absolutely no question of sovereignty being dealt with in a way of which the people of Gibraltar do not completely approve in a referendum and that the future of Gibraltar has to be decided by the people of Gibraltar and by nobody else. So if the Matutes proposals could lead to proposals that were acceptable to the people of Gibraltar, then that would be a very welcome matter and I believe that until the Matutes proposals are rejected there is no chance of Spain modifying its stance. So the answer to the hon Member is that we regard the continued existence on the table of the Matutes proposals as an obstacle to meaningful and constructive dialogue with Spain which we would very much welcome.

HON J J BOSSANO:

Are the Government not insisting with London that they have to be rejected at the next meeting whenever that is?

HON CHIEF MINISTER:

I think the hon Member can safely assume that the reason why there are not any meetings of the Brussels Agreement is because they want to avoid precisely that, Spain wants to avoid precisely that. They know that Britain is going to find great difficulty in going through another round of talks without rejecting those proposals having said that she is not rejecting them because Brussels is the proper forum in which to reject them, in effect and I think it is no coincidence that in that context that there has not been a round of Brussels talks since the one in December 1997 at which those proposals were tabled.

NO. 625 OF 2000

THE HON J J BOSSANO

DENISE MATHEWS CASE

Has the European Court of Human Rights reached any conclusions in declaring that its ruling in the Denise Matthews case is binding on all Member States of the EU?

ANSWER

THE HON THE CHIEF MINISTER

The European Court of Human Rights has declined to make any further ruling on the grounds that it did not consider it necessary to do so.

SUPPLEMENTARY TO QUESTION NO. 625 OF 2000

HON J J BOSSANO:

The last time that this question was tabled a decision was pending, is that the decision that they have taken and that has been communicated to the Government?

HON CHIEF MINISTER:

It has been communicated to the Government's lawyers, yes.

HON J J BOSSANO:

So does that mean that there is no further mileage in that venue then?

HON CHIEF MINISTER:

No, the hon Member must not misunderstand the effect of that. We were saying, Article 34 of the judgement clearly means that all Member States of the Community are bound by the ruling. Although we were certain of that, we wanted it publicly stated by the Commission. What the Commission in effect said is, "This is perfectly clear, why should we make a declaration of something which is perfectly clear?"

NO. 626 OF 2000

THE HON J J BOSSANO

HMS TIRELESS

Can Government say whether their policy is to support that the repairs to HMS Tireless be carried out in Gibraltar if the risk involved is, in the judgement of the Government, acceptable?

ANSWER

THE HON THE CHIEF MINISTER

As Government have explained publicly on many occasions, our view is that the repairs on HMS Tireless should not proceed in Gibraltar unless the Government, advised by independent nuclear experts, are satisfied that the repairs pose no risk to public health, safety or the environment. The MOD must also allay public concern.

SUPPLEMENTARY TO QUESTION NO. 626 OF 2000

HON J J BOSSANO:

No risk means zero risk, surely that means no repairs?

HON CHIEF MINISTER:

No, the repairs pose no risk. There is an element of risk inherent every time a nuclear submarine comes into port. In fact, a much greater risk because when a nuclear submarine comes into port, it sits there with the reactor, for want of a better phrase, switched on and active.

HON J J BOSSANO:

No, it sits there with the reactor off and gets supply from the shore.

HON CHIEF MINISTER:

No, that is not the case, believe me, that is absolutely not the case. The reactor is reduced below operating pressure but the reactor sits there engaged, the shore supply is for a different purpose. What the Government are saying is that we are not going to subject the Tireless to any more stringent acceptability risk test than Gibraltar has historically been accustomed to accept in the case of healthy submarines and therefore if HMS tireless can be repaired in Gibraltar within the parameters of the "same risk" that Gibraltar habitually and historically takes as a nuclear visiting berth, then the repairs pose no risk. But if the repairs engage us in greater risk than is normally acceptable to Gibraltar from a visiting submarine then the repairs pose risk and should not be carried out in Gibraltar.

HON J J BOSSANO:

Have the Government not been influenced in their approach to this by the content of the letter sent to Southampton City Council in 1999 in relation to the MOD policy not to make use of the Z-berth because surely that implies that if the Tireless had arrived in Portsmouth it would not have been considered to be the same to repair the leak as to have it parked there. So why should it be any different in Gibraltar?

HON CHIEF MINISTER:

The Government have not been affected by that letter. The Government are motivated only by the question of risk assessment and the letter to which he refers casts no light one way or the other, on the question of risk. The facts are different, the circumstances are different, towing the boat from Portsmouth to Devonport is not the same as towing a boat from Gibraltar to Devonport and we consider the factors are completely different and therefore the Government do not consider that letter relevant. The Government consider issues which that letter touches on to be relevant, namely, can the repairs be safely done in Gibraltar given that we are a Z-berth which has been temporarily upgraded in status to repair and that is a matter for our experts, our experts are looking at, that forms an important part of their terms of reference and we will be guided by the advice of our experts in that respect.

HON J J BOSSANO:

So the position of the Government in fact is different from the position of the Voice of Gibraltar organisers and so forth who have been saying "Tireless Go Home"? That is not a position that the Government support?

HON CHIEF MINISTER:

It is self-evident that that is not the position of the Government of Gibraltar. We have said publicly that it is not the position of the Government, we have said to the Voice of Gibraltar and indeed to all the other organisations that came to see me that that is not the position of the Government. The position of the Government is that we will decide whether our position is "Tireless Go Home" or not depending on the advice that we receive from our independent experts which is not yet forthcoming but I believe to be imminent.

HON J J BOSSANO:

So are we likely therefore then to be in a position to have the Government announcing their decision in the course of the next week, is that the timescale? In fact, I predict that the decision will be that they have been convinced by their experts that it is safe.

HON CHIEF MINISTER:

Well, the hon Member can be as cynical as he wishes about a perfectly prudent and responsible course of action. I believe that the Government are prudent and responsible and that the Opposition are not. It is open to pressure groups and to individuals to come to judgement based on their gut feeling or based on whatever whim or prejudice or whatever level of ignorance they happen to enjoy. It is not reasonable or responsible for a Government to form a decision on the basis of such criteria nor do I believe it is responsible for a loyal Opposition to come to decisions on that basis. We will come to a decision which is rational and defensible, whatever it

might be and whatever the consequences for Gibraltar might be, the important thing is that if the Government have to say, "No" that if we say "no" and then can justify to everybody else why we have said no and that it should have been done on rational and reasonable grounds so that people cannot exploit this against the wider interests of Gibraltar.

The hon Member is not going to rush the Government into making a foolhardy or indefensible decision and the hon Member may say that he predicts that we are going to be persuaded by our panel of experts, he should know that our panel of experts includes a gentleman who was recommended to us by the Concerned Parents Group. A gentleman who is constantly advising organisations like Friends of the Earth, Green Peace and organisations of that sort and who was recommended to us by the Concerned Parents Group precisely because he has got a long track record of being contrarian insofar as the establishment is concerned on such issues. Therefore the Opposition may predict whatever they like as there are only two options, in whatever they predict they have a 50-50 chance of getting it right and 50-50 chance of getting it wrong. What will decide whether their prediction is right or wrong is the advice of the experts and its interpretation by the Government and the decision to which the Government come upon a detained, proper and considered review of the advice. I have no doubt that whilst there are people out there who are motivated by genuinely held safety concerns, I believe that the hon Members are not. I believe that the hon Members are motivated by that factor which has motivated them during our first four years in office which is to see how they can corner the Government into adopting a position which would plunge Gibraltar into crisis which they hope to be the beneficiary. Because, Mr Speaker, the hon Member will forgive me if I consider his opinion with a pinch of salt given that he was in Government for eight years, that he knew that Gibraltar was being constantly visited by nuclear powered vessels, that he had the political opportunity which the average citizen does not have to become terribly concerned about having a nuclear reactor sitting 500 yards away from our shore and never lifted a finger to try and do anything about that. So the Government, I believe, are entitled rationally to form the view that we will make our opinion on the basis of the safety elements relating to the repair of Tireless which is the only thing that distinguishes the Tireless from any of the other submarines that have ever visited Gibraltar. That is why we are focusing on the repair and not on the wider nuclear issue generally.

HON J J BOSSANO:

I do not know why the Chief Minister thinks anybody else is doing anything different. Let me remind him or is it that he is not aware that on every single press release issued by the Opposition saying the Tireless should not be repaired here, it has also said, "We support the continuing visits by vessels using the Z-berth which the MOD have always told the Government of Gibraltar and the workforce could not be upgraded for repairs" and therefore there is nothing more to be said. In fact, if the Government think that the fact that we happen to share the view of the demonstrators where there were many, as he knows, from the people who vote for him, the view of the demonstrators that the Tireless should not be repaired in Gibraltar, irrespective of how low the risk may be assessed, if he thinks that taking the view is because we are going to plunge Gibraltar into crisis, I do not understand where the crisis comes into it. Is he saying that if the Government of Gibraltar were to take the view that they do not want Tireless here there is going to be a crisis, what kind of crisis does he think will happen?

HON CHIEF MINISTER:

The hon Member must be aware that in the matter of the Tireless so far he has formed his view without any regard whatsoever to the facts of the matter, to the advice of experts and professionals, simply on his hunch of what is the right thing to do. And I am telling the hon Member that the Government cannot come to a decision of an important issue for Gibraltar on that basis. The Government might still come to the view that he has occupied for some time or might not but when we do come to it, it will be on a proper, rational, defensible basis in contrast to his which cannot be rational and cannot be based on safety concerns because he has not had access to advice on the matter. And on a careful reading of his press releases, he has not said, as the Government have said that Gibraltar should not be converted into a repair facility, he has said that the Opposition is opposed to Gibraltar being converted into a repair facility overnight. On two occasions they have said that which begs the question would they be willing to support the conversion of Gibraltar into a repair facility if it was done in a structured, pre-planned manner? In other words, provided it does not do any damage to the base. I can tell him that the MOD has never said to the Government of Gibraltar, "If the decision goes against us this might have consequences to the base". There are certain employees' representatives, on the other hand, of the MOD, the convenor, told me the other day that certain employees in the MOD had received that message from management and I told him, "You give me the details, who was told what and the Government will take it up because that is not acceptable to the Government". So the answer to the question of the hon Member is that we will come to a decision when we have before us the material that we consider we need to make a rational and defensible decision, whatever that decision might be, either way.

ORAL

NO. 627 OF 2000

THE HON J J BOSSANO

“THE TIMES”

What is the cost of the Gibraltar feature in “The Times” of Wednesday 26 April 2000?

ANSWER

THE HON THE CHIEF MINISTER

The cost of the Gibraltar feature in “The Times” is £15,568.