

# GIBRALTAR

## HOUSE OF ASSEMBLY



## QUESTIONS AND ANSWERS

**12<sup>th</sup> February, 2001**

**No. 1 to No. 465**

# INDEX

## QUESTIONS & ANSWERS

12<sup>th</sup> February 2001

Questions 1 – 465

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
100 Ton Gun	194	341
17 Europa Road	165	302
1997/1998 Employers Declaration and PAYE Certificates	431	704
1998/1999 Employers Declaration and PAYE Certificates	432	705
1999/2000 Employers Declaration and PAYE Certificates	433-434	707-708
ACTEL Satellite Project	332	551
Administrative Assistants	395	646
Admiral's Place Development	353	579
Advertising in Local Newspapers	428	700
Airline Assistance Scheme	182	328
Alameda Estate	77-79	158-161
Annual Accounts – Government of Gibraltar	452	730
ASC Satellite Project	331	550
Backlog of Mail	396	648
Baltic Exchange – Shipping Seminar	171	312
Banking Licences	345	568
Banks Operating in Gibraltar	383	626
Bar Coded Labels	109	207
Bar Council – Premises	412-413	672-673
BCG Vaccines	313	521
Bishop Canilla House	71-76	147-157
Breathalyser Tests	151	278
Brussels Process	456	737
BSE Infection	310	517
BT/Nynex	132	244
Building Contractors – Payments	136	251
Cable Link – Gibraltar/Morocco	360	591
Cammell Laird	65	129
Cammell Laird	430	703
Casemates Development	414	674
Catalan Bay Road	200	349
Category 2 Qualifying Individuals	374-375	614-615
Category 3 Qualifying Individuals	376	616
Category 4 Individuals	377	617
Chamber of Commerce – Premises	411	671
Civic Rights Agency	404	661
CJD Disease	141	262
Closed Long Term Benefits Fund	7-8	18-22
Coach Park	199	348
Coach Terminal	198	346
Coelho House	93	179
College of Further Education – Number of Computers	255	429
College of Further Education – Number of Students	256	430
Commercial Banks – Total Assets	381	624
Commercial Banks – Total Liabilities	382	625
Committee of Fine arts	226	389
Community Care Ltd	458	740
Conferences in Gibraltar	342	564
Construction Training Centre	248-250	421-423
Consultant Radiologist	307	513



<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Container Transshipment Project	208	362
Convention of UN Personnel	465	753
Conversion of Europort Building into Hospital	314	522
Cost of Studies by Consultants	394	645
Course in International Commerce	323-324	539-540
Dialysis Unit	309	516
Direct Elections Act	464	751
Dispensing Fees	281	470
Dispensing Fees	284-287	475-484
Dispensing Fees	292-294	491-493
DPC – New Office Space	358	587
Dr Giraldi Home	9-10	23-25
Drug Rehabilitation Centre	63	124
ECOM Limited	369-370	605-607
E-Commerce	330	548
E-Commerce	349-352	573-578
Edinburgh House	83-84	167-168
Education – A-Level Courses	262	445
Education – A-Level PE Course in Bayside School	263	447
Education – Assessment Panel	243	415
Education – Average Class Size	240	410
Education – Bleak House	257	432
Education – Change of School Hours	264-271	448-458
Education – Code of Practice	241	412
Education – Correspondence Courses	233	401
Education – Discretionary Awards	235	403
Education – Edinburgh House	237	406
Education – Extra Peripatetic Teacher	244	416
Education – Key Skills Programme	258	437
Education – Library Books	227	394
Education – Local National Curriculum	259	439
Education – Number of Computers in Bayside	261	443
Education – Parental Contribution	234	402
Education – Scholarships	236	405
Education – School Attendances	252	425
Education – School Attendances and Caretakers	247	419
Education – School Groupings	242	414
Education – School Refurbishment	245	417
Education – Training in E-Commerce	260	441
Education – Visits by Health and Safety Inspectors	246	418
Education – Westside/Bayside Courses	251	424
Education – Teacher Promotions	230	397
Educational Psychologist	229	396
Elderly Care Patients	300	501
Electricity – Arrears	114	214
Electricity – Arrears	119	220
Electricity Department – Strategic Review	116-117	216-218
Employment – “Job Club”	25	52
Employment – “Profile 2000”	24	51
Employment – Contracts	33	79
Employment – Contracts Terminated	30	67
Employment – New Entrants	44-45	103-104
Employment – New Entrants	47-48	106-107
Employment – New Entrants	50-51	109-110
Employment – New Entrants	53-54	112-113
Employment – New Entrants	56-59	115-119

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Employment – New Entrants	61-62	122-123
Employment – Number of Unemployed	36-37	84-86
Employment – Number of Unemployed	39-40	91-93
Employment – Number of Unemployed	43	102
Employment – Number of Unemployed	46	105
Employment – Number of Unemployed	49	108
Employment – Number of Unemployed	52	111
Employment – Number of Unemployed	55	114
Employment – Number of Unemployed	60	120
Employment – Number of Unemployed	67	134
Employment – Social Assistance	28	62
Employment – Terms of Engagement	34	81
Employment – Terms of Engagement	66	131
Employment – Vacancies	35	82
Employment – Work Permits	31	70
Employment Agency	22-23	45-50
Employment Regulations (Offences) Ordinance	42	98
Employment Survey	26-27	57-61
Employment: Terms of Engagement	29	65
Enrolled Nurses	317	526
Environmental Protection (Disposal of Dangerous Substances) Ordinance 2000	139	256
EU Funding	346	569
Euromoney Trusts 2000 Conference	363	596
Europa Business Centre	357	586
Europa Business Centre – Arrears	371	608
Europa Sports Ground	143	265
Europort	359	590
Exempt Companies	379	619
Extra Telephone Numbers	129	237
Feasibility Study – Eastern Beach/Catalan Bay	190	337
Financial Services Seminar	366	601
Financial Times Country Survey	416	677
FITUR	203	352
Free Bus Service for Pensioners to Upper Town	2	3
Garrison Library	329	547
Garrison Library	355	583
GE Capital Satellites (Gibraltar) Ltd	356	584
GFA – FIFA/UEFA	142	264
GHA – Alzheimer's Disease	280	469
GHA – GPMS	291	489
GHA – Receipts and Payments	320	531
Gibnet Legal Case	418-419	681-682
Gibraltar Business Expenditure Survey	170	308
Gibraltar Community Care	457	739
Gibraltar Day in London	338	560
Gibraltar Day in London	362	595
Gibraltar Day in London	407	666
Gibraltar Day in London	421-425	685-691
Gibraltar Day Trade Fair	167	304
Gibraltar Government Funding	347	570
Gibraltar in Europa	373	613
Gibraltar Issued Driving Licences	401-402	656-659
Gibraltar Regulatory Authority	392	642
Gibraltar Savings Bank	461-463	744-750
Gibraltar Tourist Board – Information Officers	175	319

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Gibraltar/Morocco Forum	361	594
Gibtel – New Card System	133-134	245-249
Gibtel/Nynex	130-131	242-243
Gibtel/Nynex	391	639
Government Documents	387	633
Government Notice 985/2000	405	663
GPMS Prescriptions	290	488
GPMS Prescriptions	295	494
Green Lane	147	271
Gross Domestic Product	459	741
Gun Wharf	337	559
Gun Wharf	354	580
Harbour Views Estate	137-138	254-255
Harbour Views Promenade	399	654
HAS Crown Plan – Tax Relief	451	729
Head 1A Subhead 4B – Books and Equipment	228	395
Head 6A – Subhead 8	166	303
Head 7 – Subhead 10	340	562
Head 7 – Subhead 14	341	563
Head 7 – Subhead 6	339	561
Heathfield House	89-90	173-174
Hotel Arrears	216	372
Hotel Assistance Scheme	213-215	368-371
Hotel Gradings	210-212	364-367
Hotel Industry – Vacancies	32	77
House Calls	297	497
Housing	107-108	204-206
Housing – King’s Bastion	85-86	169-170
Housing – Pensioner Exchange List	105	198
Housing – Post-War Flats	104	196
Housing – Post-War Flats	106	200
Housing – Pre-War Flats	102-103	193-195
Housing Advisory Committee	95	184
Housing Allocation Committee	97	186
Housing Waiting List	99-101	189-192
Identity Cards	453	731
Identity Cards	455	736
Imports	429	702
Improvement and Development Fund – Head 101 – Subhead 1	98	187
Incinerator	124	228
Income Tax – Corporation Tax	436	710
Income Tax – Corporation Tax	439-441	713-717
Income Tax – Corporation Tax	447-450	724-728
Income Tax – PAYE	435	709
Income Tax – PAYE	437-438	711-712
Income Tax – Self-Employed Persons	442-446	718-723
Industrial Park – Lathbury Barracks	344	566
Industrial Workers – Vacancies	397	650
In-Patient Admissions	299	500
International Code	125	230
International Telephone Code 350	390	638
Internet Cameras at the Frontier	426	692
Investment International	367	602
Jenny’s Nursery	155	285
Konver Programme	386	631
Labour Advisory Board	64	127

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Laguna Estate – Beautification	87	171
Laguna Estate – Lefts	88	172
Land Frontier – Refurbishment Works	189	336
Land Property Services	400	655
Leisure Centre – King’s Bastion	145	268
London Boat Show	205	356
Lottery – Unsold Tickets	135	250
Macmillan House	91	175
Main Street Post Office	111	210
Medical Advisory Board	96	185
Minister’s Overseas Visits	174	317
MMR Vaccine	311-312	519-520
Monarch Airlines	181	326
MOT – Private Motor Vehicles	149	275
MOT Test	150	277
National Day	12	28
National Week Committee	1	1
Nautilus IV	206	358
New Airlines	187	334
New Harbours – Arrears	372	611
No. 6 Convent Place – Installation of Lift	415	675
North Mole	410	670
Number of Companies Registered	378	618
Number of Nurses	318	527
Number of Prescriptions	282-283	471-473
Number of Prescriptions	289	486
Number of Private Motor Vehicles Imported	223-224	384-385
Number of Scheduled Flights	185	331
Number of Vehicles Registered	162	298
Nurseries	231	399
NVQ Level 2 Qualifications	322	535
Nynex – Collection Office	128	235
Nynex – Telephone Numbers	127	234
Nynex/Gibtel – Telephone Numbers	126	233
Objective 2 Programme	385	630
Occupational Diseases	315	523
OECD Tax Initiatives	417	678
OESCO	140	257
OESCO Contract	113	213
Offshore Betting	408-409	667-669
Old Town Range Barracks	336	557
Open/Closed Long Term Benefits Fund	6	16
Orange Bastion Depot	115	215
Out-Patient Attendances	296	496
Out-Patient Attendances	298	499
Parson’s Lodge Battery	192	339
Patient Referrals to UK	273-279	460-468
Pensioner Bonds	460	743
Personal Emoluments – Projected Expenditure	393	644
Port – Value of Bunkers	225	387
Port Authority	146	269
Port Operations – Licences	209	363
Post of Chief Executive	304	508
Post of Consultant Geriatrician	305	511
Post of Consultant Pathologist	306	512
Post of Consultant Radiologist	308	514

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Post of Personnel Manager	398	652
Post Office Report	112	211
Postal Services – Delays	110	208
Potable Water	121-122	222-226
Power Boat Festival	204	354
Prescription Charges	288	485
Primary Care Centre	321	534
Prince George's Block	334	555
Private Practice	301-302	502-504
Proposed Science Park	343	565
Psycho-Geriatric Patients	316	525
Public Bus Service	156	288
Qualifying Companies	380	620
Red Ensign Club	92	177
Regional Airlines	183-184	329-330
Release of MOD Properties	335	556
Repayment of Loans to Businesses	348	572
Report – Buildings and Works Department	69	140
Resident Permits	454	732
Residential Properties Sold	333	553
Reverse Osmosis Plant	123	227
Rosia Bay	191	338
Scada Controller Link Project	118	219
School of Maritime Studies	201	350
Secretarial and Business Administration Course	325-326	541-542
Security Systems at the Port	169	307
Shipping Seminar at the Baltic Exchange	406	665
Shortages of Beds in St Bernard's Hospital	303	505
Sir William Jackson Grove	80-82	162-166
Social Assistance	4-5	11-15
Social Assistance	13-21	30-44
Social Security – Number of Unemployed	3	6
Special Educational Needs Report	232	400
St Anne's School – Extension	238	408
St Bernadette's Centre	11	26
St Bernard's School	239	409
St Michael's Cave	195	342
Student Nurses	319	529
Surveillance Cameras	160	295
Telephone Numbering	389	637
Tenant Satisfaction Survey	94	182
Terminals Assistant	177	321
The Merchant Shipping (Carriage of Dangerous or Polluting Goods) Ordinance 2000	388	635
Theatre Royal	272	459
Theatre Royal	327-328	543-546
Tourism – "Give Aways"	221-222	380-
Tourism – Number of Hotel Beds	218-219	374-375
Tourism – Number of Visitors	180	325
Tourism – Persons Interviewed	217	373
Tourism – Persons Interviewed	220	376
Tourism Advisory Board	172-173	313-316
Tourism Figures	168	306
Tourism Marketing	427	694
Tourism Site Officers	176	320
Tourist Office – Old Heath Centre Building	202	351



<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Traffic Commission – Coaling Island	154	282
Training – Cammell Laird	253-254	427-428
Transfer of Boats at Western Beach to Coaling Island	403	660
Transport – Driving Licences	157-158	290-293
Transport – EU Registration Plate	161	296
Transport – GBZ	159	294
Transport – Queensway	152	280
Transport – Road Section	148	272
Transport – Upper Town Area	153	281
Varyl Begg Estate – Garages	68	138
Vehicle Registration Numbers	163-164	299-301
Victoria Stadium – Squash Court	144	267
Visas for Non-EU Nationals	420	683
Visit by Financial Journalists	364-365	597-600
Visit to London	368	603
Visitor Information Patrol Officers	178-179	322-324
Vocational Cadets	38	87
Wage Subsidy	41	95
Welcome Host Course	207	361
Westview Park	70	145
World War II Tunnels	196-197	344-345

NO. 1 OF 2001

THE HON S E LINARES

**NATIONAL WEEK COMMITTEE**

Have Government notified the people in the original National Week Committee that they are no longer needed since it did not meet last year?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The National Week Committee was not a statutory body and has therefore not been officially disbanded. It was a working group formed in the initial years when Government took over the organisation of National Week. The people who were involved originally are aware, and many agree, that there is no longer a need for such a large working group.

SUPPLEMENTARY TO QUESTION NO.1 OF 2001

HON S E LINARES:

Can the Minister state how they have been communicated to let them know this? By writing or verbally?

HON MRS Y DEL AGUA:

They have been told verbally.

HON S E LINARES:

Do Government consider National Week a cultural event?

HON MRS Y DEL AGUA:

Yes.

HON S E LINARES:

Should this not be done by the Minister for Culture rather than the Minister for Social Services?

HON CHIEF MINISTER:

As the hon Member knows the allocation of functions between Ministers is the function of the Chief Minister. The Chief Minister decided, upon request from the Minister for Culture, who has recently been allocated the onerous new portfolio of Health, who has already considerable responsibilities in relation to Education, if he could have ministerial assistance from another of his Colleagues in relation to these matters, and I am very glad to tell the House that the Minister for Social Affairs volunteered the post and therefore has assisted the Minister for Culture in that respect and a jolly good job she has done too.

HON S E LINARES:

Has the Minister for Social Services, rather than the Minister for Culture, notified the "doers" as well as the "dents" Committee about whether they are in or not in, because there seems to be a bit of confusion, some of the ones who were in the original Committee are now in the Committee that the hon Lady has, have they been notified whether they are in or not?

HON MRS Y DEL AGUA:

They have been notified verbally, as I have said before.

NO.2 OF 2001

THE HON J C PEREZ

**FREE BUS SERVICE FOR PENSIONERS TO UPPER TOWN**

Do Government still intend to provide a free bus service for senior citizens living in the upper town area?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Yes.

SUPPLEMENTARY TO QUESTION NO.2 OF 2001

HON J C PEREZ:

Since the hon Lady said in March last year that she was expecting the service to be operational last autumn, can she explain what is the delay and when she expects the service to be in operation now?

HON MRS Y DEL AGUA:

The delay has been that the negotiations with the operator have been more protracted than we envisaged. The service should be in operation hopefully by this side of Easter.

HON J C PEREZ:

The hon Lady is talking about talking to a contractor. Is this part of the on-going discussions with all the bus operators? Or is this with a particular contractor or is the service going to go out to tender or is this going to be part of the normal No.2 service, which I think the Hon Chief Minister said in March was not a good idea to provide the service within the No.2 service because it was not providing a full public service at the time.

HON CHIEF MINISTER:

In a sense it is the fact that the whole Bus Service issue is up in the air, that has contributed to the delay. In a sense this has got caught up on Government to decide whether just to make an interim arrangement of the service or to await for its incorporation into an overall solution to the public transport system. In the event what has happened is that both existing licensees were asked to submit a quotation. We have now received these quotations and the Government consider that they require some negotiation on the financial side because we consider them to be excessive for the service to be provided.

HON J C PEREZ:

Could the Minister for Transport state whether this would not undermine further the No.2 bus route, which is not giving a proper service precisely because of the traffic problems there? If there is a free bus service for senior citizens, then is it intended to

do away with the No.2 service completely to the Willis's Road area, or is it going to be the same service and it is going to be free for senior citizens?

HON J J HOLLIDAY:

The fact that a new service for old age pensioners, even though as an interim measure, could undermine the present No.2 service is something that we have been concerned about. Therefore this is why we are more inclined to go down the route of the No.2 service operator at the moment. Nevertheless, as the Chief Minister has pointed out, the quotation we have received is excessive and needs more detailed discussion. In any case, this is just an interim measure, which will obviously be encapsulated into the new bus service which will incorporate that particular service as such.

HON J C PEREZ:

Whatever the option the Government take, we will expect that this side of Easter there will be a service to the Willis's Road area, which is the course of complaint. The complaint is that the service to the Willis's Road area is practically non-existent now, although the question is aimed at pensioners there are people who are not pensioners, that certainly need a bus service to the area.

HON CHIEF MINISTER:

This, as the hon Member knows from the days that he had political responsibility for it, is a very long standing problem linked in no small measure, as he himself has indicated to the traffic circulation problems in that part of town and we do expect all aspects of the problems, not just in relation to old age pensioners, but in relation to the bus service generally to be resolved by a combination of the service for the elderly, the new bus service, when it emerges, plus the new traffic circulation arrangements for the Upper Town area when they emerge, which I know he awaits with bated breath. He should resist the temptation.....

HON J C PEREZ:

It is the subject of another question.

HON J J BOSSANO:

The Chief Minister said that the proposed cost to the Government was excessive for the service to be provided, can he explain what is the service to be provided?

HON CHIEF MINISTER:

I am not willing to engage the hon Member now in a public airing of what the negotiations are. The service to be provided is a free service from the Upper Town to one fixed point in the Lower Town for elderly persons resident in the Upper Town area. To that extent, it is not akin to a bus service, in that it will not stop at numerous intermediary points. They will stop only at specific points on a direct line route up and down from the Upper Town. It is really an elderly persons shuttle service rather than anything else and that is the service to be provided.



HON J J BOSSANO:

Is there a sort of number of hours within which this will or intervals within which the service is to be provided and how have the proposed costings been made?

HON CHIEF MINISTER:

I really do not think it is appropriate for the hon Members at question time to cross-examine or even to question the Government on a policy proposal, the details of which the Government have not yet published. When the Government have published the details of how they intend to implement this, it then becomes entirely legitimate for the hon Members to criticise and to question or indeed to support the measure if they consider it appropriate. To question the Government hypothetically before the policy has been unfolded, so to speak, is not the purpose of question time.

HON J J BOSSANO:

I am seeking information and if we are told that it is excessive for the service to be provided, we can only assume that the Government know what the service that they want is, otherwise they would not be able to judge whether it was a reasonable price or not. Is it once a day or ten times a day or every half-hour or have they not even thought of that?

HON CHIEF MINISTER:

The answer is that the Government are entirely aware of the service that is going to be provided, do not consider it nevertheless appropriate to put details into the public domain until the negotiations with the transport contractor are concluded and the Government make a statement about the commencement of this service.

QUESTION NO.3 OF 2001

THE HON J L BALDACHINO

**SOCIAL SECURITY – NUMBER OF UNEMPLOYED**

Can Government give a breakdown by month of male and female unemployed Gibraltarians aged 18 years and over from the 1 July 2000 to 31 January 2001 receiving:

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

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

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

SUPPLEMENTARY TO QUESTION NO.3 OF 2001

HON J L BALDACHINO:

Can the Minister say if these figures are the result of persons who are unemployed and receiving unemployment benefit or social assistance, having benefits stopped for refusing to sign a declaration admitting that they were not doing enough for seeking employment? Is that reflected in these figures?

HON MRS Y DEL AGUA:

No.

HON J J BOSSANO:

Has such a policy been implemented already or is it in the process of being implemented?

HON CHIEF MINISTER:

That policy has been adopted but not yet implemented. The job seekers agreement, which is the policy that the hon Members are describing in their questions, has not yet been implemented.

HON J J BOSSANO:

So in fact nobody has been told so far that unless they sign a document to that effect, they will not be paid unemployment benefit?

HON MRS Y DEL AGUA:

No.

HON J J BOSSANO:

So I take it that if somebody has been told that and we bring that to the attention of the Minister they will be able to take corrective action?

HON CHIEF MINISTER:

Not necessarily. As the hon Member is well aware, the law already, and always has contained the requirement that people seeking unemployment benefit should be available for work. I cannot say to the hon Member for certain that at an administrative level, that old statutory provision may not from time to time, I have no knowledge of any incident in which it has happened, but it may be that that may have been deployed. If it has, it is not pursuant to any particular policy decision of the Government in the context of the job seekers agreement.

HON J J BOSSANO:

I am not talking about anything that existed before this month. Are the Government aware that a week ago, the department was asking people to sign a piece of paper in which they said that they admitted that they were not doing enough to seek employment and unless they signed a piece of paper they would not get unemployment benefit?

HON H A CORBY:

No. What they have to do is to register as unemployed, because if they do not do that, then they are liable not to get the benefit.

HON J J BOSSANO:

I accept that that has been the practice for years. I am not questioning that that should be the case. That is quite right. I would not expect the Government to be paying people who do not show up at all. For example, to my knowledge, perhaps the Government can confirm. It has not been the case that an individual loses his unemployment benefit if he rejects any offer of employment. Any offer can be that somebody can be, for example, a clerk, and if he is told that he has got to go and work as a labourer, and he says no, then by definition with the piece of paper that this particular individual has had in front of him to sign, if he does not commit himself to accepting any job whatever the job may be, then he loses his unemployment benefit. That is not a policy that has ever been in existence before.

HON CHIEF MINISTER:

And it is not the policy now. The job seekers agreement, I do not remember the exact details of it, perhaps my hon Friend can just clarify this. The job seekers agreement will say something about suitable employment or it has used some adjective which will not mean just any employment, but what it will mean is that people cannot just whimsically say no to every employment that is offered to them on the basis that it is not to their liking. There has got to be some objective assessment of when it is reasonable for somebody to turn down a job offer and when it is not reasonable to turn down a job offer. But that is not in operation yet. That will be part of the job seekers agreement.

HON J J BOSSANO:

But what we are getting from the Government is in fact confirmation, that notwithstanding the fact that the staff have asked somebody to sign this piece of paper on the 4<sup>th</sup> February, this paper is not yet Government policy, and from what we are being told, it does not look as if it is ever going to be Government policy.

HON CHIEF MINISTER:

I am not aware of that piece of paper. It may be that it simply reflects the language of the current legislation and I will not be able from the hearing of it of his first reading of the paper, I do not know whether that is the case or not because I did not hear him exactly when he read it. Certainly, if it does not reflect the current legislation, it does not reflect any implementation of a new policy.

HON J J NETTO:

It is something of an administrative task in terms of the employment service tracking the genuineness and seeking efforts of the unemployed person getting a job. It cannot be Government policy because I do not think the current legislation, as it stands, is adequate in order to enable the department to take people out because they are not putting any effort whatsoever in getting a particular job. I can say that whenever it becomes Government policy, if the Government implement it, there will have to be changes to both the Social Insurance Ordinance and to the Employment Ordinance and it will have to define quite clearly in the new amendments the actual efforts that have been done by the unemployed person. For instance in such new scenario in the future, if a carpenter registers as a carpenter, he will probably have, as in the UK, 13 weeks to look for his first choice of employment. But obviously what the carpenters in the UK cannot do is to continue 10 years looking only and exclusively for a job as a carpenter. In other words he has to open out his range of jobs that are in the market. I am actually anticipating what might be the case once it becomes Government policy in relation to the changes. At the moment I fear that what the hon Member has got there is an administrative task because notwithstanding the changes, the Employment Service is actually looking more closely administratively at the effort to bring people back to work.

HON J J BOSSANO:

We support whatever efforts are made to get people back into work. That is the purpose of the Employment Service. The Minister said that when the policy is finalised, there will be the necessary amendments to the legislation to provide for this. The current legislation does not support this and therefore in any case in the kind of example that he has given, if we are talking about stopping somebody's unemployment benefit, which is only payable for 13 weeks, then if the proposal was that he was a carpenter, he could exist on being a carpenter for 13 weeks, one could not stop his unemployment benefit within the 13 weeks.

HON CHIEF MINISTER:

The job seekers agreement policy when it emerges, will not address only statutory unemployment benefit. It will extend also to the discretionary social assistance benefit as well.

HON J J BOSSANO:

I do not dispute that that may be the case, but the point about the case we are bringing up in the context of this question is that this actually is about unemployment benefit. Therefore, we were surprised to learn that somebody could be told by the Employment Board that unless they sign this piece of paper, which they did not want to sign because they did not think it was true, they would not get paid. They were not told they would not get paid because they were refusing to go to a job, they said they would not get paid because they were refusing to sign a piece of paper saying that if they rejected any offer, the claim would be disallowed without further warning.

HON CHIEF MINISTER:

If the hon Members wanted answers to questions specifically about a specific piece of paper that people have been asked to sign at the Employment Office, they should have given us notice of that question and not ask it in supplementary to their usual question which simply seeks statistics of the number of people.....either the purpose of question time is to illicit information or it is to take the Government by surprise, which is also legitimate, I am not saying it is illegitimate, but we must not confuse one exercise with the other. If they are genuinely interested in the information, they have got to give us the opportunity to become sighted of the issue. Certainly, I myself am sufficiently interested in the piece of paper that the hon Member has read from to be concerned to ensure that it does not require people to commit themselves to things which is not currently supported by the legislation in place.

HON J J BOSSANO:

Mr Speaker, we have not been trying to ambush the Government, it is just that the information came to us too late in the notice of the question and the only way we could raise it was to question whether this was a reflection of Government policy, it was already reflected in less people being shown than would otherwise have been without that new policy. That is the link between the two.



Answer to Question 3 of 2001

A. UNEMPLOYMENT BENEFITS

	<u>MALE</u>	<u>FEMALE</u>
JULY 2000	47	27
AUGUST 2000	43	29
SEPTEMBER 2000	39	26
OCTOBER 2000	32	24
NOVEMBER 2000	34	26
DECEMBER 2000	44	24
JANUARY 2001	36	26

B. SOCIAL ASSISTANCE

	<u>MALE</u>	<u>FEMALE</u>
JULY 2000	81	32
AUGUST 2000	88	36
SEPTEMBER 2000	94	33
OCTOBER 2000	84	23
NOVEMBER 2000	75	30
DECEMBER 2000	77	29
JANUARY 2001	83	30

C. NO PAYMENTS

	<u>MALE</u>	<u>FEMALE</u>
JULY 2000	59	28
AUGUST 2000	62	39
SEPTEMBER 2000	57	62
OCTOBER 2000	77	90
NOVEMBER 2000	64	62
DECEMBER 2000	35	56

JANUARY 2001      Information not yet available

NO.4 OF 2001

THE HON J L BALDACHINO

**SOCIAL ASSISTANCE**

Can Government state the number of persons receiving Social Assistance each month from January to December 2000 giving a breakdown by age, sex, month?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

I can only provide a breakdown of persons receiving Social Assistance by sex and month as the information requested going back to January 2000, is not readily available. To provide details of age requires each recipient's file to be looked at manually and this requires disproportionate administrative effort.

I hand the hon Member a list of the information available.

SUPPLEMENTARY TO QUESTION NO.4 OF 2001

HON J J BOSSANO:

Can I ask the difference between the numbers in the male and female categories in this list and those in the previous question and in Question No. 285 of 2000, which was from January to July, are those that are getting Social Assistance without having to seek employment, is that a correct interpretation of the figures?

HON MRS Y DEL AGUA:

I do not know the exact difference but I believe that some of them do have to continue to register as unemployed.

HON J J BOSSANO:

If I can give the Minister an example. In the answer we have just been given, it gave a breakdown of the male and female getting Social Assistance, as well as unemployment benefit and no payment. What I am asking is that since the figures on that list are less than the figures on this list, is the difference between the two people who are not required to seek employment?

HON MRS Y DEL AGUA:

It must be the case.

HON J J BOSSANO:

It ought to be the case logically, but are we getting confirmation that it is?

HON MRS Y DEL AGUA:

I will verify this for the hon Member and pass the information on to him, whether it is the case or not.

HON CHIEF MINISTER:

I am not sure whether anybody under the age of 18 is entitled to Social Assistance, but that can only be the other distinguishing factor. The previous question spoke of persons aged 18 years and over. I am not sure that anybody under 18 years qualifies for Social Assistance, but if they did, that could be another possible reason.

HON J J BOSSANO:

If we take the December male figure of 155, persons receiving Social Assistance, and we take the December male unemployed, receiving Social Assistance, one figure is 77 and one is 155. We are assuming that they are both over 18, but that the 155 are persons who by the nature of their disability or whatever, may be on Social Assistance without being required to .....

HON CHIEF MINISTER:

And I have said that that is obviously the reason for the bulk of them but may not be the only factor. One contributor to the figure, although necessarily it will have to be a small contribution to the difference, is that some people may be only in receipt of Social Assistance who are under the age of 18 years. They would therefore not be included in the answer to Question No. 3 of 2001, which asks for persons aged 18 and over. The hon Member is comparing the information in Question No. 3 of 2001 to the information in Question No. 4 of 2001. I am not saying that it is a factor, or how big it is, but it might be a contributing factor.

**Answer to Question 4 of 2001**

**PERSONS IN RECEIPT OF SOCIAL ASSISTANCE**

	<b><u>MALE</u></b>	<b><u>FEMALE</u></b>	<b><u>TOTAL</u></b>
<b>JANUARY 2000</b>	<b>173</b>	<b>210</b>	<b>383</b>
<b>FEBRUARY 2000</b>	<b>172</b>	<b>205</b>	<b>377</b>
<b>MARCH 2000</b>	<b>176</b>	<b>199</b>	<b>375</b>
<b>APRIL 2000</b>	<b>182</b>	<b>205</b>	<b>387</b>
<b>MAY 2000</b>	<b>168</b>	<b>201</b>	<b>369</b>
<b>JUNE 2000</b>	<b>162</b>	<b>197</b>	<b>359</b>
<b>JULY 2000</b>	<b>175</b>	<b>197</b>	<b>372</b>
<b>AUGUST 2000</b>	<b>171</b>	<b>204</b>	<b>375</b>
<b>SEPTEMBER 2000</b>	<b>178</b>	<b>203</b>	<b>381</b>
<b>OCTOBER 2000</b>	<b>168</b>	<b>191</b>	<b>359</b>
<b>NOVEMBER 2000</b>	<b>155</b>	<b>198</b>	<b>353</b>
<b>DECEMBER 2000</b>	<b>155</b>	<b>189</b>	<b>344</b>

**NOTE: PERSONS IN RECEIPT OF THE MINIMUM INCOME GUARANTEE  
ARE NOT INLCUED IN THIS LIST.**

NO.5 OF 2001

THE HON J L BALDACHINO

**SOCIAL ASSISTANCE**

Can Government state of persons who were receiving Social Assistance in the month of August to December 2000, how many were registered with the Employment Agency as seeking employment giving a breakdown by sex, age and month?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

I can only provide a breakdown of the information requested by sex and month for the reason already explained in my answer to the previous question.

I hand the hon Member a list of the information available.

SUPPLEMENTARY TO QUESTION NO.5 of 2001

HON J L BALDACHINO:

In Question No. 285 of 2000, where we asked the same question, the information asked was provided.

HON MRS Y DEL AGUA:

I appreciate that that was the case, but due to time limitations and the department's workload during this period, we have been unable to go through the files manually to ascertain the age of each individual.

HON J L BALDACHINO:

The question has been asked for the last four years and the answers have been provided. What is the difference now to what was four years ago?

HON MRS Y DEL AGUA:

The difference is the department's workload at this precise moment in time.

HON J L BALDACHINO:

Obviously, if the department is going through a lapse on this after Question 285, will it be able to provide information asked at a later date?

HON MRS Y DEL AGUA:

We will try to obtain the information whenever it is physically possible and hand it over to the hon Member.



Answer to Question 5 of 2001

PERSONS AGED 18 OR OVER  
IN RECEIPT OF SOCIAL  
ASSISTANCE

REGISTERED WITH THE  
EMPLOYMENT SERVICE

	<u>Males</u>	<u>Females</u>	<u>Total</u>		<u>Males</u>	<u>Females</u>	<u>Total</u>
Aug.00	171	204	375		88	36	124
Sept.00	178	203	381		94	33	127
Oct.00	168	191	359		84	23	107
Nov.00	155	198	353		75	30	105
Dec.00	155	189	344		77	29	106

NO.6 OF 2001

THE 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 August 2000?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

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

Answer to Question 6 of 2001

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

August 2000	£900,000
September 2000	£750,000
October 2000	£900,000
November 2000	£1,000,000
December 2000	£1,200,000
	<u>£4,750,000</u>

NO.7 OF 2001

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 August 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 hand the hon Member a statement giving the information requested.

**ANSWER TO QUESTION 7 of 2001**  
**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The balance of the Closed Long-Term Benefits Fund since August 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>31-Aug-00</u>	<u>30-Sep-00</u>	<u>31-Oct-00</u>	<u>30-Nov-00</u>	<u>31-Dec-00</u>
<b><u>Fund Account -</u></b>					
<b><u>Opening Balance</u></b>	£567,757	£596,071	£592,529	£559,117	£917,755
<b><u>"Local Account"</u></b>					
Opening Balance	£96,352	£135,520	£11,291	£49,204	£214,090
<u>Add</u>					
Tranfers from the Open Long-Term Benefits Fund	£900,000	£750,000	£900,000	£1,000,000	£1,200,000
Other Receipts	£4,125	£3,917	£3,408	£6,256	£3,690
	£1,000,477	£889,437	£914,700	£1,055,459	£1,417,781
<u>Less</u>					
Pension Payments	(£864,957)	(£878,146)	(£865,496)	(£841,369)	(£975,289)
Closing Balance	£135,520	£11,291	£49,204	£214,090	£442,492
<b><u>"Spanish Account"</u></b>					
Opening Balance	£471,405	£460,551	£581,238	£509,913	£703,665
<u>Add</u>					
Receipts from D.F.I.D.	£510,000	£1,100,000	£450,000	£340,000	£1,030,000
	£981,405	£1,560,551	£1,031,238	£849,913	£1,733,665
<u>Less</u>					
Pension Payments	(£520,854)	(£979,313)	(£521,325)	(£146,248)	(£1,470,998)
Closing Balance	£460,551	£581,238	£509,913	£703,665	£262,667
<b><u>Fund Account -</u></b>					
<b><u>Closing Balance</u></b>	£596,071	£592,529	£559,117	£917,755	£705,159

NO.8 OF 2001THE HON J L BALDACHINO**CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the number of pensioners being paid or with entitlement to payment since September 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

I hand the hon Member a list of the information available. However, I should point out that in preparation for the transfer of information to our new computer system certain discrepancies have been detected regarding the Spanish pension data.

It appears that, at some stage, possibly during 1993 to July 1996, when there was hardly any contact with pensioners as most of them were being paid by the Junta de Andalucia, the data was not regularly up-dated in respect of deaths or those "presumed dead" (these are files of pensioners who have not collected for a number of years). Also, in respect of the period September 2000 to January 2001, 410 Spanish pensioners have recently been deleted from the database as "presumed dead". A thorough check of individual Spanish pension files has been carried out and the necessary adjustment to the running balance has been made with effect from the month of September 2000. The British, Moroccan and other nationality pensioners files are also being checked to ensure that all the data in the main computer is 100 per cent correct.

SUPPLEMENTARY TO QUESTION NO.8 OF 2001

HON J J BOSSANO:

The explanation which we have been given is what explains the 1600 drop between August and September. That is between the answer to Question No. 282 of 2000 when it shows Spanish pensioners 9072 and September, which shows Spanish pensioners as 9436. Is that correct?

HON MRS Y DEL AGUA:

Yes, that is correct.

HON J J BOSSANO:

How is that reconciled with the amount of money being paid? Was the amount of money that was being paid in August before this adjustment was made being paid on the assumption that it was the payment due to 9072?

HON MRS Y DEL AGUA:

No. Those records that were not entered into the database were not collected. Those pensioners did not actually get the payments.

HON J J BOSSANO:

We have been asking questions regularly on both the amount of money paid and the numbers of individuals. Do the amounts of money paid need also to be corrected?

HON CHIEF MINISTER:

No. The amount of money paid represents money dispersed, whereas this represents a databank of names which is now spring cleaned on a one off basis, although not yet completed. The answers that we have been giving to the hon Members about the sums of money paid out to pensioners is on the basis of money paid out, it is a Treasury exercise, and that these are people to whom money has not been paid out. Therefore it does not require, in other words, the information in answer to questions about sums of money, is not tainted by this information about the number of pensioners collecting it.

Answer to Question 8 of 2001

	<u>Sept.00</u>	<u>Oct.00</u>	<u>Nov.00</u>	<u>Dec.00</u>	<u>Jan.01</u>
Pre-1969 Spanish pensioners	7436	7414	7388	7358	7289
British pensioners (Gib/UK Nat.)	4842	4849	4844	4839	4835
Moroccan pensioners	1108	1112	1112	1110	1098
Other nationalities	309	309	310	308	304
Total:	<u>13695</u>	<u>13684</u>	<u>13654</u>	<u>13615</u>	<u>13526</u>



ORAL

NO.9 OF 2001

THE HON J L BALDACHINO

**DR GIRALDI HOME**

Can Government state if the works at Dr Giraldi's Home have now been completed?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question No.10 of 2001.

NO. 10 OF 2001

HON J L BALDACHINO

**DR GIRALDI HOME**

Can Government state how many individuals requiring respite facilities have been accommodated at Dr Giraldi's Home since October 2000 to date?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The building works at the Dr Giraldi Home are completed and the residents are now housed in their smaller and more homely units.

Since October the unit for respite and sitting services have provided the following numbers of people with Sitting and Respite Care.

Fifteen people have made use of the service of which seven have made use of the overnight beds on a regular basis.

SUPPLEMENTARY TO QUESTION NOS. 9 AND 10 OF 2001

HON J L BALDACHINO:

So the four units that were available for respite have now been in operation since October. Is that correct?

HON MRS Y DEL AGUA:

The unit with four beds in it has been operational since October.

HON J L BALDACHINO:

What about the other three?

HON MRS Y DEL AGUA:

The other three are not for respite. They are for the normal residents.

HON J L BALDACHINO:

So it means then that if somebody wants respite facilities and there are four, the four persons will be staying in the same room. Is that correct?

HON MRS Y DEL AGUA:

In the same apartment, as opposed to a room.

HON J L BALDACHINO:

Therefore, it will be different cubicles in that apartment, or are the four beds together in one room?

HON MRS Y DEL AGUA:

I am afraid I have not got the answer to that question. I will pass on the information as soon as I verify it.

HON J L BALDACHINO:

So when the Minister told me that they would be increased 100 per cent, that is from two to four, what she meant is what she just said, beds from two to four will be increased for respite. Is that correct?

HON CHIEF MINISTER:

She has told the hon Member that she does not know whether the answer to his question is that the new facilities is on the basis of individual beds, albeit, in a shared room or separate. When she has given the answer to that question, the hon Member perhaps will be able to make the deductions that he has just made.

HON J L BALDACHINO:

Will the Minister provide the information?

HON MRS Y DEL AGUA:

Yes.

NO. 11 OF 2001

THE HON J L BALDACHINO

**ST BERNADETTE'S CENTRE**

Can Government state if the Special Bus for St Bernadette's School has now been purchased?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The adapted vehicle for St Bernadette's Centre has been purchased and was delivered in the summer of last year.

SUPPLEMENTARY TO QUESTION NO.11 OF 2001

HON J L BALDACHINO:

When did it start operating?

HON MRS Y DEL AGUA:

As soon as it was licensed, I suppose.

HON J L BALDACHINO:

Licensed by whom?

HON MRS Y DEL AGUA:

By the Licensing Authorities.

HON J L BALDACHINO:

When did that happen?

HON MRS Y DEL AGUA:

In the summer of last year when it arrived in Gibraltar.

HON J L BALDACHINO:

The Minister is saying then that it started its operation, in the summer of last year. When the bus came to Gibraltar was it fully equipped or did the vehicle need adaptations?

HON MRS Y DEL AGUA:

No. The vehicle was delivered but needed an extra step fitted to enable people to access the side door. This step was manufactured in Spain and has been delivered for fitting. At the same time grab handles at the side door will be fitted. In any case

the bus was being used from the moment it was purchased irrespective of the fact that it needed extra things fitted to it.

HON J L BALDACHINO:

When the Minister put out the tender for the purchase of the bus did the tender have the requirements that it had to have?

HON MRS Y DEL AGUA:

I did not personally put out the tender, but I suppose that it was requested and for some unknown reason, that I am not aware of at this moment, it did not arrive fully complete.

HON J L BALDACHINO:

Is the Minister saying then that since the summer it was put in operation even though it was not suitable for some of the persons who use that bus?

HON MRS Y DEL AGUA:

Yes. It was put into operation although the carers had more difficulty in transporting the people but it was being used.

HON J L BALDACHINO:

At the time was the old bus that it was supposed to be replacing also in operation?

HON MRS Y DEL AGUA:

I am not aware whether it was or not. I can find out for him.

No.12 of 2001

THE HON DR J GARCIA

**NATIONAL DAY**

Can Government provide a breakdown of the £138,000 forecast out-turn for 1999/2000 in respect of Head 8-A Secretariat, Sub-Head 23, National Day?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

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

SUPPLEMENTARY TO QUESTION NO.12 OF 2001

HON DR J GARCIA:

Can the Minister say or give an indication of what this £71,706 referred to as works and equipment, actually entails?

HON MRS Y DEL AGUA:

Most of it was spent on the electricity posts which had to be set up for the lights to be connected. Other electrical materials, the fencing that was erected along Sir Herbert Miles promenade so that things would not be thrown down into the fairground, things of that sort.

HON DR J GARCIA:

Can the Minister say where the visiting dignitaries, the MPs and the others that come over, where that is actually paid from? Whether it is paid from this fund or somewhere else?

HON CHIEF MINISTER:

The hon Member will have to give me the opportunity to confirm what I am about to say to him, but I am practically certain that the travel and accommodation costs of the visiting MPs are charged to the fund that exists under the control of the Chief Secretary for political visitors, visiting MP delegations and things of that sort, because in a sense that is what it is. It just happens to coincide on National Day, so I will confirm it to him but I am almost certain that it is not included in this fund.

Answer to Question 12 of 2001

<b>Publicity Material</b>	<b>£9,616.00</b>
<b>Events</b>	<b>£16,669.59</b>
<b>Works/Equipment</b>	<b>£71,706.79</b>
<b>FireWorks</b>	<b>£15,894.32</b>
<b>Insurance/Hire</b>	<b>£395.00</b>
<b>Adverts</b>	<b>£1,300.00</b>
<b>SDGG</b>	<b>£8,087.82</b>
<b>Cleaning</b>	<b>£5,068.50</b>
<b>Receptions</b>	<b>£3,444.60</b>
<b>Security</b>	<b>£1,309.00</b>
<b>Elec &amp; Water</b>	<b>£848.58</b>
<b>Misc</b>	<b>£981.53</b>

**£135,321.73**

ORAL

NO.13 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government confirm that persons living in a household with persons other than a spouse or partner are not entitled to apply for Social Assistance for persons over pensionable age?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 14, 15, 16, 17, 18, 19 and 20 of 2001.



ORAL

NO. 14 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state how many pensioners applied for the £85 level of Social Assistance for persons over pensionable age, and of those, how many qualified and how many were refused?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 13, 15, 16, 17, 18, 19 and 20 of 2001.

ORAL

NO.15 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state, of the persons that have qualified for the £110 Social Assistance for persons of pensionable age, how many are receiving the £110 and what is the number of persons receiving lesser amounts in bands of £5, from £105 to £5 per week?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 13, 14, 16, 17, 18, 19 and 20 of 2001.

ORAL

NO. 16 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state how many persons applied for the £110 level of Social Assistance for persons over pensionable age, and of those, how many qualified and how many were refused?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 13, 14, 15, 17, 18, 19 and 20 of 2001.

ORAL

NO.17 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state, of the persons that have qualified for the £85 Social Assistance for persons of pensionable age, how many are receiving £85 and what is the number of persons receiving lesser amounts in bands of £5, from £80 to £5 per week?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 13, 14, 15, 16, 18, 19 and 20 of 2001.

ORAL

NO.18 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Do persons applying for Social Assistance for persons over pensionable age who qualify, get paid from 1<sup>st</sup> January 2001 or from the date of application?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 13, 14, 15, 16, 17, 19 and 20 of 2001.

ORAL

NO.19 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state how many persons had applied for Social Assistance for persons over pensionable age by 1<sup>st</sup> January 2001.

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 13, 14, 15, 16, 17, 18 and 20 of 2001.

NO.20 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Are pensioners still in employment aged 60 and over entitled to have their net pay supplemented by Social Assistance, if below £110 for a married couple or £85 for a single person?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answer to Question No. 13 of 2001

I can confirm that only elderly persons who live alone or with their spouse or another elderly person are eligible to apply for the minimum income guarantee.

Answer to Question No. 14 of 2001

I can confirm that 462 persons have applied so far for the £85 Minimum Income Guarantee of which 321 are eligible and 141 have been disallowed.

Answer to Question Nos. 15 and 17 of 2001

Of those persons eligible to the Minimum Income Guarantee only 121 have been assessed and rated so far. The breakdown requested of different amounts payable is therefore not yet available but will be handed to the hon Member as soon as possible.

Answer to Question No. 16 of 2001

Eighty-three persons applied for the £110 Minimum Income Guarantee for couples. Thirty-one were eligible and 52 were disallowed.

Answer to Question No. 18 of 2001

All persons who are eligible for the Minimum Income Guarantee will be paid as from 1 September 2000.

Answer to Question No. 19 of 2001

Four hundred and sixty-four applications were received by the 1 January 2001.

Answer to Question No. 20 of 2001

Pensioners who work (except in community schemes) are not eligible for the Minimum Income Guarantee.

SUPPLEMENTARY TO QUESTION NOS.13 TO 20 OF 2001

HON J J BOSSANO:

What does "except in community schemes" means?

HON CHIEF MINISTER:

It means the conditions attached to the social wage payable by Community Care.

HON J J BOSSANO:

So the minimum income will only be payable to persons who are employed by Community Care Limited as Community Officers. Is that what it means?

HON CHIEF MINISTER:

This is completely unconnected to that scheme. This scheme does not apply to people who are at work, unless the work is limited to community schemes under the Community Care, the social wage scheme.

HON J J BOSSANO:

So in fact it means that Community Officers employed by Community Care are the only ones that are eligible to apply for this scheme?

HON CHIEF MINISTER:

They are the only people who are eligible to apply for it, who are people who are working. In other words, they are the only category of worker, as opposed to non-worker who can apply. Workers, in other words, people that do jobs are normally excluded from the elderly person minimum income guarantee scheme, except those people whose work is limited to community schemes under the social wage scheme operated by Community Care.

HON J J BOSSANO:

Can Government explain what is the rationale of that? Surely if other people were able to apply, the numbers that are likely to be below the levels established in the scheme are going to be minimal.

HON CHIEF MINISTER:

That may be so. The hon Member has got to bear in mind that at the time that the scheme was devised, we did not have statistics of that sort and we still do not have them. This may emerge with time and the rule that I have just explained to him was simply designed not to exclude people in receipt of a social wage. It may well be that with the passage of time, other changes are possible to the scheme, but initially because the Government did not have statistics of how many workers there were of certain age at work in the private sector, the rules were drafted in general terms, so as not to exclude basically men between the age of 60 and 65, who are in receipt of the social wage, because as the hon Member will recall, requires them to be engaged in community schemes. We did not want them to think that they were excluded by that fact only.



HON J J BOSSANO:

Have the Government any information as to whether in the numbers that have been given of applicants there has been any applications from this particular group? The group that is in the social wage who are eligible to apply?

HON MRS Y DEL AGUA:

I know that some have applied, but I do not know the actual number. What I do know for a fact is that no other person who is in employment other than through Community Care has applied.

HON J C PEREZ:

Would it not be the case that a lady, for example, between 60 and 65 working part-time as a cleaner in Government Services, if she were getting less than £85, by resigning her post she would be able to apply for it and perhaps get more income than what she is receiving as a cleaner, if that was her only income?

HON CHIEF MINISTER:

Yes. The Government acknowledge that at the time that this scheme is set up, and this is a new concept for Gibraltar, as happens with all Social Assistance and Social Security schemes, there are people on the borderline of whatever threshold is set, that may be better off not working. The same applies with unemployment benefit. The same applies with social systems of all sorts. It becomes very marginal at what stage it is worth working for an extra £5 per week, which is the position which some people with a large family find themselves in on supplementary benefits. It may be worse than that. Cases may exist of the sort that the hon Member has described where it is not only worth working for the little extra that one gets for being at work, there may be people who are actually better off by not working. Ladies who earn less than £85 per week, who live alone or with their spouse, they may well be better off, because they would be able to get £85 per week without working and depending on, how many cases of that sort emerge, that is the sort of factor that the Government will have to take into account when they decide what modifications, what improvements this scheme may require. We will have to see the first year's set of applications before some of these anomalies get thrown up and then can be identified and dealt with.

HON J J BOSSANO:

The answer to Question No.13 of 2001, was yes. Can the Government say whether there is a means test applied in respect of the household income, or independent of the level of income, is disallowed?

HON CHIEF MINISTER:

It is disallowed irrespective of the level of income. In our manifesto and in all the public statements that we made in the run up to this policy initiative, and indeed when I announced it to the House, I made it clear that this was a guarantee scheme, an income guarantee for elderly persons households and therefore the household has got to be the household of an elderly person, as opposed to an elderly person living in the household of his immediate or extended family. That is not what this particular policy initiative is directed at.

HON J J BOSSANO:

But this is creating a set of rules on Social Assistance which is different from the set of rules of Social Assistance that apply until the age of 60.

HON CHIEF MINISTER:

The hon Member insists on referring to this as Social Assistance, and of course it is a form of Social Assistance, but it is a specific form of Social Assistance, specifically designed and specifically conceived, not by him, but by us, and it is an elderly persons minimum income guarantee and it is designed and intended to benefit only elderly persons enjoying less than a minimum household income and live by themselves. It is not intended to make a contribution to the households of persons who have their elderly folk living in with them. That would be a different policy initiative which may or may not come at some stage in the future, but it is not the purpose of this particular scheme, which is intended to provide a minimum income for the households of pensioners who live by themselves without the benefit of the shared household expenditure of other members of their family.

HON J J BOSSANO:

Can I point out that I am certainly not trying to take the credit for the scheme away from the Chief Minister and that I am only calling it Social Assistance because the department gives out a form which says Social Assistance on the front of it. If he wants to know that is why I insist on calling it Social Assistance because that is what the department calls it. Can I ask the Chief Minister then whether the persons over 60 who have been getting Social Assistance before on the basis that they live with somebody else, whose income was below a certain level, will continue to get it?

HON CHIEF MINISTER:

Yes, of course.

HON J J BOSSANO:

So we have a situation where there could be a household with three persons with an income that is less than the household with two persons, because the fact that there is a third person disallows them from the level that the two get? Is that correct?

HON CHIEF MINISTER:

This scheme does not affect the existing other Social Assistance schemes.

HON J J BOSSANO:

In respect of persons that are currently getting Social Assistance, which is the reason for Questions Nos. 15 and 17 of 2001, is the assessment made on the basis of the difference between what they are getting already or the new level or are they taken off one scheme and put on the other?

HON MRS Y DEL AGUA:

That is made by the difference. They remain on the same scheme.

NO. 21 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Do owner-occupiers below pensionable age qualify for Social Assistance irrespective of the value of their property, or is this taken into account in assessing their eligibility?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Applications for Social Assistance from owner-occupiers below pensionable age are assessed on the basis of a case-by-case consideration of individual need, having regard to the circumstances of each case including the value of the property.

SUPPLEMENTARY TO QUESTION NO.21 OF 2001

HON J J BOSSANO:

So the value of the property ceases to be taken into account when they have reached the age of 60? Is that correct?

HON CHIEF MINISTER:

The answer was including the value of the property.

HON J J BOSSANO:

The question was below pensionable age.

HON CHIEF MINISTER:

I see what the hon Member means. I believe the answer is that there is no difference as to the relevance of the value of the property depending on the age of the applicant.

HON J J BOSSANO:

It does not cease to be taken into account in the equation on the person's sixtieth birthday, which is what I am assuming as pensionable age at the moment in the light of the definition of pensionable age.

HON CHIEF MINISTER:

That is correct. But nor should the hon Member overestimate the extent to which value of properties are relevant factors in people who are not expected in the ordinary course to sell their roofs in order to buy themselves bread. Therefore the value of the property is only a factor when one gets an owner occupier living in a very valuable property who could sell that property and buy themselves a more modest one and then be comfortably off. In the ordinary case, for example, 50-50 schemes, people are not expected to sell their properties just in order to qualify for Social Assistance.

HON J J BOSSANO:

Perhaps the phrase "selling their properties" is a particular way of putting it. I am not suggesting that the department tell them "go and sell your property, spend the money and then come back when there is nothing left". What I am saying is, for example, are people paying mortgages eligible for Social Assistance? I am not sure that they are, but I did not think that they were.

HON MRS Y DEL AGUA:

The few applications that have been approved in the past in on a case by case basis are in respect of homeowners on the Government 50-50 co-ownership scheme. Most of the applications are in respect of owner-occupiers in Gib V.

HON J J BOSSANO:

Given that there appears to be a new set of rules that have been introduced in relation to Social Assistance for persons age 60, I am trying to find out whether there is a difference in the operation between one or not?

HON CHIEF MINISTER:

I almost thought I clarified that for the first answer that was given to this question. This question has been answered separately to the all the ones that have preceded it because it has been interpreted not to relate to the elderly persons minimum income guarantee scheme. This question simply asks about Social Assistance generally and has been answered in that light. There is not a new set of rules for Social Assistance arising as a result of the elderly persons minimum income guarantee scheme. That new scheme has got its own rules. The existing Social Assistance schemes continue to have their own rules and remain unchanged and incidentally, the hon Member knows from his days on this side of the House that the reference to the word "rules", in the context of Social Assistance schemes, is something of a misnomer, because being a discretionary benefit, it is not the subject rules. They can be dealt with on a case by case basis on its merits

HON J J BOSSANO:

I am trying to establish whether the guidelines that are used are different in the case of persons age 60 and persons below pensionable age. That is the purpose of the question.

HON CHIEF MINISTER:

The answer is no.

HON J J BOSSANO:

Can the Government explain why it is that in the form that people are required to fill when they apply for the new one it specifically says that property where the person is living as an owner-occupier should be disregarded, which is not the guideline that exists under 60?

HON CHIEF MINISTER:

The hon Member is referring to the application form for the elderly persons minimum income guarantee. That form says, "disregard the home in which you live, because regardless, that is not going to be held against you". In other words, in calculating an elderly person's income for the purpose of assessing his income, for the purpose of deciding whether it exceeds or does not exceed £5 per week, no regard is had of the place in which he lives. In respect of the place in which he lives but of course if he has another house, he is only asked to disregard the one in which he lives. Therefore if he has a second house, that is relevant because it would generate rental income, or if it is a property held for investment whether it generates income or not, it is an asset which is capable of being invested for income, which was the other aspect. The hon Member will remember that what we are trying to establish in that form is not just actual investment income but potential investment income. Otherwise people could get their savings, invest them for capital growth, in capital roll up funds that do not actually produce income, in the strict sense of the word and then say, "I have no income". And they may have a large amount of money invested for capital. That is why the form is designed to get to the bottom of all relevant assets of the applicant, "relevant", not just for the purposes of assessing their actual income, but for assessing their potential income, so that people do not make investment decisions to design to frustrate the income test.

HON J J BOSSANO:

If I can return to my original question which dealt with persons below the age of 60. The guideline then in their case is that the property in which they live, if they own it, is not totally disregarded, whereas it is totally disregarded at 60. So it changes at 60 then?

HON CHIEF MINISTER:

That is correct, but they are different schemes. It does not change within the same scheme depending on one's age. There are different schemes. It is relevant in one scheme, it is irrelevant in another scheme, each scheme being for people of different age groups. I had indicated to the hon Member the relevance of property value on both schemes, in the elderly persons one it is only relevant to the case of the second home and regardless of the value of the home in which one lives, it is irrelevant for the purposes of the minimum income guarantee scheme and in the case of the ordinary Social Assistance scheme, it is only relevant in cases in which it is obviously relevant. In other words, where someone is sitting on a very valuable property and then expects to be maintained at the expense of the Government.

HON J J BOSSANO:

In the form there is no indication of nationality. Is this form of Social Assistance like the other form of Social Assistance limited to Gibraltarians or is it open to any nationality?

HON CHIEF MINISTER:

If the hon Member has read the Government advertisement, I think he will find that there is a reference to persons who are entitled to reside in Gibraltar. The word "entitled" is relevant to distinguish people who are entitled to be living here as opposed to people who are de facto living here.

HON J J BOSSANO:

It would mean they would be people who have permanent residence as opposed to a time-limited residence? Can I ask, I know there are different schemes and all that which I have been told several times, but is this a different guideline from the guideline that applies in the other cases of Social Assistance, or is it the same guideline?

HON CHIEF MINISTER:

It is a completely different scheme with a completely different set of guidelines and I hope I have done enough this afternoon to persuade the hon Member that in future when he asks this question about this, he should treat it as a very different scheme, there is no interconnection between the two and it is a Social Assistance scheme and indeed the funding is coming from the Social Assistance Fund. That is the only link. It is a different scheme, with different guidelines and there is no intended cross fertilisation between the two.

HON J J BOSSANO:

I appreciate that. All I am trying to establish is if it is a different scheme with different guidelines. What are the differences between the two schemes in terms of the guidelines, in terms of the applicability? What I am asking is, "is the guideline that eligible persons have to be those with entitlement to residence the same expression of the guideline on residence as there is in normal schemes or a different formulation?"

HON CHIEF MINISTER:

I cannot tell him that because he drafted one set and I drafted the other. I cannot recall the exact language of the original Social Assistance scheme. I can tell him that the guideline for the elderly persons minimum income guarantee scheme is the one that has been published in Government statements. To spot the differences one would need to compare them both. I suspect that there is quite a lot of similarities in approach between the two although I am aware that there are very exceptional circumstances in which people who would not qualify for elderly persons minimum income guarantee have exceptionally been allowed to benefit from the original scheme, notwithstanding their residence status.

No.22 OF 2001

THE HON S E LINARES

**EMPLOYMENT AGENCY**

Can the Minister for Education state whether the Employment Agency has now established a systematic way of monitoring and assessing the trajectory of those unemployed persons who go through the training scheme for the unemployed?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Given that any person gaining employment would need to be registered by his/her employer with the Employment Service it follows that it is in this manner possible to monitor the trajectory of all persons finding employment, including those unemployed persons who go through the training scheme for the unemployed.

SUPPLEMENTARY TO QUESTION NO.22 of 2001

HON S E LINARES:

If it is possible can we have figures of the people who were doing these schemes, whether they are unemployed or not?

HON H A CORBY:

I have not got the answer to that one here with me. If the hon Member wants those figures I can give it to him but I will explain the procedure. The unemployed person comes and if he is in a training scheme, then he is not employed, comes in and registers as unemployed, and if he is employed he comes with the terms of engagement. One has to single out the persons one by one and find out from the Training Service the ones that they have and then we can pick them out that way. But it can certainly be done and we can give it to the hon Member.

HON S E LINARES:

I appreciate that information, but again I hope I do not need to ask a question in the House in order to obtain that information.

MR SPEAKER:

That is not a supplementary.

HON S E LINARES:

May I have the information before the next meeting of the House?

HON CHIEF MINISTER:

It depends on the amount of administrative effort required to obtain the information. It is the policy of this Government, unlike the policy of previous governments, to set the threshold of what administrative effort should be incurred in obtaining information

at a very high level and I can tell the House that the civil servant in many of these departments do nothing else during the time that they are preparing the answers to the hon Members. Whether information is made available depends on whether it is reasonable, given the value of the information to the hon Member to subject the administrative machinery to the task of obtaining it. One of the reasons why we are spending a very large sum of money on computerising the Government administrative system and taking note of the form in which the hon Members tend to ask their questions, to try and make sure to the greatest possible extent that the computers software reports back the information that the hon Members have over the years shown an interest in having, is so that in future, the information can be made available without undue and unreasonable administrative effort. The hon Member must understand that when information can only be made available by going manually through the individual files of individual work sequence for the purposes of collating statistics, the reasonableness of providing him with that information, and therefore the Government's willingness to do so, depends on how many people are involved. Therefore, rather than say to him "yes or no, we will give you the information that he has asked for on this occasion", we take note of his request, gives us an opportunity to see exactly the extent of the administrative work involved, and if it can be reasonably provided, it will be reasonably provided. But until we know the amount of it, we cannot really say, yes or no to him.

HON S E LINARES:

I appreciate the Chief Minister saying the amount of work that this entails, but quite frankly we have been asking questions about the amount of people who actually do the schemes themselves. In 1991 only 21 had been registered in this course, so it is not an administrative nightmare to look at 21 files in the case of 1999 and in the case of the year 2000, it is even less, there are 17. So it would not be an administrative nightmare to give me all that information.

HON CHIEF MINISTER:

I have not said he is not going to have it. I just want to take this opportunity, because the hon Members ask across the floor, "will the hon Members provide me with the information later". I just do not want the hon Members to fall into the habit of doing that and I was just setting out parameters. The parameters that I have just set for the hon Member, grateful for Mr Speaker's indulgence, given that it is not questions or answers, fully accounts, fully accommodates the hon Member's last intervention. If it is 21, I suppose that the answer will be that it falls into that sort of information that the administrative machinery will be able to produce for him without undue administrative effort. I should just before I sit say, this rule about not providing information which does not require disproportionate administrative effort, is not one that we have provided, it is well enshrined, not only in the conventions of this House, but indeed in the conventions of almost every parliament in the western world. I do not think that the hon Members can complain of us, that we do not give them profuse amounts of very detailed administrative information.

HON J J BOSSANO:

Is it just that in the absence of a question being put the monitoring would not be taking place? That seems very odd. Surely one would have thought that the Government themselves would want to be able to evaluate the success of their policy by finding out what happens to the people who go through it. This is all the question is about. Not about using massive computers to find detailed statistical breakdowns,



which may be true of other questions, like age and sex breakdowns, which we can understand.

HON S E LINARES:

Just to add on to that, it was the Minister for Education stating that I would agree entirely with the thinking behind the question of the hon Member when it was posed and I am sure that the Employment Agency also shares the same approach. Then he goes on to say they will be making plans precisely to establish a systematic way of monitoring and assessing the trajectory. That is why I have asked the question. I have asked the question specifically because they agreed to it.

HON DR B A LINARES:

The straight answer to the straight question is that there is a systematic way in the Employment Agency for monitoring and assessing the trajectory of these unemployed persons who go through the course. When one goes on to the next step and ask for details and numbers, this is where my hon Colleague says that he needs notice and that he will check on those specific data.

HON S E LINARES:

Yes. But the Minister also said that he valued this in his answer. That is why I want the information.

HON DR B A LINARES:

I value it so much that we have ensured that the Employment Agency now has a very effective way of monitoring and assessing the trajectory of these unemployed persons.

HON S E LINARES:

Therefore easy to give to me.

QUESTION NO.23 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT AGENCY**

Can Government state what has been the total cost to the Employment Agency of the installation of the computer programme Profile 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The total of the installation of the computer programme Profile 2000 is £91,763.96 and the software maintenance contract is £5,000 per annum.

SUPPLEMENTARY TO QUESTION NO.23 OF 2001

HON J J BOSSANO:

Is this the cost of purchasing the software programme, or is there any hardware involved in the £91,000?

HON H A CORBY:

There is hardware as well, but mainly software.

HON J J BOSSANO:

Has the Minister got a breakdown between hardware and software?

HON H A CORBY:

I have but it is too lengthy to read but I can give them a copy of it with this information.

HON J J BOSSANO:

The £5,000 per annum maintenance cost of the software, is that for updating the programme or dealing with things that go wrong with it?

HON H A CORBY:

Updating and any breakages and things of that nature.

HON J J BOSSANO:

Has there been any need to go back to the suppliers because of any problems or has it been working well since it came in?

HON H A CORBY:

At times when we have had problems we have called the people in the UK and at other times if we have not been able to solve the problems by telephone they come from UK and give us on the spot advice.

HON J J BOSSANO:

Is this a programme devised particularly for dealing with employment?

HON H A CORBY:

Yes.

HON J J BOSSANO:

It is not a programme that has been adapted?

HON H A CORBY:

No, exclusively for employment services.

HON J L BALDACHINO:

So it was actually specially made for the Employment Agency or is it a programme that was bought off the shelf.

HON J J NETTO:

Microdate is one of the main suppliers of software programmes for the Department of Education and Employment in the UK and specialises in providing employment and career programmes. This is one of the reasons why it was decided to go for this particular software packages. It is a purposely built employment package although it had to go through a lot of changes to adapt our own legislation. It is specifically an employment/careers package.

HON J L BALDACHINO:

So let us see if I am correct in what I am assuming. Is it a programme that was bought off the shelf, because it existed, and it was adapted in certain areas to reflect our legislation. Is that correct?

HON H A CORBY:

It was not off the shelf. It was specifically made for the Employment Services.

HON J L BALDACHINO:

Do we have to pay royalties to the company that provided this programme?

HON H A CORBY:

No. We do not have to pay any royalties whatsoever.

HON J L BALDACHINO:

So the £5,000 per annum that is paid, is purely for maintenance? There is no level of royalty in that.

HON H A CORBY:

None.

HON J L BALDACHINO:

This was obviously the original price that was quoted. There has not been an increase because the department has asked for further information?

HON H A CORBY:

No. This was the original price.

NO.24 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT – “PROFILE 2000”**

Can Government state if the Database “Profile 2000” is now in full operation?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The database “Profile 2000” is now in full operation to the extent that the Employment Service staff now operates completely under this data information system.

SUPPLEMENTARY TO QUESTION NO.24 of 2001

HON J L BALDACHINO:

Is the Minister now in a position to give me all the answers to my questions?

HON H A CORBY:

No. If the hon Member wants any information there are programmes that have to be envisaged and put on so that we can answer whatever question the hon Member asks. The input is on-going. Insofar as the output is concerned, our analyst has to prepare the programmes so that we can extract whatever we want for statistics et cetera.

HON J L BALDACHINO:

In what way then is the Data Profile 2000 better off than the old system that we had? Is it that in both cases one can extract the same information, that one cannot give more information than what the other used to do?

HON H A CORBY:

The other programme insofar as the Employment Service is concerned was becoming obsolete. In this programme it is more versatile and we can get much more out of it than the old programme.

HON J L BALDACHINO:

So, the Minister is now in a better position with the new system than when the old system was in place?

HON H A CORBY:

The hon Member will have to give me prior notice of whatever he wants in order to prepare the programme for the questions that he is going to ask. I do not know which questions he is going to ask. I do not know today which questions he is going to ask in supplementary, so I cannot tell him here and now that I can provide all that he wants. But I will certainly, if it is possible, give it to him.

NO. 25 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT – “JOB CLUB”**

Can Government state how many persons have used the facilities provided at the job club since it was officially opened to date, broken down for each month, by sex and age groups?

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.25 OF 2001

HON J L BALDACHINO:

Is the Minister in a position to say how many of the persons that went through the Job Club facility by month have now found employment?

HON H A CORBY:

Fifty-seven per cent of the persons who have made use of the Job Club have subsequently been employed, joined Government training schemes or gone on to further education.

HON J J BOSSANO:

Is the Minister able to say how many have obtained employment because surely the other two things can happen without the Job Club? To go on a Government Training Scheme, it is not necessary to go to the Job Club first presumably. Can he identify of those three categories, which is the employment bit, which I think is the important one?

HON H A CORBY:

No. I do not have that information but I can find out for the hon Member.

HON J L BALDACHINO:

I see that mostly persons who use the Job Club are in the age group 25+. Is that correct?

HON H A CORBY:

Yes. That is correct.

HON J L BALDACHINO:

The younger generation, for example, under 18, is it that they are placed somewhere else doing some other training rather than go through the Job Club? Or is it that the difficulties that people have are on the 25+?

HON H A CORBY:

No. There are different aspects to that. There are visits by people who we have to prepare insofar as CVs are concerned. They do not know what a CV is. We have employment advisers if they go to an interview, what they have to say. We have a teacher who comes along and teaches them percentages, which might come up in employment and interactive learning systems that also apply in the job circles. So it is a variation of things. People come in because they want help. They go to an employer, in an interview, they do not know how to speak, they do not know how to react, so there is a lot of people who come in for advice to help them to get a job.

HON J J BOSSANO:

The figures that we have been given show that in May nobody went to the Job Club and in August one person went to the Job Club. Do the Government think this is really a reasonable level of take-up? For example, in August the figures on unemployment showed there were 338 persons out of work and one chose to use the Job Club. In May there were 310 persons out of work and nobody wanted to use the Job Club.

HON CHIEF MINISTER:

The Job Club is one of those things that was created for two reasons. One of them I will explain to the hon Member during the teabreak and the other is in anticipation of the introduction of the job seekers agreement scheme, at which time the Job Club will be coming much more of an essential part of the mechanics of the system relating to the operation of the job seekers guarantee scheme.

HON J J BOSSANO:

As it is working at present, at what stage are the unemployed encouraged to make use of the Job Club or told about it. Is it as soon as they register or after they have been unemployed for some weeks?

HON J J NETTO:

Perhaps we are tending to lose the philosophy of the Job Club here. The whole ambience of that is not to be regimental. In the Job Centre, the Employment officer there could in a one to one relationship with an unemployed person say, "I can give you further assistance in the Job Club".

HON J J BOSSANO:

We do not disagree with that approach. What I am asking is at what stage does it happen?

HON CHIEF MINISTER:

At the moment it is a facility available for people who are interested in using it. Therefore, because nothing depends on whether one avails oneself of the facilities, many people choose not to use it. The extent to which it is currently under used is capable of being interpreted as a measure of the extent to which many of the people presently out of work or registered as unemployed, are really genuinely seeking to improve their job getting opportunities and the skills for which to get them, which is one of the reasons why we are introducing the job seekers agreement in the first place. We believe that the vast majority of taxpayers in this community will share our judgement that people should be supported by the State when they are genuinely, through no fault of their own, unable to find employment. But it is not acceptable to the majority of taxpayers that their tax money should be used in order to keep in money people who are making no genuine attempt to find employment. At the moment the Job Club is voluntary and therefore its use reflects the choice of the person. In the context of the job seekers agreement, when it comes into operation, use of the Job Club facilities will become compulsory and therefore I expect that the hon Member will see the numbers of people using it rise considerably.

HON J J BOSSANO:

That is all very interesting but it is not the question that I was asking. I think it will help if the Chief Minister listened to the question because quite apart from the fact that he has put a formulation of an approach to unemployed people, which is in contrast with that of a former Minister for Labour, with which I have much more sympathy, let me say that the formulation we have just heard about what taxpayers feel about people who do not want to work, which happens to be the formulation with which not all of us agree. People who have never experienced unemployment in their life may have a different attitude from those who have. At what point in the person becoming unemployed, are they made aware of the Job Club? That is the only question that I have asked.

HON CHIEF MINISTER:

Immediately.

HON S E LINARES:

Will Government consider the people who attended the training schemes for the unemployed as eligible to look for jobs, because as I see it, and as how it has been explained, the Job Club tends to do exactly the same that the Training Scheme for the unemployed is doing, which is counselling, interviewing techniques, how to do CVs and all that?

HON H A CORBY:

People in the Job Club do go into training schemes. The Job Club is part and parcel of that as well.

HON J L BALDACHINO:

How many persons are actually employed in the Job Club to provide the service?



HON H A CORBY:

There are two counsellors.

Contd Q25/2001

Persons using the Job Club Facilities by Month since Official Opening :

February 00	March	April	May	June	July	August
14	8	3	0	12	5	1
September	October	November	December	January 01	February	TOTAL
8	15	4	5	7	6	88

There were 48 males and 40 females using the Job Club facilities.

Analysis by age groups :

-18	18-24	25+	Total
16	28	44	88

NO.26 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT SURVEY**

Can Government state the date on which questionnaires were sent to employers in the private sector for the purpose of collecting information for October 1999 Employment Survey, the number of questionnaires sent and the number of questionnaires returned to date?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The October 1999 Employment Survey questionnaires were sent out to private sector employers on 30<sup>th</sup> November 1999. A total of 1,098 forms were sent and the total returned to date is 888.

SUPPLEMENTARY TO QUESTION NO.26 OF 2001

HON J L BALDACHINO:

When do we expect to have the October 1999 Employment Survey published?

HON H A CORBY:

This is not a survey that is made by the Employment Service it is made by the Government Statistician so I do not have an answer.

HON J J BOSSANO:

Are Government still waiting for more of the remaining 200 odd or is it now closed?

HON H A CORBY:

Eighty per cent of the information returned has already been inputted into the computer, so I assume it is closed.

HON J J BOSSANO:

The original answer said to date. Is there a cut off date?

HON CHIEF MINISTER:

There would naturally be a cut off date and that is when the figures are compiled and used for the purposes of analysis. As to whether that date has yet arrived so that any forms that now arrive are being discontinued, we do not know the answer to that right now, but there must naturally be a cut off date, which is when the figures pass from raw stage and they start analysing them. If he is particularly interested in knowing the cut off date, we can find out for him.

HON J L BALDACHINO:

When the questionnaire is sent to the employers, has it got a date by which it has to be returned?

HON CHIEF MINISTER:

As the hon Member must be aware, the form does state a date by which one is requested to return it. As he must also be aware from his days in Government, that date is not a hanging offence for not complying with it. Therefore, people deal with the date on the basis that they will not hang at dawn if they do not answer to it. I think there is a historical chasing up effort to be done after that date, but there is a date printed on the top right hand corner of the form which requests the return of the form by a date which is stamped on it. I think information is accepted that comes beyond that date. What I have not been able to tell the Leader of the Opposition is whether and at what stage subsequent to that date there is a cut off date and that is the information that I have undertaken to obtain for him.

HON J J BOSSANO:

Will the Minister confirm that he has not forgotten that it could not be a hanging offence when my hon Colleague was doing it, because he did not do it? We collected the information through the Income Tax Office and we did not send out surveys and they did not have to return it by a given date. One of the arguments for doing that was precisely the problem of not being able to hang people for not returning it, which was the case of the previous administration before ours.

HON CHIEF MINISTER:

I do not remember whether that was so from the very beginning of their own administration, but I realise it became so at some stage during it.

HON J J BOSSANO:

Is the Minister in a position to say whether the number of forms returned to date, as compared to the numbers that went out, is higher or the same or lower than in the first survey, the 1998 one? In Question No. 593 of 1999, the number of questionnaires sent out was given as 1755. That seems a big difference in terms of employers to whom surveys were sent as compared to the numbers that were sent out in 1999, is there an explanation as it is a very big difference? We are talking about 60 per cent.

HON CHIEF MINISTER:

The Employment Survey is conducted by the Government's Statistician by Statutory compulsion. We Ministers do not get involved with the nitty gritty of the day to day compilation of the figures. If the hon Member is interested in detailed information, we really do need notice of the question. I cannot offer the hon Member an explanation as to why the Statistician thought it necessary in that year to send out 1700 and this year they have chosen to send out only 1075 forms. I can speculate, in the absence of notice to the question, as to what the reasons might be, but if he were to give us notice of the question, then we would be able to provide him with concrete information, which presumably is the object of asking the question.

HON J J BOSSANO:

We could not put that supplementary because the supplementary arises from the answer. We did not know that the answer was going to be that there has been a drop of 700 in the number of employers contacted as we have been told today. I would put it to the Minister that it is not unreasonable to look back on the information provided to an identical question in 1999 and do a comparison between the two. Is it then that the Government until the question and the supplementary was not aware of the fact that far less employers ....

HON CHIEF MINISTER:

Absolutely so. The fact that the hon Member shows an interest in this nitty gritty does not encourage Ministers to take the same interest in these things as he takes. We take an interest in these matters when the professional Statisticians complete their task and produce the Employment Survey, which we then table in this House and then becomes the subject matter of debate. If the hon Member is asking whether we Ministers make it our business to interest ourselves on the number crunching techniques of professional Statisticians as they compile administrative reports, the answer is that we most certainly do not.

HON J J BOSSANO:

That may be the answer if that was the question, but that is not the question. With due respect to the Chief Minister, I am not asking, what did the Statistician do with the information in the thousands that answered, and what is he doing with the information in the 800 that he has got this time. I am asking a very simple question, "why is it that the Government surveyed 1755 employers and a year later, they only surveyed 1000. This has nothing to do with number crunching or anything else. Is it that there are less employers in Gibraltar?

HON CHIEF MINISTER:

It is the same answer and I suppose that the Government's Statistician may proffer the explanation in the report attached to the Survey. I understand the question that he has asked and the answer is exactly the same. That is that until the Statistician produces to the Government the report, we do not concern ourselves with his technique for compiling it including the size and the sample that he chooses to survey. Absolutely so.

HON J J BOSSANO:

Is it not the case that the Employment Survey is not supposed to be on a sample or is it that it is now being done on a sample and not on sending every single employer a form, because that is how it has been done until now.

HON CHIEF MINISTER:

The sample is I suppose the number of forms that he gets back. As to the number of forms that he chooses to send out, I do not know whether he sends it out to every employer or not. That is the answer to the question. We are not the Statisticians. If the hon Member wants to know the answer to that question, he must give the Government notice of it and then he will have it.

HON J J BOSSANO:

I have explained already to the Chief Minister that we could not possibly give notice to the question because the answer that we got is what gives rise to the question and we did not anticipate that answer. What we expected was that the figures would be more or less the same as in the previous year. Not that they should be different from the answer given to Question 593. Is it not the case that the Ordinance that provides for the survey provides for the survey of all employers?

HON CHIEF MINISTER:

The hon Member must assume that the Statistician is complying with his statutory obligations and that if there is a decline, as clearly the answer to the question demonstrates, there is a decline in the number of companies to whom he has sent the survey form, it must be an answer which is consistent with his statutory obligations. I said to the hon Member that without notice of the question, I could only speculate as to what that might be and the only reason that I can speculate is that in the first year they sent out to a long list of historical companies and that they subsequently discovered that many of the companies to whom they sent it out in the first year, were not actually active employers and that the list may have been culled, but that is pure speculation. If the hon Member wants an answer to the question, "why has the Statistician sent out less questionnaire forms in respect of the year 1999 and the year 1998?" That is a very specific question and what I am telling him is that Ministers need notice of that question before we can answer it. But there is obviously an answer.

No.27 of 2001

THE HON J L BALDACHINO

**EMPLOYMENT SURVEY**

Can Government state the date on which questionnaires were sent to employers in the private sector for the purposes of collecting information for the October 2000 Employment Survey, number of questionnaires sent and the number of questionnaires returned to date?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The October 2000 Employment Survey questionnaires were sent out to private sector employers on 6<sup>th</sup> December 2000. A total of 1060 forms were sent out and those returned to date amount to 675.

SUPPLEMENTARY TO QUESTION NO.27 OF 2001

HON J J BOSSANO:

Given the uncertainty about the timescale, do the Government not agree that this does not seem to be producing quicker information as was hoped for by the Minister who introduced the change in the survey at the time, who in fact, tried to persuade us to vote in favour on that ground. It does not look as if it is going to produce quicker information, is that not the case?

HON CHIEF MINISTER:

It is not necessarily the case, although the Government will await until the new system has been in operation for a few years to see whether it delivers the improvement which the professional Statisticians advice the Government on the basis of. The decision to switch the method of calculation was not taken at a political level by the Government. It was a recommendation by the Statisticians that it would provide quicker and more accurate information. As to whether it delivers either or indeed both of those, it remains to be seen, but I would have thought it is still too early to tell, but certainly that is an issue that the Government will be pressing the Statisticians on in due course.

NO. 28 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - SOCIAL ASSISTANCE**

Can Government state of the 110 persons receiving Social Assistance, who were registered with the Employment Agency seeking employment as at the end of December 1999, how many had obtained employment by end of December 2000 and of those still unemployed, how many were still in receipt of Social Assistance?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Before I answer this question I would appreciate if the hon Member would check his figures before he poses the questions. The 110 quoted in his question refers to persons not receiving any payments and not persons receiving Social Assistance, as can be verified from our reply to Question No. 37 of 2000, Social Assistance payees total 92.

Out of the 92 persons receiving Social Assistance in December 1999, 22 were in employment in December 2000 and 47 were still collecting Social Assistance.

SUPPLEMENTARY TO QUESTION NO: 28 OF 2001

HON J L BALDACHINO:

The Minister said that I should check my figures because there were people that were not receiving Social Assistance. If he reads Question No. 284 of 2000, he will find something different.

HON H A CORBY:

In Question No. 37 of 2000, let me tell the hon Member that when he refers to 110, he is referring to Question No. 37 of 2000.

HON J L BALDACHINO:

No. Question No. 284 of 2000, said "Can Government state of the 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?" The answer said "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 now been employed. The remainder 110 are still in receipt of Social Assistance". The answer was given by his Colleague the Minister for Social Services.

HON H A CORBY:

From what I have here in Question No. 37 of 2000, it says, "Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 years and over



from the 1<sup>st</sup> July 1999 to 31<sup>st</sup> December 1999 receiving unemployment benefit, Social Assistance and no payments? This is where we have got the question from.

HON CHIEF MINISTER:

Can I help clarify, for the benefit of the House, I think what the Minister has tried to tell the hon Member is that whereas his current question says, "Can Government state of the 110 persons receiving Social Assistance" by reference to the previous question, whatever the number was, refers to persons receiving Social Assistance. Therefore, I understand what he is saying, as the fact not that the hon Member has got the number of the Question wrong, but that his current Question is based on a false premise. His current Question is based on the premise that the 110 persons referred to in the previous answer were receiving, whereas in fact, according to what he has told him now, they were persons not receiving. I cannot say if he is correct.

HON J J BOSSANO:

We understand his answer. The point is that in the Meeting of September 2000, in answer to Question No. 284 of 2000, we were told that at December 1999, there were 110 people still in receipt of Social Assistance. What we have been told now is that my Colleague misread information previously provided because the information should have been were not in receipt of Social Assistance. I am afraid that is not the answer that was given in Question No. 284 of 2000 in September.

HON CHIEF MINISTER:

One of the answers is wrong.

HON J J BOSSANO:

How do we know that the answer this time is right? Is it that there were 110 on Social Assistance or 110 not on Social Assistance?

HON H A CORBY:

The 110 were with no payments.

HON J J BOSSANO:

So the answer given in September in answer to Question No. 284 of 2000 was wrong?

HON H A CORBY:

I am speaking because the question was put to me as Employment Minister. The question that we found was Question No. 37 of 2000, we compared it with that one.

HON CHIEF MINISTER:

Question No. 37 of 2000 said 92.

HON J J BOSSANO:

Question No. 284 of 2000 says "Can Government state of the 136 persons receiving Social Assistance with the Employment Agency as at the end of December 1999, how many have been employed and how many are still receiving Social Assistance? We are being told that there are only 92 in 1999. How many, according to his sources of information, are there now?"

HON H A CORBY:

I can tell him that very quickly. Twenty-two were in employment, 11 were not collecting payments, 47 persons were collecting payments and 12 who are not registered and we do not know their whereabouts or their circumstances.

HON CHIEF MINISTER:

I think that the hon Members do raise an issue that needs clarifying. We will clarify for them the relationship between the three questions that we have been banding about, No. 37 of 2000, No. 284 of 2000 and the current question and we will produce for them the information so that at least they know to what extent and which previous question may have been inaccurate and the facts can be clarified.

NO.29 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT: TERMS OF ENGAGEMENT**

Can Government state how many Terms of Engagements were registered with the Employment Agency

- (a) On 30<sup>th</sup> September 2000?
- (b) On 31<sup>st</sup> December 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The number of Notice of Terms of Engagements registered with the Employment Service

as at 30<sup>th</sup> September 2000 is 16848  
and as at 31<sup>st</sup> December 2000 is 17660

SUPPLEMENTARY TO QUESTION NO. 29 OF 2001

HON J J BOSSANO:

Can the Minister say whether the exercise that was supposed to be undertaken to clear up dead contracts has been taking place to that extent, the degree of dead wood that there is still in these figures? This was an exercise that was embarked upon when the legislation was brought in to get people to make returns.

HON H A CORBY:

This figure does not reflect the market workforce because of terminations that have not been entered into. It corresponds to jobs and not people that can reflect any type of employment like a part-timer that has two jobs in one. These figures also include self employed directors.

HON J J BOSSANO:

I am aware of all that. My question is that when we have asked for this information before and in relation to the introduction of legislation which produced on the spot fines and all sort of things, what we were told was that there would be an exercise carried out to try and get rid of the accumulated backlog and produce more up to date figures which more accurately reflect a true situation. To what extent is this the case now? Has that exercise taken place and to what extent is that reflected in the figures for September and December this year?

HON H A CORBY:

I will have to find out and tell the hon Member if all the things have been terminated and where we stand at the moment.

NO. 30 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT – CONTRACTS TERMINATED**

Can Government give a breakdown by nationality and industry for each month of the year 2000 from August to December and for January 2001 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 30 of 2001

Employment Contracts Terminated by Nationality & Industry for August – December 2000																		
Industry	August						September						October					
	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH
Shipbldg, repair etc.	7	2					2		3				4		7	1		
M/f of food, & tobacco	1						1		2						2			
Printing & publishing	2						2						2	1				1
M/f n.e.c.(clothing etc)	1						1								1			
Bldg & construction	14	10	30	1			21	33	34	3	1		11	11	17	4		1
Electricity supply													1					
Water supply													2					
Sea transport/shipping	5		1	1			1					1	3		1			
Port & services																		
Road transport	4						1								1			
Post & telecomm.	20						10	2					4					
Air transport & related													1					
W/sale food, drink	5		2				11			2			2			1		
W/sale fuel	1		1					1					1					
W/sale n.e.c.	8		1	1		2	4	1	2				2		2			
Retail –food	10	5	7		2		7	1	7				14	4	7	1		
Retail-drink & tobacco	2		1				3		2						2			
Ret.-clothing, footwear	2	1	3	1	1		7	4	2		1		1	2	3			
Retail – h/hold goods	2	1	2				3	4	3						1			
Retail – n.e.c.	18	1	9			2	14	5	7	1			11	5	3			2
Hotels,hostels,g/houses	9		3		2		5	0	7	1	2		4	2	3		1	
Restaurants, cafes etc	10	10	9	6	3	3	21	8	15	3	1	2	9	6	10	4	4	1
Bars(lic to sell alcohol)		9	5				1		2				2	1	2			
Tourist svcs n.e.c.	4	2					6	2					5					
Banking & finance	14	7	1			2	25	4			1	1	8		2			2
Insurance & real estate	7			1			8		1				5	1	1	1		
Legal,account,other svc	14	6	1		1	3	24	6	5		1	1	21	3	2			
Public admin	6						24	1					10	2				
Education services		1					1	1					1					
Medical/health services	13						8						4					
Welfare,charity,rel svcs	2	3					4	1					2	1				
Entertainment & sport	8	4			1	2	7	13			1	4	7	5			2	3
Repairs-consumer good	4	3					2	1										
Police/fire services	5						5					1	4					
Defence	7						6	3			1		5	1				
Sanitary services																		
Services n.e.c.	40	11	9	2	2	4	40	18	7	4	1	1	21	13	2		1	

Cont. Answer to Question 30 of 2001

Employment contracts Terminated by Nationality & Industry for August – December 2000												
Industry	November						December					
	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH
Shipbldg, repair etc.	5	1	11	1	1	7	5	2	2			2
M/f of food, & tobacco				1					1	1		
Printing & publishing	1	1					3	1				1
M/f n.e.c.(clothing etc)	15	13	35	2		1						1
Blding & construction							4	7	18	3		2
Electricity supply												
Water supply							1					
Sea transport/shipping	6						3	1				
Port & services	2	1										
Road transport	1											
Post & telecomm.	1											
Air transport & related							1					
W/sale food, drink	2		1	1			2	1		1		
W/sale fuel				1								
W/sale n.e.c.							2		1			
Retail -food	6	3	3	2			7	2	5	1		
Retail -drink & tobacco	1		1				3		3			
Ret.-clothing, footwear	6	2	4				8	4	1			
Retail – h/hold goods		3					3					
Retail – n.e.c.	6	1	9		1		9	1	9	2		1
Hotels,hostels,g/houses	3		1		1		2	3	2		1	
Restaurants, cafes etc	9	4	11	1	3	2	7	7	9		1	
Bars(lic to sell alcohol)		3	3			1	1	4	3	2		
Tourist svcs n.e.c.	1	1					1		1		1	
Banking & finance	8	6			1	1	3	2	1			
Insurance & real estate	2	1					2	2			1	
Legal,account,other svc	10	2	2				9	6	2	1	1	3
Public admin	5	1					15					
Education services	2											
Medical/health services	1	1					2		1			
Welfare,charity,rel svcs	1						2	1	1			
Entertainment & sport	4		1			1	2	1	2	1		
Repairs-consumer good	2		2				1	1				
Police/fire services	2	1		1			7	4				1
Defence	2	3					5	1		1		
Sanitary services												
Services n.e.c.	10	9	1	2		3	38	11	15	2		1

NO.31 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - WORK PERMITS**

Can Government state the number of Work Permits issued from 1<sup>st</sup> August 2000 to 31<sup>st</sup> January 2001 giving a breakdown for each month by occupation, sex and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

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

SUPPLEMENTARY TO QUESTION NO.31 OF 2001

HON J L BALDACHINO:

I can see that some work permits have been given for domestics. Is there an explanation why somebody should get a work permit for a domestic? I would understand it if it was for a manager, but why a domestic?

HON H A CORBY:

These are people who are here in Gibraltar and they need a work permit to work as domestics.

HON CHIEF MINISTER:

This does not relate to people who are given work permits to come from Morocco to take up employment, it is to people who are here and they have unrestricted access to the labour market.

HON J L BALDACHINO:

I see that. I am not looking at the renewed ones, I am looking at the new ones, in some cases there are work permits issued for domestics.

HON CHIEF MINISTER:

The difference between new and renewal, that is the distinction he is looking at?

HON J L BALDACHINO:

That is the distinction. On the new one somebody has been given in September 2000, a work permit for a domestic. I understand managerial jobs but domestic?



HON CHIEF MINISTER:

I will have to check that figure, because the distinction is between new and renewal. New does not necessarily mean that the person is new in Gibraltar. It may do. I need to check that. It may be that they are new to that job. In other words, it is not a renewal of a contract for a job that they have been doing. They are new to the ETB. The hon Member is interpreting new to mean newly arrived in Gibraltar from Morocco, for example. But I am not saying that it does not mean that. What I am saying is that he should not assume that it means that. I will clarify that for him this afternoon.

**WORK PERMITS ANALYSIS**

**MONTH:** August 2000

**NEW**

<b>NATIONALITY</b>	<b>TRADE</b>	<b>NUMBER</b>
Bangladeshi	Semi-Skilled	1
Indian	Managerial	3
Jamaican	Clerical	1
Russian	Managerial	1
	<b>TOTAL</b>	<b>6</b>

**RENEWAL**

<b>NATIONALITY</b>	<b>TRADE</b>	<b>NUMBERS</b>
Moroccan	Semi-Skilled	3
	Skilled	6
	Domestic	2
Indian	Managerial	1
	<b>TOTAL</b>	<b>12</b>
	<b>GRAND TOTAL</b>	<b>18</b>

Cont.....

Contd Q31/2001

**WORK PERMITS ANALYSIS****MONTH:** September 2000**NEW**

NATIONALITY	TRADE	NUMBERS
Indian	Clerical	1
Indian	Domestic	1
	<b>TOTAL</b>	<b>2</b>

**RENEWAL**

NATIONALITY	TRADE	NUMBERS
Moroccan	Skilled	3
	Director	2
	Semi Skilled	8
	Domestic	3
	Catering	2
Indian	Clerical	1
	Semi-Skilled	1
Swiss	Managerial	2
	<b>TOTAL</b>	<b>22</b>
	<b>GRAND TOTAL</b>	<b>24</b>

Cont.....

Contd Q31/2001

**WORK PERMITS ANALYSIS****MONTH:** October 2000**NEW**

NATIONALITY	TRADE	NUMBERS
Czech	Skilled	1
Swiss	Managerial	1
Hong Kong	Managerial	1
Brazilian	Managerial	1
Other	Catering	1
	<b>TOTAL</b>	<b>5</b>

**RENEWAL**

NATIONALITY	TRADE	NUMBERS
Moroccan	Domestic	2
	Semi Skilled	4
	Skilled	3
	Catering	1
Indian	Clerical	1
	Semi-Skilled	1
	Skilled	1
	Director	1
	<b>TOTAL</b>	<b>14</b>
	<b>GRAND TOTAL</b>	<b>19</b>

Cont.....

Contd Q31/2001

**WORK PERMITS ANALYSIS****MONTH:** November 2000**NEW**

NATIONALITY	TRADE	NUMBERS
Russian	Managerial	2
Swiss	Managerial	1
USA	Managerial	1
Singaporean	Skilled	2
Hong Kong	Skilled	1
Malaysian	Skilled	4
	<b>TOTAL</b>	<b>11</b>

**RENEWAL**

NATIONALITY	TRADE	NUMBERS
Moroccan	Domestic	2
	Semi-skilled	5
	Skilled	3
	Catering	1
Israeli	Managerial	1
Russian	Skilled	1
	<b>TOTAL</b>	<b>13</b>
	<b>GRAND TOTAL</b>	<b>24</b>

Cont.....

## WORK PERMITS ANALYSIS

**MONTH:** December 2000

**NEW**

NATIONALITY	TRADE	NUMBERS
Argentinian	Managerial	1
Swiss	Managerial	1
Columbian	Professional	1
Sri Lankan	Professional	1
	TOTAL	4

RENEWAL

NATIONALITY	TRADE	NUMBERS
Moroccan	Catering	1
	Domestic	2
	Semi-Skilled	2
Indian	Semi-Skilled	1
	TOTAL	6
	GRAND TOTAL	10

NO.32 OF 2001

THE HON J L BALDACHINO

**HOTEL INDUSTRY - VACANCIES**

Can Government state in respect of each month since 1<sup>st</sup> August 2000 to 31<sup>st</sup> January 2001 how many vacancies were filled in the Hotel Industry giving the nationalities, sex and job titles?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

I hand over to the hon Member a list giving the information requested.

SUPPLEMENTARY TO QUESTION NO.32 OF 2001

HON J L BALDACHINO:

On the Gibraltar side I know there were two females in August and there were two males and three females in September. In October there was one male and two females and in November there were two males and one female. My question is, "Are these the people who undertook the courses in Catering and Hotels?"

HON H A CORBY:

I will have to check that.

Contd Q32/2001

PERSONS EMPLOYED IN THE HOTEL INDUSTRY FROM AUGUST TO DECEMBER 2000

JOB TITLE	AUGUST												SEPTEMBER												OCTOBER												NOV				DEC	
	GIB		BRI		SPA		POR		ITA		MOR		GIB		BRI		SPA		FIN		MOR		GIB		BRI		SPA		ITA		DAN		GIB		BRI		SPA					
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F				
General Assistant													1															1			1											
Receptionist										1							1									1						1	1									
Telephonist																							1																			
Waiter		1		1		1					1										1	1																				
Chambermaid						3							2				4			1																						
Bar Person							1									1							1																			
Driver												1																														
Porter			1		1												1																									
Cleaner						1							1		1																							1				
Chef													1													1							1									
Assistant Restaurant Man															1																					1						
Shift Leader		1																																								
Food & Bev Assistant						2											1	2										1														
Banquet Manager																									1																	
Night Porter																	1																									
Accounts Clerk																1																										
Supervisor																1																										



NO.33 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - CONTRACTS**

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 the 1<sup>st</sup> August, September, October, November and December 2000 and on 1<sup>st</sup> January 2001 giving a breakdown by nationalities of employees?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

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

Contd..... Question 33 of 2001

Employment Contracts registered with the Employment Service in respect of Private Employers (Excluding Government Owned & Joint Venture Companies)					
	1 <sup>st</sup> August	1 <sup>st</sup> September	1 <sup>st</sup> October	1 <sup>st</sup> November	1 <sup>st</sup> December
GIBRALTAR	6683	6793	6949	7135	7235
U.K	2626	2681	2749	2820	2874
MOROCCAN	1137	1145	1162	1174	1181
SPANISH	1609	1684	1771	1859	1922
OTHER EEC	385	400	412	418	425
NON-EEC	372	378	386	400	412
TOTAL	12812	13081	13429	13806	14049

NO. 34 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - TERMS OF ENGAGEMENT**

Can Government state what are the updated figures for commencement and termination of employments for 1999 registered with the Employment Agency?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Taking it that for "commencement" the hon Member means Notice of Terms of Engagement registered during the course of 1999, the answer to this question is as follows:

Notice of Terms of Engagement registered with the Employment Service for 1999 is 5811 and Terminations of Employment 4748.

SUPPLEMENTARY TO QUESTION NO.34 OF 2001

HON J J BOSSANO:

I think that these are different from the figures that were published in January 2000 about December. Is this likely to be the final figure or should it need to be updated.

HON H A CORBY:

I will have to check that and tell the hon Member.

ORAL

NO. 35 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - VACANCIES**

Can Government give a breakdown by month of vacancies registered with the Employment Agency, showing how many of these were for part-time employment?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The hon Member does not state the period for which such information is requested. The answer to this question is for the last quarter of 2000, by month.

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

Answer to Question 35 of 2001

	<b>Total No. of Vacancies Registered</b>	<b>Total No. of Vacancies Registered for P/T Employment</b>
October	494	78
November	349	48
December	201	43

ORAL

NO. 36 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT: NUMBER OF UNEMPLOYED**

Can Government state of the persons registered as unemployed at the end of December 1999 how many of those so registered had been unemployed for more than 6 months giving a breakdown by age and sex?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

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

Answer to Question 36 of 2001

NUMBER OF PERSONS UNEMPLOYED AS AT DECEMBER 1999, AND WHO HAD BEEN UNEMPLOYED FOR MORE THAN 6 MONTHS BY AGE GROUP & SEX										
	Under 18			18 - 24			Over 25			
	Male	Female	Total	Male	Female	Total	Male	Female	Total	Totals
	4	3	7	25	15	40	62	23	85	132

NO. 37 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT : NUMBER OF UNEMPLOYED**

Can Government state of persons registered as unemployed at the end of December 2000 how many of those so registered had been unemployed for more than six months giving a breakdown by age and sex?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Much as it has been possible to give an answer to the previous similar Question No. 36 of 2000 for December 1999, it is not possible at this stage to give an answer to this Question for December 2000.

The information for December 1999 was obtained from the old database, whilst the information for December 2000 is input in the new database and the relevant programme required to output such information is currently being developed, but once it is we will give it to the hon Member.



NO. 38 OF 2001

THE HON J L BALDACHINO

**VOCATIONAL CADETS**

Can Government state how many Vocational Cadets have been placed in the private sector for on the job training scheme last year giving a breakdown for each month, sex and age groups?

ANSWER

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

The hon Member is reminded that the Department of Education and Training replaced the former Vocational Cadet programme with the new Vocational Training Scheme. I now hand the hon Member detailed information broken down as required covering both the previous Cadet Scheme prior to May 2000 and the current Vocational Training Scheme.

SUPPLEMENTARY TO QUESTION NO. 38 of 2001

HON J L BALDACHINO:

What is the difference between one scheme and the other one?

HON DR B A LINARES:

With respect the difference is one of quality. Since the creation of the new Training Unit with inspectors or monitors, there is a much closer monitoring and assessing of the placements of the trainees in different jobs.

HON J L BALDACHINO:

Will they get any qualification at the end of the placement? That is exactly the same as the other one?

HON DR B A LINARES:

That is correct.

HON J L BALDACHINO:

The difference is only on monitoring that is carried out at the workplace, is that correct?

HON DR B A LINARES:

The difference is one of methodology, greater attention, greater support to the employers with individualised training programmes being watched over and steered by the monitors and by the Training Unit.

HON S E LINARES:

Have Government employed extra staff to do the inspecting and to ascertain the quality of the training?

HON DR B A LINARES:

Yes. The Government created the Training Unit with a Training Officer and at present two additional monitors, precisely to carry out this task.

HON J J BOSSANO:

At the end of this training in the private sector, will the people concerned be continuing in employment in the places where they have been placed or do they have to look for work in the market?

HON DR B A LINARES:

Employment is not guaranteed.

HON J J BOSSANO:

Is there any indication in the contact with employers what the prospects are even if it is not guaranteed?

HON DR B A LINARES:

The prospects are heightened because once an employer becomes familiar with the qualities, competence, dedication, commitment of a particular trainee within his employment, the chances of his being retained in employment after the one year training programme, are heightened.

HON J J BOSSANO:

The programme started in May, so we will presumably start knowing the results after May this year, of the degree to which employment prospects have been improved? Is that correct?

HON DR B A LINARES:

Indeed. Although I cannot give figures here and now, we know already that some trainees have already, even before the end of their training programme of one year, have already been given employment, but I cannot give the House figures at this moment. We do know that some have already been engaged and employed by their employers.

HON J L BALDACHINO:

So the programme is for one year? When the change was announced it was said it would be for six months, has it now been extended to one year?

HON DR B A LINARES:

I cannot remember that limitation, but certainly it is one year and with certain flexibility as well in the assessment to be carried out by the monitors. In some cases this programme can be stretched further, particularly in the cases of trainees with special needs.

HON J L BALDACHINO:

Are they all under 25? In the age column it says 19+. Is it only up to 25?

HON DR B A LINARES:

Up to 25, yes.

Answer to Question No. 38 of 2001

For the Year 2000

Female Cadets – last remaining cadets of former programme

	<u>Age 15/16</u>	<u>Age 17</u>	<u>Age 18</u>	<u>Age 19+</u>
January	3	-	-	3
February	-	2	2	-
March	2	1	2	-
April	-	1	1	-
<b>Totals</b>	<b>5</b>	<b>4</b>	<b>5</b>	<b>3</b>
<u>Male Cadets</u>				
January	3	1	-	1
February	-	2	-	-
March	2	1	4	1
April	1	1	2	2
<b>Totals</b>	<b>6</b>	<b>5</b>	<b>6</b>	<b>4</b>

Female VTS New Programme – Year 2000 Started in May

May	2	3	1	1
June	2	4	-	-
July	-	6	2	1
August	-	5	1	1
September	2	3	2	1
October	1	2	2	-
November	4	-	1	-
December	-	-	1	1
<b>Totals</b>	<b>11</b>	<b>23</b>	<b>10</b>	<b>5</b>
<u>Male VTS</u>				
May	1	-	-	1
June	2	1	-	2
July	3	-	3	-
August	1	3	-	-
September	1	4	1	1
October	1	-	3	-
November	-	1	-	1
December	-	1	1	1
<b>Totals</b>	<b>10</b>	<b>10</b>	<b>8</b>	<b>9</b>

NO. 39 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state how many persons were removed from the unemployment figure back in June 1999 because they were seeking part-time employment giving a breakdown on age and sex?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

No persons have ever been removed from the unemployment figure because they were seeking part-time employment.

NO. 40 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state if the unemployment figure, from January 2000 to December 2000 included persons looking for part-time jobs giving a breakdown by month and sex?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The unemployment figures from January 2000 to December 2000 do include persons looking for part-time jobs.

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

SUPPLEMENTARY TO QUESTION NO. 40 OF 2001

HON J L BALDACHINO:

Are these persons registered as unemployed under the unemployment figures? Is it that they are only carried for three months and then removed?

HON H A CORBY:

No. They are lapsed if they do not sign on the appropriate form every month insofar as part-timers are concerned.

HON J L BALDACHINO:

The answer that was given in this House on a previous question which was answered by the Chief Minister on a supplementary was "the wretched new system still put people in that were looking for part-time jobs, but are then taken off every three months because of the new system." Is that not correct?

HON CHIEF MINISTER:

The system remains as wretched as it has ever been.

HON J L BALDACHINO:

So people are removed after three months? That was the answer that was given for that question.

HON H A CORBY:

They are removed if they do not sign as expected in the Employment Service not just after three months.

HON J L BALDACHINO:

Then the answer that was given previously was not correct?

HON CHIEF MINISTER:

Is the hon Member certain that he is not referring to the answer that I gave in relation to people who were seeking, for example, a particularly large supermarket in Gibraltar puts out a few part-time jobs and a whole lot of people apply, thereby boosting the figures for that month. Then they fall out gradually as they fail to re-register. I remember telling him that in connection with part-time work at Safeways.

HON J J BOSSANO:

Will the Chief Minister not agree that the first part of his quotation is correct but not the second part? We were not told that they fell out gradually on their volition, but that the thing was being looked at to see whether different treatments should be accorded because they were distorting the figures. I think it was the Hon Mr Netto, who argued in the House that all of a sudden married women interested in part-time employment would swoop in and register because they had heard that a particular new place was opening and that that meant that the figures were not an accurate reflection and that was used to justify producing averages for three months, as opposed to giving monthly figures. It was at the same time in 1997 in relation to the 1997 subsequent figures.

Answer to Question 40 of 2001

NUMBER OF PERSONS SEEKING PART-TIME WORK FOR THE YEAR 2000 BY MONTH AND SEX			
	Male	Female	TOTAL
January	4	26	30
February	3	29	32
March	3	31	34
April	2	37	39
May	1	33	34
June	2	27	29
July	2	25	27
August	1	26	27
September	1	31	32
October	1	37	38
November	1	32	33
December	1	24	25



NO. 41 OF 2001

THE HON J L BALDACHINO

**WAGE SUBSIDY**

Can Government state how many employers have been given a wage subsidy for an employee last year giving a breakdown for each month, sex and age group?

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. 41 OF 2001

HON J L BALDACHINO:

I see that no company took advantage in July and August. Is there an explanation for that?

HON H A CORBY:

No. Probably they did not take up the offers but I have not got an explanation, but I will find out for the hon Member.

HON J L BALDACHINO:

Where it states the number of companies and there are more employees, does it mean that a company might have two or more?

HON H A CORBY:

Yes, a company might have two or more.

HON J J BOSSANO:

In the case of a wage subsidy, is there any kind of commitment as to continued employment when the subsidy ends?

HON H A CORBY:

Yes. We give wage subsidies for 26 weeks. The employer pays the other part of the year. If the employer keeps the employee then we refund the lump sum, which would be £1,500. After the full year it is more difficult for the employer not to keep the person that has been there for a year.

HON J J BOSSANO:

After the first six months the employer meets the full wage but is able to recover it if the person continues?

HON H A CORBY:

That is correct.

HON J J BOSSANO:

Can the Minister give an indication of what sort of average result they get from this? Do most employers carry them all or 50/50? We are not asking specific information about this because all the people in the list are in the process of being somewhere during the year. But what is the experience of the department in terms of the response?

HON H A CORBY:

The experience of the department is that it is working very well and a very good percentage of people carry on through the year and then are taken on permanently.

HON J L BALDACHINO:

The subsidy is only for six months? Is there no flexibility of extending that?

HON H A CORBY:

No. For the other six months, the employer pays and if he carries on after the year, then we refund the six months that the employer has paid to leave him.

HON J L BALDACHINO:

The person is an employee of that particular company from day one?

HON H A CORBY:

Yes, that is correct.

Answer to Question 41 of 2001

PERSONS COMMENCING WAGE SUBSIDISED EMPLOYMENT DURING 2000 BY MONTH												
Year 2000	JAN	FEB	MAR	APR	MAY	JUN	JULY	AUG	SEPT	OCT	NOV	DEC
No Of companies	4	4	2	2	1	4	0	0	1	1	2	0
No Of Employees	5	4	2	2	1	5	0	0	2	3	2	0

TOTAL NUMBER OF EMPLOYEES BY SEX AND AGE GROUP								
AGE GROUP	Under 18		18 - 24		25 and over		TOTAL	
SEX	M	F	M	F	M	F	M	F
	0	0	4	4	13	5	17	9

NO. 42 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT REGULATIONS (OFFENCES) ORDINANCE**

Can Government state how many fixed penalties have been imposed on employers, in respect of how many employees in each month since 1<sup>st</sup> August 2000 to 31<sup>st</sup> January 2001 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 hand the hon Member a list giving the information requested.

SUPPLEMENTARY TO QUESTION NO. 42 of 2001

HON J L BALDACHINO:

As a matter of clarification, when he says pending cases with the Attorney General, is it that the person is pursuing the penalties through the courts?

HON H A CORBY:

These are cases before the actual ones here and which are pending for court hearing.

HON J L BALDACHINO:

In August, just to give an example, there were 24 inspections carried out, yet there were no fixed penalty notices paid, but four pending cases with the Attorney General.

HON H A CORBY:

Previous to that.

HON J L BALDACHINO:

Yes, I understand that. As the law stands, if the person does not pay the fixed penalty, he can decide to go to court, is that what this is all about?

HON H A CORBY:

Yes.

HON J J BOSSANO:

If we take the August figure, 'no fixed penalty paid' means that no offences were found, it is not that they were not paid?

HON H A CORBY:

That is correct.

HON J J BOSSANO:

In October, it says 'no fixed penalty issued' and then on a different line 'no fixed penalty notices paid'. When I asked about August, whether 'no fixed notices paid' meant that none were issued, I was told 'yes'. Can the Minister explain why in October there are two lines, one saying that none were issued and the other that none were paid?

HON H A CORBY:

No fixed penalty notices were paid in that month means that nothing was taken in cash.

HON J J BOSSANO:

My first supplementary was about August 2000. I asked the Minister, "Does it mean that of the 24 inspections carried out, does the second line mean that no offences were found? I was told yes. It seems that perhaps is not so clear. Were any offences found in August? My original question was in August 2000 we are told 24 inspections were carried out and no fixed penalty notice was paid and I asked whether the fact that no fixed penalty notices were paid meant that no offences had been found and that nobody had been asked to pay or that people were refusing to pay. I was told it was that no offences were found. My question is "Why is it that in the other month, you have one line saying 'no notices issued' and another line says 'no notices paid'. If paid and issued means the same thing, which is the answer that I was given to the first supplementary, then why do we have it in every month except August?

HON CHIEF MINISTER:

I should not be participating in this because I have not been following the debate but issued and paid means the same thing.

HON J J BOSSANO:

Then the Chief Minister will better join issue with the Minister because he is the one who has said it, not me.

HON CHIEF MINISTER:

The hon Member has got to bear in mind that the fact that a fixed penalty notice is issued does not require the person against whom it is issued to pay it. He can opt. This is like a parking ticket. It is not a determination one can say "No, I dispute it", or "No, summons me and take me to court". I notice that in August, there were four pending cases with the Attorney General. In August the inspectors must all have been on holiday.

HON J J BOSSANO:

Then that would mean that none had been issued, not that none had been paid.

HON CHIEF MINISTER:

None were issued.

HON J J BOSSANO:

In August it says, "No fixed penalty notices were paid".

HON CHIEF MINISTER:

Or issued.

HON J J BOSSANO:

It does not say "Or issued".

HON CHIEF MINISTER:

Can I just check with my Colleague? I cannot explain to the hon Member why the sheet of paper that he has been given misses out the line which is contained in our information sheet under the heading 'Supplementary'. The third line in our version reads 'No fixed penalty notices were issued', as well as 'No fixed penalty notices were paid', under August 2000. I see that the 'No fixed penalty notices were issued' line is omitted from the handout. The answer to his question is that the answer that my Colleague gave him should be amended to read, 'No fixed penalty notices were either issued or paid'.

HON J L BALDACHINO:

Just to be clear, where it says the pending cases with the Attorney General does not necessarily mean that it is for that month, it could be for another month? In October it says six pending cases with the Attorney General, in November six pending cases with the Attorney General, it could be the same six cases that has gone from one month to another?

HON CHIEF MINISTER:

It could be some added to by some of the September issued, which were also not paid.

HON J J BOSSANO:

Where we have got penalties issued and penalties not paid, effectively what we have got are employers who are disputing the accuracy of the figures it is not that they are challenging the decision?

HON CHIEF MINISTER:

That is correct.

## Answer to Question 42 of 2001

### August 2000

Number of inspections carried out was 24  
No Fixed Penalty Notices were paid or issued.  
4 Pending cases with the Attorney General.

### September 2000

Number of inspections carried out was 10.  
4 Fixed Penalty Notices were issued in respect of 4 employees on 4 employers.  
Additionally two were issued for non-registration of the business.  
One Fixed Penalty Notice was paid.  
5 Pending cases with the Attorney General.

### October 2000

Number of inspections carried out was 25.  
No Fixed Penalty Notices were issued this month.  
No Fixed Penalty Notices were paid.  
6 Pending cases with the Attorney General.

### November 2000

Number of inspections carried out was 22.  
Two fixed penalty notices were issued in respect of two employees on one employer.  
Two Fixed Penalty Notices were paid.  
6 Pending cases with the Attorney General.

### December 2000

Number of inspections carried out was 10.  
No Fixed Penalty Notices were issued this month.  
No Fixed Penalty Notices were paid.  
One pending case 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 4 of the Employment Regulations 1994 (Duty to notify Director of vacancy).
- 5) Regulation 6 of the Employment Regulations 1994 (Duty to notify Director of intention to engage an entitled worker).
- 6) Section 3 of the Business Trades and Professions (Registration) Ordinance 1989 (Duty to Register)

ORAL

NO. 43 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the 363 Gibraltarians employed in July 2000 how many were registered with the Employment Agency as unemployed at the time?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 46, 49, 52, 55 and 60 of 2001.



ORAL

NO. 44 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 137 Spanish Nationals employed in July 2000, how many were new entrants to the local labour market.

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 45, 47, 48, 50, 51, 53, 54, 56 and 57 to 59 of 2001.

NO. 45 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 128 British Nationals employed in July 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 47, 48, 50, 51, 53, 54, 56 and 57 to 59 of 2001.

NO. 46 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the 213 Gibraltarians employed in August 2000, how many were registered as unemployed with the Employment Agency at the time?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 43, 49, 52, 55 and 60 of 2001.

ORAL

NO. 47 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 102 Spanish Nationals employed in August 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 48, 50, 51, 53, 54, 56 and 57 to 59 of 2001.

ORAL

N0. 48 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 92 British Nationals employed in August 2000 how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMERS AFFAIRS

Answered together with Question Nos. 44, 45, 47, 50, 51, 53, 54, 56 and 57 to 59 of 2001.

ORAL

NO. 49 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the 224 Gibraltarians employed in September 2000 how many were registered unemployed with the Employment Agency at the time?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 43, 46, 52, 55 and 60 of 2001.

NO. 50 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 105 Spanish Nationals employed in September 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 47, 48, 51, 53, 54, 56 and 57 to 59 of 2001.

NO. 51 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 79 British Nationals employed in September 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 47, 48, 50, 53, 54, 56 and 57 to 59 of 2001.



ORAL

NO. 52 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the 271 Gibraltarians employed in October 2000, how many were registered as unemployed at the time with the Employment Agency?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 43, 46, 49, 55 and 60 of 2001.

ORAL

NO. 53 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 99 British employed in October 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 47, 48, 50, 51, 54, 56 and 57 to 59 of 2001.

ORAL

NO. 54 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 137 Spanish Nationals employed in October 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 47, 48, 50, 51, 53, 56 and 57 to 59 of 2001.

ORAL

NO. 55 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the 155 Gibraltarians employed in November 2000, how many were registered with the Employment Agency as unemployed at the time?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 43, 46, 49, 52 and 60 of 2001.

NO. 56 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 100 British employed in November 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 47, 48, 50, 51, 53, 54 and 57 to 59 of 2001.

NO. 57 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of 105 Spanish Nationals employed in November 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 47, 48, 50, 51, 53, 54, 56, 58 and 59 of 2001.

NO. 58 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 46 Spanish Nationals employed in December 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 44, 45, 47, 48, 50, 51, 53, 54, 56, 57 and 59 of 2001.

ORAL

NO. 59 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 50 British Nationals employed in December 2000, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

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



New Entrants to the Local Labour Market		
	Spanish	British
July 2000	61	35
August 2000	51	31
September 2000	47	35
October 2000	58	32
November 2000	41	42
December 2000	19	15

NO. 60 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the 102 Gibraltarians employed in December 2000, how many were registered unemployed with Employment Agency at the time?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

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

SUPPLEMENTARY TO QUESTION NOS. 43, 46, 49, 52, 55 AND 60 OF 2001

HON J J BOSSANO:

Is it the correct interpretation of this information that the balance are people who were in employment and effectively what happened was that the contract of employment was registered with the ETB, but that the job as it were, was filled almost simultaneously with a vacancy being opened. Is that what we are talking about?

HON H A CORBY:

That is correct. The person coming in already with the job.

HON J J BOSSANO:

The people who came off the register in each of those months are the figures that we have been given as supposed to the others?

HON CHIEF MINISTER:

The hon Member may be interested to know that it is almost always somewhere around 20 per cent.

Answer to Question 60 of 2001

REGISTERED UNEMPLOYED	
	Gibraltar
July 2000	45
August 2000	34
September 2000	65
October 2000	62
November 2000	45
December 2000	25

ORAL

NO. 61 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 41 Moroccan Nationals employed in the 3<sup>rd</sup> quarter of last 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. 62 of 2001.

NO. 62 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NEW ENTRANTS**

Can Government state of the 29 Moroccan Nationals employed in the 4<sup>th</sup> quarter of last year, how many were new entrants to the local labour market?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

None of the Moroccan Nationals were new entrants to the labour market in the 3<sup>rd</sup> and 4<sup>th</sup> quarter of last year.

NO. 63 OF 2001

THE HON J L BALDACHINO

**DRUG REHABILITATION CENTRE**

Can Government state how many persons have been admitted at the Drug Rehabilitation Centre at Bruce's Farm

- A) As in-patient
- B) Have been given help as an outpatient since 1<sup>st</sup> October 2000 to date giving a breakdown by month?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

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

SUPPLEMENTARY TO QUESTION NO. 63 of 2001

HON J L BALDACHINO:

On the question of outpatients, could it be the same person attending every month or are they different people?

HON H A CORBY:

These are families who have to be counselled as they have a drug patient within the family. The patients in aftercare are being taken care of at Bruce's Farm. This is a separate thing. It is aftercare as a follow up to their recovery for patients who have been staying there.

HON J L BALDACHINO:

Let us say somebody has been treated as an in-patient and he comes out and needs counselling for a short period, how is he shown?

HON H A CORBY:

In October there were 15.

HON J L BALDACHINO:

Out of the 21, is that correct?

HON H A CORBY:

In addition to that. In November 17, in December 18, in January 20 and February 22. These are patients in aftercare programmes.

HON J L BALDACHINO:

The figures given here for in-patients are exactly the same. Could it be the same person or different people?

HON H A CORBY:

There might be people who are still there undertaking treatment for a long time. Sometimes it takes three months and it can go up to about 18 months. Some people there are on-going. It depends on the person on how much time is needed to cure their addiction and undergo counselling.

HON J L BALDACHINO:

I did not want to ask publicly. Is the Minister prepared to give me, on a confidential basis, the sex of the persons who arrive there?

HON H A CORBY:

There is a mixture of males and females. I will give the hon Member the information requested on a confidential basis.

Contd. Q63/2001

	OCT. 2000	NOV. 2000	DEC. 2000	JAN. 2001	FEB. 2001
IN-PATIENTS	6	7	6	3	3
OUT PATIENTS	21	19	18	31	9



NO. 64 OF 2001

THE HON DR J J GARCIA

**LABOUR ADVISORY BOARD**

How often and on what dates has the Labour Advisory Board met during 1999 and 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

During 1999 and 2000 the Labour Advisory Board had met on the following dates:

11<sup>th</sup> January 1999  
9<sup>th</sup> March 1999  
12<sup>th</sup> May 1999  
15<sup>th</sup> July 1999  
23<sup>rd</sup> September 1999  
22<sup>nd</sup> November 1999  
25<sup>th</sup> September 2000  
28<sup>th</sup> November 2000

SUPPLEMENTARY TO QUESTION NO. 64 OF 2001

HON DR J J GARCIA:

Can the Minister elaborate why there were only two meetings in the whole of 2000?

HON H A CORBY:

Very simple. In December there are no meetings at all. In January we were involved with the elections and on the 1<sup>st</sup> March I was appointed as the new Minister for Employment. I had to familiarise myself with the workings of the department and before I could attend the Labour Advisory Board I wanted to know much more about the department and not go into an Advisory Board without knowing what the consequences were.

HON S E LINARES:

Can the Minister state whether any person within the Advisory Board represent institutions or groups of people?

HON H A CORBY:

There is the Chamber of Commerce, the Small Businesses Association, Unions....

HON S E LINARES:

Is the Minister satisfied with having institutions and groups represented in the Advisory Board?

HON H A CORBY:

What they do is advise, insofar as the Minister is concerned, and yes I am happy as I get fresh opinions from different bodies.

HON S E LINARES:

I am glad the Minister has said that as his predecessor did not believe it.

HON H A CORBY:

It depends on the Minister.

NO. 65 OF 2001

THE HON J J BOSSANO

**CAMMELL LAIRD**

Are Government in a position to state how many persons were employed by Cammell Laird in January this year in the shipyard and how many of these were employed as casual workers?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

It is not appropriate to give out such information in respect of individual private sector employers. However, 5 persons were employed in shiprepairing in January this year. All 5 were employed as casuals.

SUPPLEMENTARY TO QUESTION NO. 65 OF 2001

HON J J BOSSANO:

I am not asking how many were employed that month. I am asking how many were in employment?

HON CHIEF MINISTER:

He has asked how many were employed and not how many were in employment. The question says how many persons were employed.

HON J J BOSSANO:

Employed by Cammell Laird not during the month. Obviously the people who were employed in January were not just the people who started in January but who were there in December as well, they were also employed in January.

HON CHIEF MINISTER:

The question being asked is, "How many people were employed in January?" In other words "How many people were recruited during the month of January?" Whereas the hon Member wants to know how many people were in post during the month of January. We might be able to get that answer by tomorrow.

HON J J BOSSANO:

The movement in and out of the shipyard of casual workers is reflected in these statistics that have been provided in the House of terminations of persons employed in shiprepairing, which he gave in answer to Question No.30 of 2001.

HON H A CORBY:

I will have to look into that.

HON J J BOSSANO:

In the month of September I understand 600 people were taken on and laid off and certainly that is not reflected in the figure given for September here, which says that during September two Gibraltarians and five Spanish contracts were terminated in shiprepairing.

MR SPEAKER:

That does not arise out of this supplementary.

HON J J BOSSANO:

I am asking about the people employed in Cammell Laird. I am told that employment in the field of shiprepairing is the information that they are giving me and in answer to Question No.30 of 2001, which was circulated, there is in line one, shiprepairing September two Gibraltarians and three Spaniards. I have asked whether people employed in shiprepairing who are casual workers because the original question needs to establish the proportion of casual workers in that industry, would be shown as having their employment terminated in the information given to us previously. The answer is it ought to be. My understanding is that the figures given to us of five people in September is not at all reflective of the level of movement that there was in September, which I happen to know.

HON CHIEF MINISTER:

The hon Member may happen to know but he is assuming that terminations are registered during that month. If the hon Member thinks that a substantial number of casual employment was terminated in September, that presumably reflects the termination figures for some months after September since the terminations are not necessarily registered there and then. I would not expect a company like Cammell Laird to be too tardy but it certainly would not be immediate, so we will have to see if that batch that he says he is aware of feature in respect of some months subsequent to September.

NO. 66 OF 2001

THE HON J J BOSSANO

**EMPLOYMENT - TERMS OF ENGAGEMENT**

Can Government say whether the ETB accepts that employers may show in the hours of work the phrase "as required" in completing the registration of the conditions of employment?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Some of the Notice of Terms of Engagement registered by employers do show in the hours of work the phrase "as required". The Employment Service now and the Employment & Training Board in the past, have accepted such a term.

The Government would, of course, prefer a full working week hours to be reflected instead of "as required", but such are the terms and conditions as contracted between the employer and employee.

SUPPLEMENTARY TO QUESTION NO. 66 OF 2001

HON J J BOSSANO:

Is there not a requirement to stipulate the number of hours? Surely if it says, "as required", it is as good as not answering the question of the number of hours a person has to work for a given wage. If that is accepted, how does the department check whether people are getting paid the minimum wage if one gets a given sum of money and then the hours "as required".

HON CHIEF MINISTER:

They could not do that. The point is that in law, there may be trade agreements, for example, having a minimum of 39 hours to be provided to operatives but in law there is no requirement to employ somebody for a minimum number of hours. It may be provided in one of the employments captured by the current minimum wage, there may be a requirement for a minimum rate per hour so one would have to state the rate per hour, but there is no requirement as to a minimum number of hours for whom one has to employ somebody. So long as the correct minimum rate per hour is declared, the employment could be for as few hours as the employer and the employee agree and that could be "as required". If the employer tells the employee from day to day, from week to week, the number of hours that he would require on the day, I think the procedure is open to obvious abuse but it has been a practice that has always prevailed.

HON J J BOSSANO:

I am thinking of the maximum hours rather than the minimum hours. How is that taken care of? Does "as required" mean that an employer can presumably require an employee to work as many hours as he want?

HON CHIEF MINISTER:

The hon Member raises a very interesting point. I think enforcement of the Working Time directive is not something that perhaps has been given any attention. The Working Time directive exists so that the employee has rights that he can hold up against his employer, rather than something that the State would police as if it were a criminal offence. Subject to that point, it may well be that Government have a sufficient interest in monitoring compliance with the Working Time directive to use the Working Time directive legislation as a reason to require at least the maximum number of hours to be specified, even if not the number of hours. We have not focused from that point of view. We think that the scope for abuse comes in not stating the hours so that then there can be some abuse of social insurance contribution records or even PAYE records by not having an official record of the hours that are contracted against any inspection which can be measured. The hon Member raises a point as to maximum, which is not what we have fixed.

HON J J BOSSANO:

As the law now stands the form does not have to be filled in by stating the number of hours that a person works on average or maximum or minimum.

HON CHIEF MINISTER:

It would have to be if a rate per hour of pay was not disclosed and what was disclosed was a weekly rate. I cannot assure the hon Member that this is how it is done. But if the "as required" formula is used in the number of hours, it is inconceivable that that should be acceptable if it does not then state the rate per hour of remuneration. If it does not state the rate per hour of remuneration but rather states the weekly wage or a monthly wage, then necessarily it should be required to disclose the number of hours because otherwise one could not then calculate whether there was a compliance with the minimum wage.

HON J J BOSSANO:

Would the Government confirm where an employer stipulates a monthly or weekly amount and 39 hours then any kind of separate agreement which an employee is required to sign to, saying he will do however many hours are required for that amount of money, what would be the official figure, the one that is registered with the ETB?

HON CHIEF MINISTER:

It would be a breach of the law because the law requires one to register the correct details. If the correct details are "as required" then those are the correct details but one could not have a side written agreement because those would necessarily be registrable details.

HON J J BOSSANO:

Would that be the kind of issue that somebody with a grievance of that nature would be able to take to the Labour Inspectors, is that part of the role of the Labour Inspectors? Or would it be something that they would have to pursue themselves?

HON J J NETTO:

My understanding is that when we passed the legislation in relation to the Working Time directive it did allow recourse to the Factory Inspector to inspect any business, any place of work and seek out all the necessary information like time sheets to ensure the number of hours that are being worked. Bear in mind that the Working Time directive specifies a maximum of 48 hours in one week and then has a reference period which can be agreed between the employer and the employee, which may go up to a maximum of 13 weeks. There is also provision within the legislation for an opt out but the employer cannot enforce any conditions on the employee beyond the 48 hour even though extended to a reference period if the employee feels that he is being pressurised to continue to do a certain amount of work which is beyond the scope of the Working Time directive. So there is recourse to try and get the information from the company and assess the number of hours from a safety point of view.

HON J J BOSSANO:

I was thinking from the point of view in answer to a supplementary to the last answer, that if somebody had put one thing in the official registration form and then tried to get an employee do something else, does it mean the employee would pursue on his own or would he be able to go to the ETB and say "I have got a complaint".

HON J J NETTO:

Yes. He would go to the Employment Service and in certain cases it would be the Factory Inspector that would ascertain the comparisons between the information being stored in the Employment Service and the information that is being released either in the time sheets or the pay slips.

NO. 67 OF 2001

THE HON J J BOSSANO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

HON J J BOSSANO:

Do Government have an explanation for the very large increase in the number of persons registered as unemployed between June and October last year?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

No specific explanations can be given for the increase of persons registered as unemployed between June (280) and October (371) any more than can be given for the pronounced decrease from October to December (273).

SUPPLEMENTARY TO QUESTION NO. 67 OF 2001

HON J J BOSSANO:

Presumably if the numbers of unemployed goes down it must be because more people are coming off the register and if the number is going up it must be because more people are registering as unemployed. The people registering as unemployed must be coming from somewhere. Has the Minister not attempted to get to the increase over those months, which was inconsistent with the position before June and December? It went up over a period of four months so I would have thought the Minister would know whether people were being laid off somewhere.

HON CHIEF MINISTER:

I think the hon Member will find that this is an annual phenomenon. The figures for the month of June to October coincide roughly with the months during which university students and others return to Gibraltar on lengthy holidays and register to seek work during their summer holidays. The reason why it starts to come down in October is that they all rush off back to complete their studies. I do not have the figures for previous years in front of me but I think he will find that there is a seasonal blip, whether the blip is bigger in one year than in another, is a response to the number of students who seek employment in that particular summer, but I would guess that that is the reason.

HON J J BOSSANO:

The fact that in August and September the number of terminations of employment provided in answer to Question No.30 of 2001 is exceptionally high, has no bearing?

HON CHIEF MINISTER:

It has bearing. It may be that students turn over very considerably in summer jobs. A lot of these summer jobs are maybe for very short periods of time.



HON J J BOSSANO:

The fact that there is not a commensurate increase in employment in those months from Gibraltarians in the register, according to the information provided in answer to Question No.59 of 2001, is not consistent with that. I am trying to put together the information that has been provided today in the House on people coming off the register and people going on the register and people unemployed.

HON CHIEF MINISTER:

It is perfectly consistent. The hon Member is well aware of the fact that in the summer of last year, there were not mass redundancies, 100 people were not made redundant anywhere. The figure of unemployed between June was 280, in October it was 371, that is 90 odd. The economy did not suffer that element of redundancy. If one looks at the terminations in August, September and October, one will see that there were roughly 40 in August for Gibraltarians.....

HON J J BOSSANO:

The schedule the Chief Minister is looking at does not have the total. Therefore the 40 that he is looking at is just the 40 in services. The total, would the Chief Minister not agree, are 452 in August, 519 in September, 324 in October and 426 in November. The figures for August and September are much higher than they were in June and regrettably we do not have the figure for July because in the way the question was formulated, we went from June to August and left July out. We do not know what the July figure was. What we have seen is that the figures up to June of registrations of unemployed was much lower than in August and September. That must account for the higher level of unemployment in August and September, which is because more people joined the register. That is consistent with terminations of contracts, that is what it says in the answer.

HON CHIEF MINISTER:

If the hon Member wants to use the figures of terminations of contract as any form of measure as to the creation or loss of employment posts, he has got to net them off against the commencements. The hon Member is not suggesting that there were 400, I take his word for it, he has obviously added all these figures up on this table. One will have to compare that against the totals for the commencements. If one could be sure that the terminations and the commencements related to the same period but one cannot because of our lag in registering particularly terminations. But if one could be sure that they related to the same period, so that there were 400 terminations in respect of August and 450 commencements in respect of August, one could say there are 50 net extra jobs created. On the basis of the number only of terminations, I do not think one can draw any conclusions about how the unemployment figure for August, September and October may raise. I remain of the view, for the reasons that I have told him, and that is a sudden influx of job seekers reflected by the fact that there is a large arrival, not just of university students, but also school leavers in that month. June is when the school year finishes, some students who are already at university are returning home and seek holiday work, other students leave school and seek a holiday job before going on to university for the first time, and some children, that have no intention of going to university, simply enter the job market and it takes the labour market a few months to absorb those, the ones that are not going off to university. Every June there is this influx of youngsters

into the labour market. Some temporarily, if they are at university or going to university and some permanently if they are not going to further education.

HON J J BOSSANO:

Are the Government not aware that figures that they have published do not show that the increased unemployment in the months that I have mentioned in my original question, are in the age group of school leavers?

HON CHIEF MINISTER:

The Government are not aware of that.

HON J J BOSSANO:

Will the Government read their press release which gives an age breakdown for those months so that they can become aware of it and would the Government not agree that if the figure for August, which we have been given today, is that 213 Gibraltarians filled vacancies in August and 245 terminated their contracts, or at least registered the termination in August, nevertheless here we have a figure that in August the terminations of Gibraltarians is higher than the commencement of contracts, but of the 230 only 34 reduce the unemployment level. So is this not an indication that the 245 is more of an accurate reflection of people joining the register than the 213 is of people coming off, because we have just been told in answer to Question No.60 of 2001, that although 213 persons became employed in terms of the published statistics, only 34 had been unemployed. When I asked the Minister whether this meant that these were people who came with a contract filled up and the registration is not really a vacancy at all, it is a registration of somebody who already had a job and the ETB registers the vacancy and the filling of it at the same time. Would the Minister not agree that in August and in September, from the answer that I have been given today, there appears to have been an unusually large level of job losses registered for those two months in the economy, that it certainly is worth investigating. All we are doing is using the information that has been provided by the Government.

HON CHIEF MINISTER:

The Government are not satisfied of any of that. There were no significant job losses in the economy during those months or any other particular months of the year. Therefore the explanation has got to be seasonal variation. The Government Members do not agree the process of deduction that the hon Member makes in deduction from the information that has been given to him. Nor do we agree since he puts it to me in a form of a question, that the Government press release shows that.

HON J J BOSSANO:

The Chief Minister considers that the fact that according to the information provided today in the House, in legal, accounting and other services and in insurance, real estate, banking and in finance, there were terminations of employment in those two months amounting to something of the order of 70 jobs, that is normal seasonal fluctuations. Finance companies and banks and insurance companies go through a lean patch in August and September?

HON CHIEF MINISTER:

I do not know whether they go through a lean patch, what I can tell the hon Member is that those are precisely the sectors in which students tend to get very short term casual employment during the summer holidays. That is precisely the sectors.

HON J J BOSSANO:

What we are being told is that in August and September people were being terminated because they were going back to the United Kingdom?

HON CHIEF MINISTER:

All this is speculation on both our parts. We have already said that the answer to the original question is that we could not give an explanation. Everything that has followed has been speculation, no more or less on our part than on the hon Member, of what the reasons for what a seasonal blip might be, necessarily speculation. It is not a question of what the hon Member has been told or what he has not been told. What the hon Member has been told is that no specific explanations can be given for the increase of persons registered as unemployed between June and October, any more than can be given for the pronounced decrease from October to December. That is what the hon Member has been told. Everything else is speculation. I am not aware of any banking institutions who have dismissed that degree of labour during those months. These are growing sectors. The levels of employment in the Finance Centre are growing all the time so why the hon Member should think there should be reductions in August, September and October, I do not know.

HON J J BOSSANO:

The only reason why I think so is because we have been given a table that shows it.

HON CHIEF MINISTER:

What the hon Member has been given is a table that shows contract terminations. If the hon Member wanted to know whether there was a net gain or a net loss of employment in the finance centre in August, it would not be enough for him to know that there had been in the banking and finance centres 14 terminations amongst Gibraltarians, 7 terminations amongst British, 1 termination amongst Spanish and 2 terminations amongst others. If the hon Member wanted to know the net gain or loss, his best bet, and it would still not be sufficient for the reason that I will explain, but at the very least the hon Member would have to have the equivalent figure for vacancies filled during that period. Even then he would have to treat the deduction with caution because the vacancies filled and the terminations registered, even though they are done during the same month, do not necessarily relate to the same month. Certainly by waving about the table for the number of contracts terminated in August, the hon Member knows full well, that he cannot deduce from that that 14 jobs were lost in that sector.

NO. 68 OF 2001

THE HON J C PEREZ

**VARYL BEGG ESTATE - GARAGES**

When do Government intend to supply electricity to the garages at Varyl Begg Estate which have been waiting for such a supply for nearly five years?

ANSWER

THE HON THE MINISTER FOR HOUSING

Government are now in a position to provide a supply to the garages on the north part of the estate, however given the length of time that the individual supply cables have been installed these will require to be tested and identified in conjunction with each individual garage owner.

The garages on the southeast side of the estate are still awaiting the installation of the mains supply cable and meters.

SUPPLEMENTARY TO QUESTION NO. 68 OF 2001

HON J C PEREZ:

Can the Minister state why it has taken so long for the connections to take place?

HON J J NETTO:

The hon Member is right, this is taking too long. Buildings and Works have informed the Electricity Department on several occasions, but unfortunately this has not been carried out. As of late, given the question, I have had a conversation with the City Electrical Engineer who tells me that they will give it top priority, so I await to have this finalised once and for all.

HON J C PEREZ:

Has the Minister been told whether it is labour capacity or materials that is the problem or a combination of both?

HON CHIEF MINISTER:

There are sections of the Electricity Department which are under resourced in terms of personnel and therefore that reflects in the length of time it takes to do some projects. Regrettably the prioritisation of works means that certain types of projects never seem to get to the top. I entirely accept the hon Member's criticism that this project is simply taking an inordinate length of time to do and that is not because the City Electrical Engineer could not have done it at some time during the last five years, simply that he has never allowed it to get to the top of the list because there has always been something with greater priority. It is not satisfactory and I accept the hon Member's implicit criticism that a system ought to be put in place so that

even projects without high priority, in terms of the social value of the project, ought at least to progress up the list so that they get done within a reasonable period of time.

NO. 69 OF 2001

THE HON J C PEREZ

**REPORT - BUILDINGS AND WORKS DEPARTMENT**

Can Government state what are the recommendations made by the consultants that looked into the functions and structure of the Buildings and Works Department?

ANSWER

THE HON THE MINISTER FOR HOUSING

The Government are not yet in receipt of the final text of the report, although the Government have it in draft.

SUPPLEMENTARY TO QUESTION NO.69 OF 2001

HON J C PEREZ:

Is it the intention of the Government to share those recommendations with this House when they have a final report?

HON CHIEF MINISTER:

What the Government will do with the report once it receives it in its final form, is first of all consider it as Government and then to share it with the staff and their trade union representatives. The purpose of this report is not to convert it into a political football but rather to work with the unions to see if the future of the department can not be put on a better footing for the future. The Government do not think that that process is helped by a public airing of the matter until such times as the discussions between the unions and the Government have reached a state of fruition, at which time the Government will present to this House their intentions for the reformation of the Buildings and Works Department, which can then be fully debated in this House. This House is entitled to have details of what the Government intends to do and to debate it. I do not think this House is entitled to participate in the preliminary negotiating processes between Government and their employees.

HON J C PEREZ:

I would accept totally the remarks of the Chief Minister if we were talking about a staff inspection report, but we have been led to understand that it is more than that. What the Chief Minister is saying is that a report is commissioned at public expense, it goes to the Government, the Government do not disclose the contents of the report, they negotiate with the unions and then the results of the negotiations result in Government doing something about Buildings and Works in this case, and the House is then informed of what the Government are going to do which might be anything contained in the report or might not be contained in the report, because it is subject to negotiations with the unions. This is totally unacceptable.

HON CHIEF MINISTER:

I am surprised that the hon Member should find it unacceptable because he has described to the last full stop his own working methodology whenever his Government obtained reports and studies on things. He never used to produce the report at all but having said all that.....

HON J C PEREZ:

We never commissioned a report, the Chief Minister does not know what he is talking about.

HON CHIEF MINISTER:

Having said that, what the hon Member has just described is how it should be. That is what Governments do and that is what Trade Unions do. What Parliaments do is scrutinise what Governments do, not what Governments have not yet done, not what Governments might be thinking of doing, not what Governments are deliberating as they formulate their policy options and certainly not participate in public airings of what the hon Member must know are very sensitive and delicate issues which have escaped the attention of all Governments in Gibraltar for nearly 40 years.

HON J C PEREZ:

The Chief Minister does not know what he is talking about. Previous Governments did not commission such reports. We used to negotiate directly with the workforce without the need to get consultants from abroad to tell us what to do and the Chief Minister himself has said that notwithstanding whatever the report says, at the end of it, the report is just to give the Government certain ammunition to negotiate with the union. The result of those negotiations could reflect anything in the report or might not reflect anything in the report.

HON CHIEF MINISTER:

I have not said that the report is to provide the Government with ammunition. What I have said is that it is a report that will be dealt with between the Government and the union and the hon Member is not correct when he says that his Government did not ever produce studies. We are not discussing the nature of the report. We are discussing whether when the hon Member was in Government, whether they produced reports and whether it was their practice to publish them in the House. He may recall, amongst many others, the 1993 Price Waterhouse Report on value for money, something which could not have been of more interest to this House, given that scrutinising public expenditure, given that ensuring value for money in the expenditure of public funds is one of the primary functions of this House and the hon Member's commission from a firm of international accountants, a value for money study, and keep it in their back pockets and show it to absolutely nobody. It was not tabled in this House, was it?

HON J J BOSSANO:

There was no report commissioned by the Government. The Auditor carries out value for money studies and contracted the work out instead of doing it in-house as he continues to do today. Then he reflects it or does not reflect it in the audited accounts of the Government. Nothing to do with the Government. It has to do with the Audit.

HON CHIEF MINISTER:

Has the hon Member forgotten the report that was commissioned about the Government network of companies by a firm of UK accountants which remained so secret that no-one discovered that it had even been done for several years. Is the hon Member denying that a report was drawn up about the use by the previous Government of private companies? Yes or no?

HON J C PEREZ:

I have no knowledge whatsoever of the report. Perhaps he commissioned it whilst in Opposition and the Chief Minister thinks we commissioned it.

HON CHIEF MINISTER:

If the hon Member has no knowledge, then he should not make noises in the House which suggests that what I am saying is not true.

HON J C PEREZ:

What report is the Chief Minister talking about? What public statements were made saying that the report was being commissioned by the Government? Will the Chief Minister either say what report he is talking about and prove that it was commissioned by the previous Government, or shut up and sit down.

HON CHIEF MINISTER:

The hon Member will consider publishing the report in the light of the hon Member's statements, because the Leader of the Opposition knows the report that I am talking about. The fact that the hon Member was not brought into the loop, which I seriously doubt, at most entitles him to say "I do not know". The fact that he does not know does not entitle him to challenge what I say on the basis of his very little knowledge.

HON J C PEREZ:

Is the report made public by the Government commissioned on public funds by the Government? Is that what the Chief Minister is talking about? The report we are talking about is nothing to do with it. He is trying to get away of the argument at hand by virtue of what others might or might not have done. His confidence.....that after five years in Government he has got to answer for his actions and his decisions regardless of what might have happened in the past or not. The Chief Minister has spent questioning me trying to remember a report to compare with the actions of his Government precisely because he knows that what he is doing here is wrong and he is trying to justify it.

HON CHIEF MINISTER:

The hon Member walks into a trap that he sets for himself and then complains that he is made to pay the price for it. I started by telling the hon Member what the Government's position was, what the proper role of Government and the proper role of the Opposition was and what the proper role of the trade union was, nothing to do with what they used to do in the past.



HON J C PEREZ:

According to the Government.

HON CHIEF MINISTER:

Yes, according to the Government, and that he could not have the report until such time as the purpose for which the report had been convened.....that is the Government's policy, that is the Government position. I have explained it to the hon Member twice. I think it is an entirely proper position. What he regards as the wasted 20 minutes is simply the Government's pointing out to him once again that frankly he practices a large degree of double standards in this House. The hon Member has one set of standards when he is on this side of the House and a completely different set of standards when he is in Opposition. It is a perfectly proper thing for the Government to point out when people are engaging in duplicitous behaviour of that sort.

HON J C PEREZ:

The Chief Minister might repeat the question of double standards and duplicity so much that he himself will believe it but the only duplicitous character in this House is the Chief Minister. Let me say that at long last we have got a bit of a response to the original supplementary and that is that the Chief Minister now says that at the time of implementation of whatever he finishes up discussing with the union, we might get a copy of that report. The original answer said that what we would get is what the Government's action would be, and now he says that the report paid by the taxpayers might be made available to the House so that we compare what the report of the experts commissioned by the Government is and what the Government finish up doing at the end of the day, and we have got a right to do that and I think we have got a right to compare what the report says with what the Government actually do to see whether it is value for money to continue to commission reports of the nature that the Chief Minister does, which we never did when we were in Government.

HON CHIEF MINISTER:

I will have to tell the hon Member that I do not agree that he has any such rights. That the Government commission reports as management reports and that the hon Member has no right to have a copy of it. Another thing is that the Government may be willing to give it to the Opposition. That is a different matter. Certainly the hon Member has no right to receive such a report. It is an internal report for management purposes. The hon Member may well end up seeing a copy, if, when and if he does, it will not be because he has any rights to it.

HON J J BOSSANO:

Is it reasonable to want to know what it is that the Government have got for what they have paid? What is it that this people have done and how much has it cost, irrespective of the fact that the Government may have the right to reveal what they think needs to be put in the public domain and not reveal what they think should not. In terms of what is it that we are getting for how much?

HON CHIEF MINISTER:

It is perfectly reasonable for the hon Members in scrutinising the Government's expenditure of public funds, which is most certainly their business, to ask the Government "how much have you spent on this report", but they have showed no interest in that so far.

HON J J BOSSANO:

Does the report deal only with labour related issues or does it deal with aspects like equipment and stuff like that?

HON CHIEF MINISTER:

I have to be careful because the Leader of the Opposition is a master at extracting information from me in small doses. The report, as the Government has stated publicly on several occasions and by agreement with the unions, the report is comprehensive and it goes a long way beyond just labour issues. Indeed it raises management issues, resources issues, premises issues, working practices issues, not just industrial relations issues. It is a comprehensive analysis of all aspects of the Buildings and Works Department that together contributes to what the Buildings and Works Department is.

NO.70 OF 2001

THE HON DR R G VALARINO

**WESTVIEW PARK**

Can Government explain what is the state of the water penetration at Westview Park, how many flats were affected and what other defects are present in the Estate?

ANSWER

THE HON THE MINISTER FOR HOUSING

Westview Park is a private development and defects in it including some relating to water penetration are being discussed by the developer and representatives of the resident flat owners. The Government have received copies of some correspondence. As it does with other similar situations Government would wish to see this matter satisfactorily resolved by encouraging the developer to rectify all defects in accordance with his obligations.

SUPPLEMENTARY TO QUESTION NO.70 of 2001

HON DR R G VALARINO:

Have Government any idea what the other defects in this Estate are?

HON J J NETTO:

As my answer suggested, we have some correspondence and some of the correspondence emanates from the Management Company and the developer, particularly the Management Company tells us that some of the water penetration comes from the flat roofs on the non-walking terraces.

HON DR R G VALARINO:

As far as Government are concerned, this will be put right by the developer?

HON CHIEF MINISTER:

It is not unusual for there to be some snagging with all new developments and naturally the developer's obligation to put those defects right, the Government, not only in support of their 50/50 purchasers, but also in support of the fact that the Government are themselves a 50/50 purchaser in some of these flats, makes it their business to ensure that the contractor takes its legal responsibilities seriously and does not simply turn his back on the Estate and goes away. In this respect we are not engaged in that sort of process only in Westview Park, we are engaged in a similar process in Montagu Crescent where the Government "encourage" the developer to live up to its obligations. We come into a difficult situation when the developer has disappeared or when the developer goes bankrupt, then questions arise of who will pay for the defects. Primarily it is the developer's responsibility, the Government look to the developer to discharge those responsibilities, put pressure on them to abide by those responsibilities, are doing so in this case and in other cases and indeed there is nothing to lead the Government to believe that the

developer is evading its responsibilities. The Government's understanding is that the developer is engaged in that process and the Government are simply encouraging the developer to hurry along, rather than drag its feet.

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ORAL

NO. 71 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

Can Government state whether a certificate of practical completion was given by Government to the contractor concerning Bishop Canilla House prior to the allocation of these flats?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 74 and 75 of 2001.

ORAL

NO. 72 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

How many would be tenants at Bishop Canilla House refused to take up their allocation?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 73 and 76 of 2001.

ORAL

NO. 73 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

How many tenants previously at Bishop Canilla House have been rehoused at Edinburgh House?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 72 and 76 of 2001.

ORAL

NO. 74 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

Can Government state who carried out the remedial works at Bishop Canilla House following the water penetration and at what cost?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 71 and 75 of 2001.



NO. 75 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

Will Government state how the water penetration came about at Bishop Canilla House and how many flats were affected?

ANSWER

THE HON THE MINISTER FOR HOUSING

The Government can confirm that a Certificate of Practical Completion was issued to the contractor prior to the allocation of such flats.

The appointed maintenance term contractor for the Edinburgh House complex carried out the emergency protective work to the stairwell. The cost of such works amounted to £2,759 with such costs having initially been met by the Government.

Remedial works commenced on 8<sup>th</sup> January 2001 and is still on-going. The main contractor, with whom the Government contracted the project, is undertaking all the remedial works. The cost of such works is still unknown.

Water penetration occurred through the ventilation areas at the stairwell and atrium roof vents due to the extreme wind driven rain experienced during December. Additionally, damp patches have been detected around balcony door openings in some of the flats that face in a southwesterly direction. Approximately 30 flats have been affected, to varying degrees, by such dampness. All flats are currently undergoing remedial works.

SUPPLEMENTARY TO QUESTION NOS. 71, 74 AND 75 OF 2001

HON DR R G VALARINO:

Who is paying for the remedial works? In a previous supplementary last year, there was a mention about retention of monies from the contractor, is this still the case?

HON CHIEF MINISTER:

The contract does provide for retention but I could not tell the hon Member whether the retentions have fallen for payment now or whether they have not yet fallen for payment, in which case they would be retained. If the hon Member would just allow me to clarify something. He asks whether a Certificate of Practical Completion had been issued to the contractor prior to the allocation of the flats. It is of course absolutely necessary to issue a Certificate of Practical Completion before flats are allocated because it is only upon issue of a Certificate of Practical Completion that the contractor hands the building over to its owner, in this case the Government. After the issue of a Certificate of Practical Completion, there is what is called the defects liability period, usually a year, during which the contractor stands there and fixes any defects that arise during the year. So there is the concept of practical completion and the Certificate of Practical Completion and then there is the

Certificate of Final Completion, usually a year later, following the end of the defects liability period.

HON DR R G VALARINO:

Regarding the water penetration, did any tenant have to be moved out, and if so, for how long?

HON J J NETTO:

Only one tenant has moved or reverted back to his original house in Varyl Begg. That tenant was affected by dampness, as indeed were other tenants in Bishop Canilla House. The department sought to reassure the tenant of the fact that the repairs were going to be carried out, as indeed they have been carried out to the other flats. Notwithstanding that, this particular couple in question had a further issue in hand for which they wanted to move back to Varyl Begg and that was that their windows faced to where the Calpe Rowing Club is and, as the hon Member mentioned, the storm water drain happens to be there and at times the smell emanating from the storm water drain is quite high and for that reason the tenant sought to move back to his previous allocation in Varyl Begg.

HON DR R G VALARINO:

I imagine this tenant is the one that appeared in the Gibraltar Chronicle not so long ago. Has the Minister any idea when the flats will be cleared of the water penetration. He has mentioned that there are about 30 flats with damp patches.

HON J J NETTO:

Out of those 30, 19 are already repaired externally. What they are waiting for in relation to those 19 is for the dampness to dry out so that the internal decorations can be finalised, but works are also continuing on the other flats. The hon Member is asking on the nature of the works, on those three areas that I mentioned as far as the water penetration is concerned, on the louvres, there are modifications being effected to the louvre vents by the introduction of additional slats particularly those slats on the south westerly side. On the stairwell the open decorative concrete blocks on the southwest-facing wall are being removed and replaced with glass blocks. Concrete pre-cast ventilation louvres have been incorporated and as far as the walls, sections of the affected walls have been removed from the exterior to access the cavity from the outside and repair works will be undertaken depending what is uncovered during the inspection.

HON J C PEREZ:

The Minister mentioned the problem of the stench of the water drain, is that something which is being looked into, given that it affects other people, or is that to be a permanent feature of the area?

HON CHIEF MINISTER:

No. The hon Members may remember from their days when they were in Government, that is a storm water drain. It is not supposed to carry sewage at all. It only does so in extreme conditions when the storm water drain acts as an overflow to the sewer. This is the reason why the Government are devoting so much resources at present, the hon Member may have seen the lorries presently parked behind the

John Mackintosh Hall at night, why the Government are involved in a programme of intensive de-silting of the sewers because it is only when the sewers silt up that their capacity is reduced and that increases the likelihood for the overflow to come into use. The answer is no, the problem is very much improved since there was a major sewer de-silting exercise carried out in Line Wall Road and it is only very occasionally that the storm water drain in the west side reclamation gets used for sewage. The Government's intention is to eliminate it altogether which is why the sewer is now being de-silted in its whole length, all the way right up to the south.

HON J C PEREZ:

Despite what the Chief Minister has said, I recall that the Queensway Quay development had a similar problem and that was tackled separately to the de-silting and quite successfully, although expensively at the time. Given the proximity of the Estate to the sea and the sea levels which affect this, might it not be an idea to look at it in that context as well?

HON CHIEF MINISTER:

The problems of sewage initially at Queensway Quay were resolved by exactly the same process as I have just described to the hon Member. The problem was eliminated at Queensway Quay when the de-silting programme in Line Wall Road reached the point at which the sewers were sufficiently unblocked so that the sewage did not enter that storm drain because what emanates at Queensway Quay is just another storm drain. It is exactly the same problem just in a different place. It has been eliminated there by the de-silting of the sewers, it has been almost completely eliminated at this storm drain by the de-silting of sewers and that is why that programme continues.

HON J C PEREZ:

I have a different recollection of the events at Queensway Quay.

HON CHIEF MINISTER:

I do not know what events the hon Member is talking about. If he is talking about the events of about one year ago, then those are the ones that I am describing. If he is talking about the original design of the Queensway Quay, that involves, as I recall, it was not during my time of office, but I seem to recall that there are separate pumping stations that the sewage at that point is pumped up into the main sewer at high pressure, the problem in the west side area is not the dispersal of the sewage from that area into the main sewer, it is when the main sewer becomes blocked, so one would not eliminate the problem simply by improving the facilities for taking the sewage from that area into the main sewer, that is not where the problem lies.

HON DR R G VALARINO:

Talking about plumbing, the Chief Minister did mention plumbing in his last response to the House, have there been any other problems with the plumbing at Bishop Canilla House, considering that these flats were, in the Chief Minister's words, built to the highest standards?

HON CHIEF MINISTER:

No. There have not been any problems so far with the plumbing. The hon Member is quite right. There was a long delay in the Government accepting delivery of these flats because they did not pass whatever test the plumbing system gets subjected to under pressure and indeed the hon Member will recall that some of the piping actually burst causing water damage, that was all fixed and that problem has not recurred.

HON S E LINARES:

If I remember correctly, the Chief Minister said that the delay of the handing over was due to the leakage of the piping and that the flats would not be given to the tenants because they wanted to hand the flats over with the highest of standards. What went wrong as there are lots of problems in those flats, what happens with the highest of standards now?

HON CHIEF MINISTER:

This development, unlike other developments in Gibraltar's recent history, has been subjected to the highest standards of checking by those who are employed by the Government to do so. If the hon Member wants to re-open that debate, I am very happy to participate in it. The hon Member would be making a grave mistake if he compared the issues affecting Bishop Canilla House to the issues that have affected other Estates in Gibraltar. What we have in Bishop Canilla House is the sort of snagging which are not uncommon in all developments, that is the dampness. Having said that, there was one design mistake which allowed water in very extreme conditions basically when it is windswept horizontally to enter through the ventilation ducts. That is not a defect of construction, that was just a defect of design. The thing was built as designed. Insofar as the dampness penetration, as much as it is regrettable, it is not uncommon, and it ought not to be taken out of proportion, this building has been subjected to that process of checking by Government officials before it was accepted, and the proof is that the Government did not accept delivery of it for many many months. If the hon Member thinks that life is lived at both extremes, either a situation which Government can guarantee that a building has no defects, and the other extreme being that the Government take no interest at all and accept an Estate which is systematically not safely built, the hon Member must know that life is not lived at either extreme, that life by prudent Governments is lived somewhere in the middle, which means that the Government take all reasonable steps to ensure that building is properly conducted and that any defects that then arise are invariably of a less serious nature and exists notwithstanding the checking, as opposed to because there is no checking.

HON S E LINARES:

The Chief Minister concedes then that there are always defects in these sort of buildings. I appreciate the fact that the Minister has said that, that in any construction there are defects, one will always find defects in any construction.

HON CHIEF MINISTER:

The hon Member has said, and it is implicit in the standard form of building contracts, which I have explained to his hon spokesman for Housing, which provide for a defects liability period. It is normal for new buildings to have that sort of defect which

is normal in new buildings. What is not normal is for buildings to have to be rebuild from scratch. For one to have to spend the same amount of money in fixing a building as it cost one to build it in the first place. Not because it has the sort of defects that are normal in new buildings, but because almost every aspect of the building was built to standards which are so poor that they reflect simple lack of supervision. If the hon Member is trying to draw parallels between these perfectly ordinary type defects and the defects that arose in a much larger scale in other Estates, he is making a grave mistake, apart from showing a lack of understanding of these issues.

HON J L BALDACHINO:

Can the Minister explain if the dampness that exists in the buildings is due to the water penetration or is it raising dampness?

HON CHIEF MINISTER:

No. There is an element of water penetration around the balcony doors.

NO. 76 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

Can Government state what happened at Bishop Canilla House in January 2001 when an elderly lady fell at her home and was unable to seek help?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answer to Question 72 of 2001

10 refused to take up their allocation.

Answer to Question 73 of 2001

None.

Answer to Question 76 of 2001

Mrs Dalmedo, a wheelchair bound lady, fell in her flat. Since this occurred after 10 pm, from which time there are no care taking services, she managed to crawl to the door and called for help from her neighbours.

SUPPLEMENTARY TO QUESTION NOS. 72, 73 AND 76 OF 2001

HON DR R G VALARINO:

Did any of these 10 people who refused to take up their allocation at Bishop Canilla House, give any indication why they refused to do so?

HON J J NETTO:

No. They obviously went to the drawing of lots. They were given the flat that they picked, they went to look at it and then they decided that they did not want it. They wanted to stay where they were.

HON DR R G VALARINO:

They were not happy with the allocation? On Question 73, I have knowledge that one tenant from Bishop Canilla House who may have been allocated a flat there was rehoused at Edinburgh House. Has the Minister any idea whether this is so or not?

HON J J NETTO:

The answer is none.

HON DR R G VALARINO:

As far as Question 76, the elderly lady who fell and was unable to seek help. Are Government addressing this problem for the future and trying to avoid this recurring?

HON J J NETTO:

The Department following this sort of incident and in order to facilitate the wardens movement around Bishop Canilla House has installed an auto dialler which will be connected to the alarm system which will alert the Housing Inspector on call in the silent hours. Additionally, the Senior Citizens Association has purchased around 115 mobile panic buttons which they intend to give to those senior citizens in most need.

NO. 77 OF 2001

THE HON DR R G VALARINO

**ALAMEDA ESTATE**

Can Government state how many empty housing units are there at present in Alameda Estate broken down by each individual block?

ANSWER

THE HON THE MINISTER FOR HOUSING

At present there are five units empty broken down as follows:-

- |   |                   |
|---|-------------------|
| 2 | Picton House      |
| 1 | Governor's Meadow |
| 1 | Victoria House    |
| 1 | Ross House        |

SUPPLEMENTARY TO QUESTION NO. 77 OF 2001

HON DR R G VALARINO:

There are five units vacant, has the Minister any idea how long they have been vacant for?

HON J J NETTO:

One of them is under offer, another one is pending a decision by the Housing Allocation Committee and three are either with the Electricity Department or for cleaning.

HON DR R G VALARINO:

With all due respect, that is not the question that I asked. I asked the Minister if he had any idea for how long they had been empty?

HON J J NETTO:

I have not got that information with me.

HON DR R G VALARINO:

Could the Minister get it and let me have it at a later time?

HON J J NETTO:

Yes, Mr Speaker.

HON J L BALDACHINO:

Does the Minister have with him the room composition of the flats?



HON J J NETTO:

NO.

HON J L BALDACHINO:

Could it be possible for the Minister to pass that information to us.

HON J J NETTO:

Yes.

ORAL

NO. 78 OF 2001

THE HON DR R G VALARINO

**ALAMEDA HOUSE**

What amounts have been paid to the scaffolding contractor to date since September 2000 regarding Alameda House?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 79 of 2001.

NO. 79 OF 2001

THE HON DR R G VALARINO

**ALAMEDA HOUSE**

Can Government provide a breakdown of the works that have been carried out at Alameda House and those that are outstanding?

ANSWER

THE HON THE MINISTER FOR HOUSING

The amounts paid to the scaffolding contractor since September 2000, regarding Alameda Estate Scaffolding Project are:-

£522.00; £3,240.00; £1,971.20; and £1,971.20 making a total of £7,704.40.

The works carried out at Alameda House are as follows:-

1. Replacement of all roofs.
2. Repairs of spalling concrete and defective rendering to external façades and communal areas.
3. Redecoration of all external façades and communal areas.
4. Replacement of all gutters and downpipes.

Works on the roof have been completed. The other works have been carried out in phases in order to minimise inconvenience to the tenants and work is now on-going on the final phase of the works.

SUPPLEMENTARY TO QUESTION NOS. 78 AND 79 OF 2001

HON DR R G VALARINO:

I gather that the above works have been carried in-house by staff from Buildings and Works Department. Are the works up to schedule and due to finish in the summer of 2001?

HON J J NETTO:

Yes.

ORAL

NO. 80 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

Can Government state in the event that the number of applications have exceeded the number of housing units available for sale at Sir William Jackson Grove last October, what criteria is to be used in selecting the successful applicants and by whom is the selection going to be made?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 81 of 2001.

NO. 81 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

Can Government state how many housing units were offered for sale last October at Sir William Jackson Grove on a co-ownership basis and how many applications were received by the closing date?

ANSWER

THE HON THE MINISTER FOR HOUSING

There were six flats offered for sale; 108 applications were received by the closing date.

The criteria to be applied would be as stated in the Government Press Notice published on the 29 September and 4 October 2000 which said, "All persons who are eligible to apply for Government housing as defined by the Housing Allocation Scheme (Revised 1994) may apply to purchase these flats. Priority will be given to persons releasing Government accommodation".

SUPPLEMENTARY TO QUESTION NOS: 80 AND 81 OF 2001

HON J J BOSSANO:

Why is it that it is taking so long to make a decision?

HON J J NETTO:

Given all the circumstances in the interim period, my staff had to collate and tabulate all the necessary information with regard to the applications. It also coincided at the time that we were undermanned and under pressure.

HON J J BOSSANO:

What sort of exercise are Government going to carry out in order to choose, because obviously it must be a different task if there are only six flats and 108 applicants?

HON J J NETTO:

One needs to collate information and tabulate information with all the various circumstances attached to it, it depends on whether they are in the Housing Waiting List or they are releasing a flat, family composition, it is that kind of exercise, to be able to draw the various circumstances in each application.

HON J J BOSSANO:

Given that priority is for people releasing accommodation, which would obviously be available for another family, has anything been done to establish out of the 108 whether Government are going to cut it down to those releasing accommodation, which could be more than six, and discard the rest?

HON CHIEF MINISTER:

That decision has not yet been made. Certainly the release of Government accommodation is a factor that will be given a considerable amount of weight to. I would not wish to discount at this stage the possibility that there may be somebody with an extreme housing case that is not giving up their housing accommodation and we may wish to consider that. What I envisage may happen is that all the cases of the same circumstances that end up rising to the top of this table ultimately may end up to be chosen by lots between them. Certainly the Government want to reduce the list to the most deserving cases first and establish criteria for identifying those most deserving cases. How we then choose from what maybe more than six cases of the same deserving nature once they have been established, remains to be decided. It may be that at that stage, whether or not one is giving up a Government house, will become the determining factor. In the ordinary case if one is not giving up Government accommodation and is not also an extreme housing problem, I think it is unlikely that they would succeed in getting one of these six flats.

HON J J BOSSANO:

Would the Government not agree that a simple rule such as giving to the six people who release most Government accommodation means that they would then have six units to deal with other problems? If there were somebody with a very extreme problem would that not in the normal process be at the top of the list for housing allocation anyway?

HON CHIEF MINISTER:

That is why it says that priority will be given. The use of the word 'priority' does not mean that it is an excluding circumstance. It means that priority will be given for that reason and it is one of the factors that is taken into account also in things like Bishop Canilla House. Certainly the giving up of a Government flat is something that the Government attach value to generally for the reasons that the hon Member has said. The Government now have a form of system giving a specific financial value to the surrender of a Government flat, even in unrelated things like the sale of ex-MOD properties by tender. Some people just opt for a sum of money, other people opt for a sum of money plus the release of a Government property and the question for the Government is, what is the value to be attributed to that release of that Government property for the purposes of measuring the worth of the two tender bids. The Government now have a table of valuations to ensure uniformity of application in all tender process. The Government share the hon Member's view that the release of other Government properties should always be a very important factor because it allows the Government to help two and not just one family. I am not trying to dilute that, all I am saying is that I would not wish to give the hon Member an answer here today which disables the Government to make a decision to allocate one of these houses in favour of somebody who may not be giving a house, but who is nevertheless in extreme requirement, I do not know if such a case exists, but in case it does exist, I would not wish to give a categorical answer that giving up a

Government house is an absolute pre-condition, but it is most unlikely that anyone would get one of these flats without giving up a Government house.

HON J J BOSSANO:

How close is the process to being completed given that it has been going on since last September?

HON J J NETTO:

Pretty close. I imagine that it should be solved over the next four to eight weeks.

HON J J BOSSANO:

In the original question by my Colleague it says, "By whom is this selection going to be made?" Was that answered in the original answer?

HON CHIEF MINISTER:

The selection will be made by the Government.

HON J J BOSSANO:

By the Housing Department?

HON CHIEF MINISTER:

It will not be made by the Housing Allocation Committee. This is not the allocation of Government housing stock. This is the sale of Government property and the decision will be made as all decisions relating to the sale of Government properties by a ministerial committee that exists for that purpose.

ORAL

NO. 82 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

Can Government state when will the replacement of the dry riser at Sir William Jackson Grove take place?

ANSWER

THE HON THE MINISTER FOR HOUSING

Tenders for the replacement of the dry risers at Sir William Jackson Grove Estate were received on Friday 2<sup>nd</sup> February. Tender submissions are currently being analysed and an award of contract should be made shortly.

SUPPLEMENTARY TO QUESTION NO. 82 OF 2001

HON DR R G VALARINO:

Have the Government no idea for how long this will take place? Will it ready for summer?

HON J J NETTO:

This is being analysed by the Tender Board. Once this process is completed we should know.



ORAL

NO. 83 OF 2001

THE HON DR R G VALARINO

**EDINBURGH HOUSE**

Are there any empty units at Edinburgh House and if so, why have they not been allocated?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 84 of 2001.

NO. 84 OF 2001

THE HON DR R G VALARINO

**EDINBURGH HOUSE**

Have the vacant flats at Edinburgh House as answered in Question No.301 of 2000, now been allocated and have they been allocated to medical cases?

ANSWER

THE HON THE MINISTER FOR HOUSING

All the flats in Edinburgh House have been allocated. One is earmarked for a medical case.

Finally, on the six flats in Question No.301 of 2000, five have been allocated from the medical list and the last one on decanting, whose case also had a medical background.

SUPPLEMENTARY TO QUESTION NOS. 83 AND 84 OF 2001

HON J L BALDACHINO:

On the question of medical cases, it was the norm with the previous administration, that whenever new houses came into the Government housing stock for allocation by the Housing Allocation Committee, 20 per cent of those were allocated to medical cases. Has that been the case in Edinburgh House?

HON J J NETTO:

First of all the hon Member will have to realise that we put all the medical cases of senior citizens in Bishop Canilla House. Further to that my hon Colleague, who was at the time dealing with this, tells me that that has been the case.

HON J L BALDACHINO:

One can be a medical case and one does not necessarily have to be an elderly citizen. It was an unwritten thing on all previous administrations that 20 per cent of all new Government housing stock was allocated to medical cases. Has that been the case at Edinburgh House? Has there been more than 20 per cent or less than 20 per cent?

HON J J NETTO:

I will have to find out and let the hon Member know.

ORAL

NO. 85 OF 2001

THE HON DR R G VALARINO

**HOUSING - KING'S BASTION**

Have Government now taken a view on the long-term future of the building which encompasses the housing units at King's Bastion?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 86 of 2001.

NO. 86 OF 2001

THE HON DR R G VALARINO

**HOUSING - KING'S BASTION**

Can Government state the cost to date since this question was answered in September 2000 of the scaffolding installed at King's Bastion Housing Units?

ANSWER

THE HON THE MINISTER FOR HOUSING

Since September 2000 the cost of the scaffolding installed at King's Bastion Housing units is £3,940.

SUPPLEMENTARY TO QUESTION NOS. 85 AND 86 OF 2001

HON DR R G VALARINO:

When is it likely that Government will take a long-term view on the future of this building? It is indeed an eyesore and one of the reasons for the scaffolding being up is because of the safety of the building. Can Government shed any light on this matter?

HON J J NETTO:

On the question of scaffolding, the hon Member is right because it has been the matter of previous questions in the House. The answer to that is yes. On the first question, the Government are currently considering a number of ideas for the development of King's Bastion. In parallel with this, consideration will be given to the housing units at King's Bastion which falls within the development area.

HON J L BALDACHINO:

The scaffolding at King's Bastion is it more for safety reasons than to carry out any repairs, is that correct?

HON J J NETTO:

Yes.

ORAL

NO. 87 OF 2001

THE HON DR R G VALARINO

**LAGUNA ESTATE - BEAUTIFICATION**

Can Government state when the beautification of Laguna Estate will start?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 88 to 91 of 2001.

ORAL

NO. 88 OF 2001

THE HON DR R G VALARINO

**LAGUNA ESTATE - LIFTS**

Have Government now given up the idea of installing lifts in blocks at Laguna Estate?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 87 and 89 to 91 of 2001.

ORAL

NO. 89 OF 2001

THE HON DR R G VALARINO

**HEATHFIELD HOUSE**

What company has been given the contract for the replacement of balconies and associated works at Heathfield House and at what cost?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 87, 88, 90 and 91 of 2001.

ORAL

NO. 90 OF 2001

THE HON DR R G VALARINO

**HEATHFIELD HOUSE**

Can Government state when the replacement of balconies and associated works at Heathfield House will start?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 87 to 89 and 91 of 2001.



NO. 91 OF 2001

THE HON DR R G VALARINO

**MACMILLAN HOUSE**

Can Government state when the external refurbishment of MacMillan House will start?

ANSWER

THE HON THE MINISTER FOR HOUSING

In relation to the Government tenders for the Laguna Estate, Heathfield House and MacMillan House, the tender's closing date for submission was 2<sup>nd</sup> February 2001. Tenders received will have to be examined before an award can be made. Thereafter commencement dates will have to be negotiated with the successful contractor.

In relation to lifts being installed at Laguna Estate, Government are still investigating its feasibility.

SUPPLEMENTARY TO QUESTION NOS. 87 TO 91 OF 2001

HON J L BALDACHINO:

On the question of lifts at Laguna Estate, the Minister is saying that a feasibility study is being carried out. Is it not a fact that a feasibility study already exists for the installation of lifts at Laguna Estate? One was carried out by the AACR administration and if he reads Hansard, it says it was not feasible and the City Fire Brigade used to object because of certain things. I am giving the Minister this information just in case they carry out a feasibility study when one already exists so the Minister could look at the existing one. Is the Minister aware that a feasibility study exists already?

HON J J NETTO:

No. I am not aware that during the days of the AACR such a study was conducted but I am grateful to have further information. All I can say at this stage is that there was an original survey done by the Technical Services Department and that survey says it was not feasible or practical to do it, but they are currently doing an in depth study on the question of the installation of lifts, not just at Laguna but elsewhere.

HON DR R G VALARINO:

As far as the beautification of Laguna Estate, are Government in a position to say what this will entail?

HON J J NETTO:

Yes I can, although this is already in the public domain because the Government have issued a press release. But just to give the hon Member a snapshot, the work comprises the repaving of all pavements and front patio areas and re-arrangement of parking bays in order to maximise the number of parking bays available. The construction of new refuse bins chambers in order to centralise the collection of refuse, thereby eliminating the present unhygienic practice of storing bins within buildings. Additionally, landscaping will be introduced in the form of attractive street furniture of bollards, lampposts et cetera.

HON J L BALDACHINO:

On the question of the contracts, the Minister said that tenders have come out for the different projects. Is JBS being allowed to submit a tender for this project as once a tender is awarded and the company goes burst, JBS are the ones who come in and do the repairs?

HON J J NETTO:

I have no recollection why JBS should be disallowed when JBS, as we know, put a tender for the Government tender up in Anderson House and was successful in the bid, so I have no reason to suggest why they should be disallowed now.

NO. 92 OF 2001

THE HON DR R G VALARINO

**RED ENSIGN CLUB**

Can Government state whether the refurbishment of the Red Ensign Club has now taken place in order to rehouse those tenants who were required to leave their houses at Bayside Studios?

ANSWER

THE HON THE MINISTER FOR HOUSING

The refurbishment and conversion of the building known as the Red Ensign Club, into bedsitters is currently on-going with such works programmed for completion in April of this year.

SUPPLEMENTARY TO QUESTION NO. 92 OF 2001

HON DR R G VALARINO:

How many units will this refurbishment bring about?

HON J J NETTO:

The building of the Red Ensign Club consists of the ground floor plus three storeys with a fourth floor terrace. A sitting tenant occupies approximately 50 per cent of the ground floor area with the remainder of this floor being converted into a bedsitter, especially adapted for use by a disabled person. Three self-contained bedsitters will be accommodated on each of the second and third floors. On the fourth floor, one bedsitter and a one bedroom flat will be accommodated. The answer is 12.

HON DR R G VALARINO:

Could I be informed what the cost of this refurbishment will be?

HON J J NETTO:

I do not have that information with me. Bear in mind that the works are on-going.

HON DR R G VALARINO:

Who is carrying out the refurbishment?

HON J J NETTO:

It is JBS.

HON DR R G VALARINO:

If it is JBS, there must have been a costing initially. Has the Minister any idea as to what this is and could he let me know at his convenience the total cost of the project?

HON J J NETTO:

I should imagine there must have been an estimate. What I cannot tell him is how much has been spent up to today and how much is remaining. I will find out that information and let the hon Member know.

HON J J BOSSANO:

Is the number of units what is required to meet the needs of the people there?

HON CHIEF MINISTER:

Not all of them. Some of them are being re-accommodated by other means, not by Government.

HON J L BALDACHINO:

Is the room requirement of the families that are living at Bayside taken into consideration or will some of them be under-housed?

HON CHIEF MINISTER:

Given that they are all currently living in bedsitters, they will be at least as well off.

NO. 93 OF 2001

THE HON DR R G VALARINO

**COELHO HOUSE**

Can Government state what has caused the delay into the repairs of Coelho House promised to tenants by the Minister some years ago?

ANSWER

THE HON THE MINISTER FOR HOUSING

The delay to the repairs at Coelho House has been caused by the need to prepare detailed designs. These designs have now been completed and Government are in a position to put the works out to tender. However in putting public works out to tender the Government have to have regard to the construction capacity available in the market. This sometimes requires Government to delay putting works out to tender.

SUPPLEMENTARY TO QUESTION NO.93 OF 2001

HON DR R G VALARINO:

Can the Minister say what will the repairs entail?

HON J J NETTO:

The works entail demolition of the balconies and the reconstruction of new ones. Additionally the external rendering of the building is showing a number of cracks along the beams due to water penetration. The external rendering therefore requires to be hacked off and replaced with waterproof rendering and painting with good quality external masonry paint.

HON DR R G VALARINO:

So there is water penetration at Coelho House due to the poor state of the outside walls?

HON J J NETTO:

Yes.

HON J J BOSSANO:

Is the Minister suggesting that at the moment there is no spare capacity in the construction industry? Is that what he is saying?

HON CHIEF MINISTER:

What the Government are saying is that because of the extensive public sector investment programme and also the work that there is in the private sector, added to the building boom in Spain, which is absorbing almost all the Spanish labour that is available, there is very reduced amounts of labour and of low quality to be exported to Gibraltar. The Government have to be careful that they do not put out into the market so much work, that either it ends up getting done by workforce of low quality or that it does not create a sellers market, where all we are doing is giving the contractors the opportunity on the basis of supply and demand to put up the prices in a way that does not even increase their capacity of the work. It is not even the case of paying more but getting more work done, one simply ends up paying more for the same amount of output. At the moment the construction companies which are capable of doing work of the sort are occupied and the Government make sure that they do not put into the market more projects than can be coped with. Whether at this moment, where we are at this precise moment in time of this day of this week, it is the answer to which the Leader of the Opposition questions, "Is the Government saying that right now the market is saturated?" I could not tell him that but it sometimes does cause the Government to hold back contracts for a few months.

HON J J BOSSANO:

I do not recall such a comment having been made in respect of any other expenditure from the Improvement and Development Fund on construction ever before, it is the first time that I have heard this. Is it that recent things going out to tender have seen a reflection of some of these things, either lack of interest or excessive prices, which presumably would be the two indicators that there would be if there was already more work than market capacity? Has that been a reflection in anything that has gone out recently to tender?

HON CHIEF MINISTER:

Yes. In the first place the Leader of the Opposition should not overestimate what the Government are saying. What we are saying is this sometimes requires Government to delay work out to tender. In other words, if the Support Services Department prepare the contract documentation and specification for say four or five projects, the Government would not necessarily push them all out at the same time but might stagger putting them out. Work does not necessarily go out to tender driven as to timing only by when the paperwork is ready for the tender because there may be many of those at the same time and there is simply insufficient capacity. But in answer to his specific supplementary, the answer is yes, the Government do detect increases in the quotations generally in the prices tendered. Not just for this sort of work, but indeed also for works of other types, road refurbishment programmes and things of that sort. There is a very limited amount of building capacity indigenous in Gibraltar. Traditionally Gibraltar's building industry has grown and shrunk, as work required it by bringing in labour from Spain. Building labour in this part of Spain is notoriously in short supply at the moment. There are construction projects near here in the Costa del Sol that make no progress because there are no craftsmen or tradesmen available. There is an enormous building boom all over Spain, much of the labour from here is engaged in this part of Spain and actually gets hired out to other parts of Spain. The result is that that traditional need that Gibraltar relied on to expand its building capacity through the temporary importation of Spanish labour is currently very much curtailed and it is something that the Government do keep an eye on. Not just because of the price factor, but also because of the quality of building factor. Ultimately if one ends up sucking in the dregs of the Spanish market

that not even the Spanish contractors want to employ in a Spanish boom, then all we are doing is importing low building standards which results to problems of this sort that have been the subject of earlier questions here today.

NO. 94 OF 2001

THE HON DR R G VALARINO

**TENANT SATISFACTION SURVEY**

The results of the Tenant Satisfaction Survey show that the waiting time in order to carry out the necessary jobs is an area where problems exists, what practical steps are Government taking to improve this service?

ANSWER

THE HON THE MINISTER FOR HOUSING

Government have recently recruited masons to fill vacancies created in the department through natural wastage. This will help to reduce the waiting time in carrying out jobs. Additionally this is an area which will be addressed by the implementation of the Consultants Report referred to in Question No.69 of 2001.

SUPPLEMENTARY TO QUESTION NO.94 OF 2001

HON DR R G VALARINO:

How many masons have been employed?

HON J J NETTO:

In keeping with the money level agreement that the Government have with the unions, we have topped it up with 13 new masons.

HON DR R G VALARINO:

Will the Minister show me the report in a confidential basis if and when it is ready?

HON J J NETTO:

I have to refer the hon Member to the previous answer by the Chief Minister.

HON J J BOSSANO:

Have any of these 13 new masons been people that have done the training in the Construction Training Centre. I think they were up to NVQ level 2 and there was a problem as to whether they needed to carry on to level 3 or they could be taken on at level 2.

HON J J NETTO:

I can give the hon Gentleman the breakdown 13 masons, that is, six Moroccans have been employed and seven Gibraltarians. Of the seven Gibraltarians I am told that five are from the Construction Training Centre and two are from the previous qualified indentured apprentices.



HON J J BOSSANO:

Were these seven Gibraltarians people who came off the unemployment list? Does the Minister know that or were they working already?

HON J J NETTO:

I can tell the hon Gentleman that most of them were apprentices either seconded to JBS or seconded from Buildings & Works.

HON J J BOSSANO:

Is the Minister in possession of any information as to applications, were any Gibraltarians turned down?

HON J J NETTO:

I have not got that information with me.

HON J J BOSSANO:

Is it possible to be provided with information to see whether six Moroccans were taken because there was no choice or whether there were other people applying or interested and were not successful?

HON J J NETTO:

I will try and obtain that information for the hon Gentleman.

ORAL

NO. 95 OF 2001

THE HON DR R G VALARINO

**HOUSING ADVISORY COMMITTEE**

Can Government state on how many occasions has the Housing Advisory Committee met since the 1<sup>st</sup> September 2000 to date?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 96 and 97 of 2001.

ORAL

NO. 96 OF 2001

THE HON DR R G VALARINO

**MEDICAL ADVISORY BOARD**

Can Government state on how many occasions has the Medical Advisory Board met since the 1<sup>st</sup> September 2000 to date?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 95 and 97 of 2001.

NO. 97 OF 2001

THE HON DR R G VALARINO

**HOUSING ALLOCATION COMMITTEE**

Can Government state on how many occasions has the Housing Allocation Committee met since the 1<sup>st</sup> September 2000 to date?

ANSWER

THE HON THE MINISTER FOR HOUSING

The Housing Advisory Committee has met on six occasions. The Medical Advisory Board on two and the Housing Allocation Committee on five.

SUPPLEMENTARY TO QUESTION NOS. 95, 96 AND 97 OF 2001

HON DR R G VALARINO:

I am surprised that the Medical Committee has only met on two occasions considering the fact that the answer last year was that the objective of the Housing Committee was to meet at least monthly.

HON J J NETTO:

That was the objective. My information is that they met in October and November. There were no further formal meetings but of course when urgent cases do materialise, despite the fact that there were no formal meetings as such they round robin in order to take decisions.

HON DR R G VALARINO:

Does the Minister know whether any round robins occurred this time?

HON J J NETTO:

I would have to find out.

NO. 98 OF 2001THE HON DR R G VALARINO**IMPROVEMENT AND DEVELOPMENT FUND – HEAD 101 - SUBHEAD 1**

Can Government now 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, giving a breakdown on what this money has been spent on?

ANSWERTHE HON THE MINISTER FOR HOUSING

The amount of £2,061,360 has been spent to date on the Improvement and Development Fund Head 101 Subhead 1 Major Remedial Works and Repairs to Housing Stock. A breakdown of this expenditure is as follows:-

	£
Replacement of Windows	210,225
Alameda (Scaffolding Project)	8,144
Godley Mansions (Tejas Verdes)	11,000
Macfarlane House	78,234
Anderson House	293,619
Glacis Estate	739,530
North Depot Refurbishment	292,882
29/6 Willis's Road	33,441
Sandpits	95,831
Belvedere Retaining Wall	3,500
Willis's House	126,430
Miscellaneous Scaffolding Projects	141,294
Miscellaneous Small Projects	27,230

SUPPLEMENTARY TO QUESTION NO. 98 OF 2001

HON J J BOSSANO:

The Miscellaneous Scaffolding Projects £141,294, is this the cost of hiring scaffolding?

HON J J NETTO:

Yes.

HON DR R G VALARINO:

The estimated cost was £1.44 million, the figure we have been given today is over £2 million. Have Government any idea as to what the final figure will be and from where it will be vired so that the figure is properly accounted for.

HON CHIEF MINISTER:

The Minister for Housing has made an excellent case for the Government to dedicate even more resources to those social important functions of the refurbishing of our housing stock than we anticipated at the beginning of the financial year. These funds initially are vired from other heads of the Improvement and Development Fund or other subheads of that head. There may be, towards the end of this financial year, it is not yet clear whether the need will arise, for a Supplementary Appropriation Bill. I think there might not be but on the other hand the possibility exists that there will be a need for a Supplementary Appropriation Bill, but at the moment all funds are covered by virement.

HON J J BOSSANO:

So the position then is that this is not cost overruns on things that were originally planned and have finished up costing more, but things that have been added since the beginning of the financial year which were not in the original estimate.

HON CHIEF MINISTER:

There is an element of cost overrun, but there is also additional projects.

HON J J BOSSANO:

Can the Minister identify of the list that he has given which are the new projects that were not there in the original estimate?

HON CHIEF MINISTER:

The hon Member should be aware that the original provision was not related to specific projects. There has been a lengthening of the list in terms of the operational level. The Improvement and Development Fund Head does not list the projects in question.

HON J J BOSSANO:

I know that it does not list the projects in question but since the Minister's intervention was on the basis that the Minister had made a case for adding new things which were not there before, presumably those must be identifiable.

HON J J NETTO:

I have not got the information with me but I will pass it on to the hon Member.

ORAL

NO. 99 OF 2001

THE HON DR R G VALARINO

**HOUSING WAITING LIST**

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

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 100 and 101 of 2001.

ORAL

NO. 100 OF 2001

THE HON DR R G VALARINO

**HOUSING WAITING LIST**

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

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 99 and 101 of 2001.



NO. 101 OF 2001

THE HON DR R G VALARINO

**HOUSING WAITING LIST**

Can Government state at what intervals was the publication of the housing waiting list throughout the year 2000 and when was it last published?

ANSWER

THE HON THE MINISTER FOR HOUSING

The total number of applicants in the waiting list is 237, with a breakdown as follows:-

1RKB -	109
2RKB -	40
3RKB -	53
4RKB -	25
5RKB -	9
6RKB -	1

There are a total of 284 applicants in the pre-list, with a breakdown as follows:-

1RKB -	117
2RKB -	38
3RKB -	70
4RKB -	54
5RKB -	5

Publication of the Housing Waiting List throughout the year 2000 has been on intervals of three to four months. The last publication was in February 2001, and the previous occasion in October 2000.

SUPPLEMENTARY TO QUESTION NOS.99, 100 AND 101 OF 2001

HON DR R G VALARINO:

The last publication of the waiting list was October 2000. When is it likely that the new housing waiting list will be published?

HON J J NETTO:

It has just been done on the 1<sup>st</sup> February.

HON DR R G VALARINO:

Considering that the pre-waiting list will eventually become part of the waiting list, there is a number of over 500 people on the waiting list. It seems a rather large number. Is there any likelihood that this number will be reduced in the near future?

HON J J NETTO:

It is an on-going thing and the department will continue to try and expedite the recycle of refurbishment of empty flats in order to re-let them as soon as possible.

NO. 102 OF 2001

THE HON DR R G VALARINO

**HOUSING - 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 HOUSING

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

SUPPLEMENTARY TO QUESTION NO. 102 OF 2001

HON J L BALDACHINO:

On the 33 pre-war flats, will they all be suitable for human habitation or will some of them never be allocated?

HON J J NETTO:

In actual fact I have already instructed Buildings and Works to provide me with a proper survey of the 33 flats and to let me know whether they are suitable for human habitation or what is the degree of the refurbishment works. This is being done right now.

Answer to Question No. 102/2001

There are 33 pre-war flats currently vacant, all of which are in the town area.  
The room composition and date they became vacant are as follows:

7 x 1RKB - 14.03.98 x 2  
19.10.00  
22.11.00  
22.01.01  
25.01.01  
05.02.01

9 x 2RKB - 11.05.96  
02.07.96  
11.05.98  
23.03.99  
28.06.99  
26.08.00  
14.11.00 x 2  
31.01.01

10 x 3RKB - 17.08.98  
15.09.98  
03.05.00  
12.06.00  
15.11.00 x 2  
07.02.00  
12.01.01  
25.01.01  
05.02.01

6 x 4RKB - 12.03.99  
02.06.00  
22.08.00  
04.09.00  
21.11.00  
01.12.00

1 x 5RKB - 28.02.00

NO. 103 OF 2001

THE HON DR R G VALARINO

**HOUSING - PRE-WAR FLATS**

Can Government state how many pre-war flats have been allocated since the 1<sup>st</sup> September 2000 broken down by month to date?

ANSWER

THE HON THE MINISTER FOR HOUSING

A total of nine pre-war flats have been allocated since the 1<sup>st</sup> September 2000. The breakdown is as follows:-

September	-	None
October	-	2
November	-	2
December	-	4
January	-	1
February	-	3 (currently under offer)

SUPPLEMENTARY TO QUESTION 103 OF 2001

HON DR R G VALARINO:

Could the Minister say whether the majority of them have been social cases?

HON J J NETTO:

I have not got that information with me.

HON DR R G VALARINO:

Could the Minister let me have that information when he has got it at hand?

HON J J NETTO:

Yes.

NO. 104 OF 2001

THE HON DR R G VALARINO

**HOUSING - POST-WAR FLATS**

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

ANSWER

THE HON THE MINISTER FOR HOUSING

A total of 67 post-war flats have been allocated, of which 34 were on a do-it-yourself basis.

The breakdown is as follows:

September	-	7
October	-	20
November	-	11
December	-	23
January	-	6
February	-	17 (currently under offer)

SUPPLEMENTARY TO QUESTION NO. 104 OF 2001

HON DR R G VALARINO:

The number of allocations of post-war flats seems to be diminishing as the months go by. Is there any reasonable excuse for this?

HON J J NETTO:

I do not quite understand the question when he says diminishing.

HON DR R G VALARINO:

The numbers are going down.

HON J J NETTO:

I do not think that is the case. The number of flats being refurbished are in the increase rather than decreasing.

HON DR R G VALARINO:

Considering that the Minister said that there were problems in the survey that he had done with the waiting time, I cannot see how he can suggest this, but certainly I have figures here from last year in roughly the same period and far more post war housing units were allocated than as from September this year.

HON J J NETTO:

Of course he would have. That is because last year was exceptional because of Edinburgh House, but if he took that away from the equation, he will find out that notwithstanding that, today there are more houses being refurbished. Last year it was far more because of Edinburgh House so therefore the people who have moved there left houses in the current housing stock, many of them were in a very good condition. But if he takes Edinburgh House out of the equation he will find that there are more houses being refurbished. Needless to say I would like more houses to be refurbished.

HON DR R G VALARINO:

Hence the Minister is waiting for the review which we hope we might have sight of.

ORAL

NO. 105 OF 2001

THE HON DR R G VALARINO

**HOUSING - PENSIONER EXCHANGE LIST**

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

ANSWER

THE HON THE MINISTER FOR HOUSING

There are a total of 327 applicants in the Pensioner Exchange List with a breakdown as follows:-

256 are Government tenants of whom 237 would be releasing, and 71 applicants are private tenants.

SUPPLEMENTARY TO QUESTION NO: 105 OF 2001

HON J L BALDACHINO:

The Government tenants who are not releasing Government accommodation and the private tenants, are they also part of the housing waiting list?

HON J J NETTO:

The hon Member will have to give me notice for that.

HON J L BALDACHINO:

We are talking about the housing pensioner exchange list, therefore it is that somebody is willing to give up something in exchange for something else. I understand that in the case of private tenants there is a special consideration given that some are living in the upper town and they are exchanging. When it comes to Government tenants, I think that some of them are not Government tenants, because they are not releasing anything. I presume that those persons are also in the housing waiting list like everybody else, because they must be applicants in the housing waiting list.

HON CHIEF MINISTER:

Seventy-one are not Government tenants.

HON J L BALDACHINO:

In the answer that the Minister gave, he said that some of the Government tenants are releasing Government accommodation and others are not. What I am asking is those that are not releasing Government accommodation on the Government tenant side, are they also in the housing waiting list?



HON CHIEF MINISTER:

If they are Government tenants and they are on the Exchange List, they must all be giving up. They may be in the waiting list in their own right if they are not living in their own flat. But if they are Government tenants and they are wanting to exchange, what they want is to exchange one Government house for another Government house. Therefore they all give up a Government house.

HON J J BOSSANO:

Can the Minister confirm that all the Government pensioners do give up accommodation?

HON J NETTO:

Some of them will give up accommodation and some will not. Some will be a straightforward exchange between two sitting tenants and some will be going to empty flats whether it is Bishop Canilla or the ground floor of Glacis Estate which are bedsits, thereby releasing houses.

HON CHIEF MINISTER:

Most of the situations that my Colleague has described result in a one flat being vacated.

HON J J BOSSANO:

Therefore it is not the case that any persons that are re-accommodated under the Housing Pensioner Exchange List can move to a new flat and leave part of the family behind? That is not possible?

HON CHIEF MINISTER:

There may be families who are on the housing waiting list for bigger housing. They are not on the exchange list. They are on the housing list and that is a different issue. But an exchange is in principle an exchange for the same as one has got or for less than one has got. That is the difference between the exchange list and the ordinary list.

HON J J BOSSANO:

In the case of persons living in private accommodation, is there any arrangement about what happens to the private accommodation?

HON J J NETTO:

The answer is no.

NO. 106 OF 2001

THE HON DR R G VALARINO

**HOUSING - POST-WAR FLATS**

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

ANSWER

THE HON THE MINISTER FOR HOUSING

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

SUPPLEMENTARY TO QUESTION NO.106 OF 2001

HON DR R G VALARINO:

The number compared to last year seems to be going up. I took the point that last year we had Edinburgh House, therefore the number went down considerably, but the number has again risen this year.

HON J J NETTO:

I have already given a partial answer to the previous Question when I said that over the last 12 to 18 months the people who have moved into the new areas, whether it is to Bishop Canilla or Edinburgh House, a sudden surge of empty flats are coming back to housing, all of which will have to be assessed to see what the state of the flats are, whether they can be re-let immediately. They will all have to be tested for electricity, they will all have to be tested to see whether refurbishment will take place, so the hon Member will see as a result now that people have moved on to Bishop Canilla, have moved to Edinburgh House, that the ones that have left those previous houses are now coming back into the housing stock. That is the reason why there are these large numbers of available flats which will have to be determined. May I also add that in some cases, for instance, in a different Question, we were talking about works to be contracted out in places like Heathfield House, Coelho House, new tenders for Tankerville House and then there will be in this list flats which have been left empty for the reason that they have water penetration and for which we are waiting for all the tenders to go out, all the work to be carried out so that the water penetration can stop and then be re-let, so that is also to be taken into account.

HON DR R G VALARINO:

Therefore, the number should be going down by this time next year as long as there is no further water penetration?

HON J J NETTO:

It should be going down for the two reasons I suggested.

HON J L BALDACHINO:

The Minister said that 97 post-war flats are now in the possession of the Housing Department to be allocated. That is as a result mostly of people that have released because they have moved. Can the Minister tell us how many of the 97 have been released by people who have moved to Edinburgh House?

HON J J NETTO:

The hon Member will have to give me notice for that?

# Answer to Question 106/2001

There are 97 post-war flats currently vacant; 39 in the north, 18 in the south and 40 in the town area. The room composition and date they became vacant are as follows:

8 x 1RKB	-	10.12.99
		21.11.00
		24.11.00
		06.12.00
		05.01.01
		12.01.01
		25.01.01
		29.01.01
19 x 2RKB	-	12.03.99
		16.11.99
		12.01.00
		12.04.00
		12.05.00
		10.10.00
		17.10.00 x 2
		20.10.00
		30.10.00
		16.11.00
		22.11.00
		28.11.00 x 2
		04.01.00
		07.12.00
		03.01.01
		05.02.01
		06.02.01
51 x 3RKB	-	05.03.99
		15.03.99 x 3
		19.10.99
		28.03.00
		12.04.00 x 2
		12.05.00
		02.07.00
		04.07.00
		11.07.00
		20.07.00
		27.08.00 x 2
		21.09.00
		06.10.00 x 2
		02.10.00
		11.10.00

Cont....

Cont'd... Answer to Question 106/2001

	13.10.00
	17.10.00
	20.10.00
	31.10.00
	07.11.00
	15.11.00
	20.11.00
	21.11.00
	27.11.00 x 2
	28.11.00 x 2
	01.12.00
	04.12.00
	06.12.00 x 2
	07.12.00 x 5
	21.12.00
	04.01.01 x 2
	05.01.01
	08.01.01
	09.01.01
	12.01.01
	29.01.01 x 3
17 x 4RKB	16.11.99
	12.08.00
	27.08.00 x 2
	26.09.00
	13.10.00
	30.10.00
	31.10.00
	09.11.00
	01.12.00 x 2
	07.12.00 x 2
	04.01.01
	05.01.01
	12.01.01
	02.02.01
2 x 5RKB	10.01.01
	05.02.01

NO. 107 OF 2001

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 HOUSING

There are 20 housing applicants socially recommended. The breakdown is as follows:

9 -A; 3 -B; 8 -C.

Three are classified as homeless.

SUPPLEMENTARY TO QUESTION NO: 107 of 2001

HON DR R G VALARINO:

The number seems to be going up as from last year. Is there any particular reason for this? Will the Housing Minister ensure that this rising number is reduced certainly to workable levels?

HON J J NETTO:

These figures fluctuate from year to year. All I can tell him at this moment is that of the nine which are category 'A', four are under offer right now. We will have to wait and see whether this materialises.

HON DR R G VALARINO:

What about the homeless? Have they got any hope of a home in the near future?

HON J J NETTO:

The information that we have in the department of the three homeless is that two of them are currently living with their common law wives and one of them has a short term arrangement in Both Worlds. So they are not extremely urgent cases.

NO. 108 OF 2001

THE HON DR R G VALARINO

## HOUSING

Can Government state how many applicants are medically categorised, giving their category and housing requirement?

### ANSWER

THE HON THE MINISTER FOR HOUSING

There are a total of nine applicants medically categorised. The breakdown is as follows:-

Category A	-	None
Category B	-	3
Category C	-	6

The housing requirements of these 9 applicants are:-

1 RKB	-	3
2 RKB	-	2
3 RKB	-	4

### SUPPLEMENTARY TO QUESTION NO. 108 OF 2001

HON DR R G VALARINO:

I see that there is nobody on the 'A' recommendation. Would the Minister be surprised to know that I know of a family of a man and his wife who have had two by-passes, the man has had a by-pass involving five coronary arteries and the lady has had a by-pass involving two coronary arteries. She is also in renal failure and they are in Category 'C' and one of the statements made by the Ombudsman in his Report was that he felt that the medical categorisation was not as accurate as possible and even suggested having an independent medical practitioner or Board to try to solve the difference between the Housing Medical categorisation and the views put forward by the patients own doctors.

HON CHIEF MINISTER:

In the first place it does not surprise me to learn that the hon Member knows of such a case, given that he is a medical practitioner and I suppose that he knows of many cases of people with medical problems of the sort that he is describing. What does surprise me is the rest of his statement because he must be aware that the Medical Advisory Board, which medically categorises people for housing cases are comprised of his colleagues in the medical profession. I do not know what he means by an independent medical board. If by an independent medical board he means private medical practitioners, as opposed to Government medical practitioners, I have no reason to believe that the private medical practitioners medical judgements are any more or less reliable than their colleagues in the public sector. If on the other hand he means, should we have a system whereby private doctors are able to categorise

their own patients in order to get them advantages such as housing, then he will forgive me for not being attracted by that suggestion. The present system, which is as frustrating for us as politicians as it is for some of the applicants, and some of the applicants doctors, is that the assessment of medical categorisation, some of the cases that I hear of people that are not categorised 'A', strike me as being odd. On the other hand neither we as Ministers, nor the Ombudsman, nor anyone who is not a doctor, is competent to challenge the judgement of three medical practitioners sitting in medical assessments, they are prioritising the assessments between categories 'A', 'B' and 'C'. These doctors do not say these guys are not ill, they try to categorise the seriousness of the ailment. I cannot think of a better system than having three doctors assess people's medical conditions. Whether three different doctors will come to the same decision on a particular case is a separate question, but systematically I do not think that there is a better system than the present one. That does not mean that it does not produce odd results on individual cases. A lot of people come to see me on my Tuesday afternoon clinics complaining that they do not get medically assessed and then they tell me all the things that they have wronged with them and the number of by-passes that they have had, and it strikes me as odd that that should not be ill enough. It sometimes makes me wonder whether one has to have one foot in the grave before one is given the sort of housing that may prevent one from putting their foot in the grave. But such are the medical assessments that are made on these things. I am not sure that I can add anymore to what the hon Member says. If he can think of a better system and he is able to suggest it, the Government will certainly consider it, but it is three doctors doing the assessing.

HON DR R G VALARINO:

No. Certainly the system has been there for some time. I was merely repeating the words of the Ombudsman. There were two factors in which he complained about the Housing Department and one was on the medical categorisation and the other one was on the delay in having answers from the Housing Department.

HON J L BALDACHINO:

The Chief Minister is correct, people are categorised in 'A', 'B' and 'C'. As a matter of fact there is another recommendation like the medical category where they give points to the person which is of lesser importance. My question is seeing that there is no 'A' will the Housing Allocation Committee now allocate to the 'Bs' or will they be discarded because there are no 'As'.

HON CHIEF MINISTER:

There are no 'As' at the moment because they have all been accommodated. The entire medical category 'A' list which comprises something like 40, the entire category 'A' list was accommodated at Bishop Canilla House. That is why there is currently no category 'As' listed. My understanding is that it has never been the practice to allocate to category 'B'. Therefore this may be an unprecedented situation. It may be the case that there has never been an allocation to category 'B', but that might always have been because there has always been category 'As' above them, rather than some inherent reason why one should not allocate to category 'B'. It is certainly something that the Government would consider. If there are no category 'As', there is no reason why category 'Bs' should not be considered provided that category 'Bs' are in urgent need of rehousing.



NO. 109 OF 2001

THE HON J C PEREZ

**BAR CODED LABELS**

Have Government now taken a decision on whether it is going to introduce bar coded labels at the Post Office for registered, insured and parcel post?

ANSWER

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

The Post Office expects to introduce bar coded labels during the course of this year.

SUPPLEMENTARY TO QUESTION NO. 109 OF 2001

HON J C PEREZ:

I presume it involves certain equipment to be bought by the Post Office. Has the Minister got an idea of the cost of the equipment involved? Does the public need to do anything in particular for the system to operate?

HON LT COL E M BRITTO:

I need previous notice of that question.

NO. 110 OF 2001

THE HON J C PEREZ

**POSTAL SERVICES - DELAYS**

Can Government state whether there was any interruption in the arrival of mail from abroad at the Post Office during the months of November and December 2000, and if so, on what days and for what reason?

ANSWER

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

No mail was received by air on 14 days in November and nine days in December for a combination of one or more of the following reasons:

1. Non arrival of aircraft due to inclement weather
2. Increased quantity of fuel necessary for operational reasons.
3. Limited freight space available for mail.
4. Use of smaller aircraft.

SUPPLEMENTARY TO QUESTION NO. 110 OF 2001

HON J C PEREZ:

Are these interruptions normal or was this an exceptional situation?

HON LT COL E M BRITTO:

The Post Office has only been keeping statistics of this for the last two years, 1999 and 2000. I have already taken the matter up with the local agents or the owners of Gibraltar Airways and we are in correspondence and trying to get them to remedy the situation.

HON J C PEREZ:

Could it be said that part of the delay of mail from abroad was the incidents that the Minister has mentioned?

HON LT COL E M BRITTO:

No. That would only have applied to the late part of the year and the delays have been experienced over a much longer period than that.

HON J C PEREZ:

I am referring to the delays in November and December where the Government in a press release suggested that the reason for the delay was the result of the post delivery workers without any other factor contributing to it.

HON LT COL E M BRITTO:

The mail had not arrived and it had not been sorted and the delays were with mail that had been sorted. Mail that arrived late was being kept in a separate location, so although the pile might have been bigger here, the delay was with the mail that had been sorted and had not actually gone out.

HON J C PEREZ:

The Minister will understand that if someone in Gibraltar is waiting for a letter from the UK and there has been non delivery of mail in a date in November and that that mail comes in later, because it comes in later, it forms part of the existing backlog and therefore that letter takes much longer to be delivered than would normally be the case?

HON CHIEF MINISTER:

In the ordinary course of the events, that would be true, but the fact of the matter is that there was an overriding lid on the system, and that was, that there was a bottleneck in respect of sorted mail. The hon Member would have noticed that in our press releases, the Government have always drawn a distinction between sorted and unsorted mail. The first batch of mail that was delivered by people other than postmen, in the new year, that related to a long backlog of sorted mail. The second exercise, about 10 days later, in the use of non postal services workers for the sorting and delivery of mail, related to the unsorted mail that had accumulated in manner which the hon Member is debating with the Minister. So there was first a backlog of sorted mail, which was not due to the reasons that the hon Member is suggesting. Then there was a backlog building up behind it of unsorted mail, which was due to a factor of circumstances, one was the fact that mail was not delivered on many days from England and that therefore that creates a bigger pile of mail for sorting in the Sorting Office. It also creates a bigger delay in the delivery. The other factor was that mail was not being delivered quickly enough and therefore there was not even room to stack it in the Sorting Office in the postmen room. In respect of sorted mail, the backlog is traceable to the days that were lost at work for one reason or another.

NO. 111 OF 2001

THE HON J C PEREZ

**MAIN STREET POST OFFICE**

When do Government expect the refurbishment works at the Post Office in Main Street to be completed and when do they expect to start operating from there?

ANSWER

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

The refurbishment at the Main Street Post Office is scheduled to be completed by next December, and the Post Office is expected to start operating from there as soon after the works are completed as may be operationally feasible.

SUPPLEMENTARY TO QUESTION NO. 111 OF 2001

HON J C PEREZ:

This is the original schedule timetable, there has not been any delays?

HON LT COL E M BRITTO:

Not that I am aware of. It is the original schedule, but I am caging in the choice of words, as the hon Member may have noticed, because the works are being carried out by JBS, who obviously have other work that they do especially over the summer. For example, over the summer in schools and if there were to be work that was suddenly needed that might get a higher priority and as a service is being given by the Post Office where it is, there might be some delay.

NO. 112 OF 2001

THE HON J C PEREZ

**POST OFFICE REPORT**

When did Government receive the report it commissioned into the Post Office and will they give details of the recommendations therein?

ANSWER

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

The Post Office Report was received by Government in November 2000 and its contents, which remain confidential, are currently being studied.

SUPPLEMENTARY TO QUESTION NO. 112 OF 2001

HON J C PEREZ:

I assume then that the process will be the same as the Minister referred to in the Buildings and Works report, that the idea is to then make it available to the Union, negotiate with the Union and when the Government are in a position to say what they are going to implement, they will then make it available to the Opposition, is that the position?

HON LT COL E M BRITTO:

The position is as given in the original answer. The report is being studied. The model that the hon Member outlines is a possibility, but he will appreciate that I cannot commit the Government to follow that step by step. Once it is studied and decisions are made, there will obviously be consultation with the Union and the workforce at some stage, but the actual milestone is not down on a blueprint.

HON J C PEREZ:

The result of the study, it might be that the Government might decide to make it available to the Opposition earlier than would be the case with the Buildings and Works report.

HON LT COL E M BRITTO:

I presume that to be a rhetorical question and therefore does not require an answer.

HON J J BOSSANO:

Is the answer then that the Government might decide not to make it public at all?

HON LT COL E M BRITTO:

I go back to the original answer. The issue has not been considered, the report is being studied and once that study is complete, we will go on to the next step. I cannot give any further information than that.

HON J J BOSSANO:

Does the report just deal with labour issues or is it wider than that?

HON LT COL E M BRITTO:

The report is comprehensive.

NO.113 OF 2001

THE HON J C PEREZ

**OESCO CONTRACT**

Can Government state when it is that the OESCO contract for the supply of electricity expires and whether they intend to renew it?

ANSWER

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

The OESCO contract for the supply of electricity is due to expire in June 2004. No decision has as yet been taken whether to renew.

ORAL

NO. 114 OF 2001

THE HON J C PEREZ

**ELECTRICITY - ARREARS**

Can Government state how much electricity arrears has been collected in the period 1<sup>st</sup> February 2000 to the 31<sup>st</sup> January 2001, and of the total, how much has been collected by Lyonnaise Des Eaux and by the Central Arrears Unit?

ANSWER

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

Answered together with Question Nos. 119, 120 and 121 of 2001.



NO. 115 OF 2001

THE HON J C PEREZ

**ORANGE BASTION DEPOT**

When do Government envisage now that the Orange Bastion Depot of the Electricity Department will move to its new premises?

ANSWER

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

Building works at the new premises are virtually complete. Furniture for equipping the offices and welfare areas has been ordered. Once this is received and installed, the premises will be ready for use. It is now expected that the move may begin to be made some time in March.

ORAL

NO. 116 OF 2001

THE HON J C PEREZ

**ELECTRICITY DEPARTMENT - STRATEGIC REVIEW**

Will Government state which, if any, of the recommendations contained in the study into the Electricity Department, it intends to implement?

ANSWER

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

Answered together with Question No. 117 of 2001.

NO. 117 OF 2001

THE HON J C PEREZ

**ELECTRICITY DEPARTMENT - STRATEGIC REVIEW**

Can Government state whether it has taken any action in implementing the recommendations arising out of the study into the Electricity Department, as it affects the staff side?

ANSWER

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

The Strategic Review of the Gibraltar Electricity Department contained a number of recommendations. The Government have identified the creation of an Electricity Authority as being an important feature for the future of the department. Consultations with the Unions in the form of Working Parties have begun this week in regard to arriving at organisational structures, grading structures and conditions of service for employees of the Authority. Clearly the implementation of all or any of the recommendations will not arise until such time as the consultation process is concluded.

SUPPLEMENTARY TO QUESTION NOS. 116 AND 117 OF 2001

HON J C PEREZ:

Other than the creation of an Authority, the Government have not decided to implement any other recommendation or was that the only recommendation in the Report?

HON CHIEF MINISTER:

No, the Report is very comprehensive and what is being discussed with the Unions is not the Report. The Report was circulated to the Unions so that it formed the basis of a document from which both sides could draw ideas and the discussions are on the basis of the Government's ideas and the Unions ideas at trying to find a way forward together for the future of the department. The hon Member should desist from the view that the on-going discussions at a local level are in order to implement the Report. There are aspects of what is being discussed, which have been taken from the Report. The Electricity Department Report was never intended as a blueprint for implementation, but rather, as an outsider coming in and standing above all the local stresses and tensions and different conflicting interests groups and simply pointing out to everyone where they thought the problem lies and how they might be addressed. It was really an indicative document for discussion rather than a blueprint for implementation although it was capable of being regarded as a blueprint for implementation, but it was never intended in that way.

HON J J BOSSANO:

Is that sensible approach also the one that is going to be adopted in the other areas where there are reports? The Post Office also has a document for discussion, or is that one a review for implementation?

HON CHIEF MINISTER:

The Government have already answered that question when we discussed the other Report. It was perfectly clear that the Government regard imposition of necessary reform as a very very last recourse, to which it might become necessary at some future stage to resort, because Government always have ultimately the responsibility to solve the problems. But of course the Government invest 101 per cent of effort and go the extra mile to try and achieve it in a stakeholder consensus basis with the workforce and the unions because the Government think that that is a more constructive productive way to proceed and much more likely to deliver success. So whilst the answer to the hon Member is yes, I only have to draw the caveat that no sensible prudent Government would mortgage itself in perpetuity to the concept of only solving problems if it can be done by consensus. There might come a time when problems become so acute that they have to be solved by imposition, if they cannot be solved by consensus, which is by a long way a much preferable course.

NO. 118 OF 2001

THE HON J C PEREZ

**SCADA CONTROLLER LINK PROJECT**

Can Government state whether the Scada Controller Link project of the Electricity Department has now been completed?

ANSWER

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

Work on this project has not been completed.

SUPPLEMENTARY TO QUESTION NO. 118 OF 2001

HON J C PEREZ:

Can the Minister state when he envisages it will be ready and what is the result of the delay?

HON LT COL E M BRITTO:

I am currently advised, I choose my words carefully, that it is expected to be completed before the end of this year. The reasons for the delay are multiple and technical. The system is much more complicated than the one that was originally envisaged in the hon Member's time. When we came into Office, we upgraded it and made it more sophisticated. There have been problems at the manufacturing stage because this is not something that one buys off the shelf, it has to be designed, tailor made for the customer. The manufacturer themselves had problems. They came to Gibraltar sometime last year specifically to apologise for the delays and came to see me. Prior to that, the City Electrical Engineer, refused to accept what was being offered as unacceptable. Work is being carried out to the infrastructure locally. It is a number of reasons, not all local, mainly problems with the equipment itself.

ORAL

NO. 119 OF 2001

THE HON J C PEREZ

**ELECTRICITY - ARREARS**

Can Government state what has been the value of electricity billings in the current Financial Year up to 31<sup>st</sup> January 2001?

ANSWER

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

Answered together with Question Nos. 114, 120 and 121 of 2001.

ORAL

NO. 120 OF 2001

THE HON J C PEREZ

Can Government state what was the level of electricity arrears as at 31<sup>st</sup> January 2001?

ANSWER

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

Answered together with Question Nos. 114, 119 and 121 of 2001.

NO. 121 OF 2001

THE HON J C PEREZ

**POTABLE WATER**

What was the supply and billing of potable water during the year 2000?

ANSWER

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

In answer to Question No. 345 of 2000 I explained to the hon Member that the Treasury does not identify an amount which it defines as "arrears" within the total amount outstanding at any time for electricity consumption (which includes the last bill issued).

In the same way, the payments received by Lyonnaise in respect of electricity consumption are subsequently paid over to the Treasury in one consolidated amount without any distinction being made regarding the age profile of the collections.

On the other hand, payments made to LPS and Central Arrears Unit are as a direct result of agreements made with persons or commercial entities to pay off outstanding amounts (which may include other debts like rates or income tax) by instalments over a specified period.

SUPPLEMENTARY TO QUESTION NOS. 114 AND 119 TO 121 OF 2001

HON J C PEREZ:

The Minister is really saying that the figure of amount collected in respect of electricity includes the element of arrears in it. There is no identification of what are arrears and what is considered not to be arrears and current billing. Is that what the Minister is trying to suggest?

HON LT COL E M BRITTO:

I am not sure I understand the question. I presume the hon Member is talking about the £6.4 million? It is as the wording says. It is the amount collected in relation to the electricity that was consumed in that period. So the amount collected by Lyonnaise would have been higher than that. Government have no desire to try to obscure the information that we are given, but we cannot answer a question that includes the word 'arrears', without having previously decided between us what we mean by arrears. I will be quite happy to meet the hon Member between now and the next House or to exchange correspondence with him, but if the hon Member would like to define for us what he means by arrears, the Government would try to get this information for him. It is not available now off the Treasury books, but I understand from Lyonnaise that if the hon Member gives us a clearer definition, it may be possible to program the computers accordingly to provide that information.



HON J C PEREZ:

If the Minister would state on what basis and under what interpretation the answer has been replied previously and whether this figure has been arrived at by using the same method, then one could compare one figure with the other on the basis that it has been supplied before to the House.

HON LT COL E M BRITTO:

The short answer is that I cannot answer that because I do not know. The reality probably is that if different people have compiled this information for me, they have used different interpretations of the word 'arrears', and it is only in the last two meetings that we have homed in on this difficulty. That is why we are trying to highlight this. It is possible for Lyonnaise to define in any given period of time the amount of money collected to apportion it to bills issued in that period of time or in a longer period of time. In other words, if one takes a given financial year, during that given financial year, £10 million might have been collected. If the hon Member asks me how much was collected in relation to the electricity consumption, that is the bills issued in that financial year, the amount might be £6 million. But if the hon Member asks me how much was collected in total, the answer that I would give him is £10 million. I am almost certain I will be able to identify for the hon Member the amount collected relative to the electricity consumption or billings in any given period.

HON J C PEREZ:

The only problem here is with the figure of Lyonnaise given that the amounts collected by the Central Arrears Unit and Land Property Services are definitely arrears.

HON LT COL E M BRITTO:

Yes. In the sense of the definition that I gave in my answer, that the amounts collected by LPS and the Central Arrears Unit, are necessarily amounts that are being collected following an agreement signed between the parties. If one considers that arrears, because there is an agreement, if that is a definition, then yes they are arrears. There is no age profile attached to what LPS and Central Arrears Unit are collecting. It is just because there is an agreement and it is conceivable that that agreement could be in some cases for consumption that is one year old and in other cases consumption that is five years old.

HON J C PEREZ:

At what stage does Lyonnaise consider a bill to become arrears and pass it on to the Central Arrears Unit or Land Property Services?

HON LT COL E M BRITTO:

Lyonnaise does not come into the agreement's picture. Lyonnaise's contract is to collect amounts of money and anybody who arrives at the counter makes the payment and the amount is collected. If there is a consumer that has a difficulty because of the size of his debt, he is contacted either by the Central Arrears Unit or the consumer contacts the Central Arrears Unit, he makes an arrangement or he makes an agreement and then as from then on he makes the payments through the Central Arrears Unit.

HON J C PEREZ:

If we find out what Lyonnaise Des Eaux itself considers to be arrears, we might then be able to ask for the figure on the basis of what they consider to be arrears.

HON LT COL E M BRITTO:

We still have this problem of what is arrears. Lyonnaise does not define arrears either. That is what I was trying to explain. The Treasury position is that the moment a series of bills are issued, then that is the total amount that is outstanding. It does not distinguish, it does not draw a point in time and say if it is more than x months old, it is arrears. The moment a new amount of bills are issued, there is an amount outstanding, the word 'arrears' does not enter into the Treasury vocabulary. Similarly in the case of Lyonnaise, there is no definition of arrears either, unless one defines an arrear as the second last bill. That is why I am saying we need to define what the hon Member means by arrears. In the case of Lyonnaise, there is staff standing around a public counter and the consumer arrives and says, "I want to pay my bill". That bill may be the current bill or may be a bill that is a year old or it may be three bills. The Lyonnaise staff take in the amount, but what I have been able to establish, if it helps the hon Member, is that the amount paid, is allocated to a bill. Although Lyonnaise will not turn away money if we are talking about large amounts, but if assuming a consumer comes in with £25 and he has three bills outstanding and they are for similar amounts, the staff at Lyonnaise would say, "You need to pay £24 or £26, because that is the first bill". If he has two bills of £12, they would say, "Not £25, £24 and we allocate it to the two bills". So there is an allocation exercise made in the computer system. Based on that allocation exercise, if we can agree or if the hon Member can define for me what he means by arrears, and I have said that I am happy to meet the hon Member, I will try to provide that information on the basis that they define it.

HON J J BOSSANO:

Does Lyonnaise have a mechanism which triggers any action when a bill is of a certain age?

HON LT COL E M BRITTO:

The short answer is yes. I am not exactly certain of the period. I understand it may be three months. Once a bill is of that age and remains unpaid, the Central Arrears Unit is notified and they come into play, but I would need to confirm that it is three months. At some stage, the Central Arrears Unit is notified that a particular consumer is not up to date with his payments.

HON J J BOSSANO:

So Lyonnaise itself does nothing else. It does not send warnings to people or anything, it passes it to the Central Arrears Unit?

HON LT COL E M BRITTO:

In theory yes because in the next bill there is a reminder. In actual practice they have at the moment put forward proposals to Government for a more active follow up system of operations. When I say Government, I really say that this at the moment is at Treasury and Lyonnaise level and has not reached ministerial level. I will not be

able to answer details because I do not know the details of what they have proposed. They are certainly saying "we could do more if our contract was extended."

HON J J BOSSANO:

Is Lyonnaise in a position of being able to say on a given date, "There are so many outstanding bills which are of a certain age and that is what we consider to be arrears or not". Or does Lyonnaise just know that they are owed so much money but they are not able to identify the age profile of the outstanding bills.

HON LT COL E M BRITTO:

I will give a cautious answer to that, but I think the answer is yes, that it may be possible, I need to get that confirmed. It may be possible to say at a given date, for example the date that I have given in answer to the question, there was x amount outstanding and that x amount subdivides into over three months, over six months, over nine months, over one year. I think the answer is yes but I need to confirm that. What they can certainly do in relation to that is in that same period or a similar period say "At the beginning of the period there was a total amount outstanding of x, at the end of that period there was a total outstanding of y, during that period we have received a total amount of z, but of that z, only a proportion, which is so much and they would identify the figure, applies to consumption during that given period and the other part of z would be for consumption prior to the beginning of the period.

HON J C PEREZ:

As a result of the answer of the Minister, are we to suppose that any historical mention of electricity arrears as for example in the Auditor's Report, is now to be taken as amounts outstanding in respect of electricity consumption and they are not really arrears? If one reads the Auditor's Report, we talk about electricity arrears, rates arrears and I would have thought that if we now need a definition of what arrears is, we might have been using the basis of what arrears is wrongly until now?

HON LT COL E M BRITTO:

That may be possible. I do not know what definition the Principal Auditor uses in preparing his report. All I can repeat is what I have said before that the Treasury does not define arrears. It just considers the total amount outstanding and if anything that is the amount in arrears. Maybe that is the amount that is being used. I do not know the answer to this question.

ORAL

NO. 122 OF 2001

THE HON J C PEREZ

**POTABLE WATER**

Can Government state whether Lyonnaise Des Eaux expect to be able to meet the demand for potable water this year without the need to import water?

ANSWER

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

Answered together with Question No. 123 of 2001.

ORAL

NO. 123 OF 2001

THE HON J C PEREZ

**REVERSE OSMOSIS PLANT**

Can Government say when the new Lyonnaise reverse osmosis plants are expected to become operational, and what is the production capacity of the new plant?

ANSWER

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

The new reverse osmosis plants are due to enter service by August 2001. The production will be approximately 620,000 m<sup>3</sup> / year.

It is not anticipated that it will be necessary to import water this year as installed and new production capacity will meet projected demand.

NO. 124 OF 2001

THE HON J C PEREZ

**INCINERATOR**

Have Government now considered the proposals put to it by Lyonnaise Des Eaux and a Spanish company called F.C.C. for the operation of the Incinerator?

ANSWER

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

Government have not received any proposals from either Lyonnaise Des Eaux or F.C.C. for the operation of the Incinerator.

SUPPLEMENTARY TO QUESTION NO.124 OF 2001

HON J C PEREZ:

Can the Minister then state why he told this House this in answer to other questions in March and September?

HON LT COL E M BRITTO:

I have not got the Hansard here in front of me, there might be some confusion in the hon Member's mind. Proposals have been received by a firm called Onyx Gibraltar Limited, which have connections with F.C.C., which is a subsidiary and similarly by Northumberland Water, which, as the hon Member knows is the parent company of Lyonnaise, but not by the two entities identified in the question.

HON J C PEREZ:

This House was informed that those were the two parties looking at putting proposals to the Government. Have the two new entities that the Minister mentioned put proposals to the Government and are they still studying it or have they come to a conclusion on the matter?

HON LT COL E M BRITTO:

They have indeed put proposals and in addition to these Government have also received a number of expressions of interests from other parties, either for modifying the existing plant or the provision of a new plant. The Government are currently considering all proposals and no decisions have been made.

HON J C PEREZ:

The Government have two proposals, am I right?

HON LT COL E M BRITTO:

The Government have two full detailed proposals and a number of other proposals in various stages of detail, ranging from proposals to expressions of interests.

HON J C PEREZ:

Until the Minister is satisfied that those expressions of interests might not finalise as being a proposal, the Government will leave the situation open to see how many other proposals they can attract before taking a decision. Is that the situation?

HON LT COL E M BRITTO:

No. The situation is, as I said originally, Government are currently studying all the proposals.

HON J C PEREZ:

As usual it was the Chief Minister who misled the House on the question of the companies. It was on Question No. 351 of 2000. We were told, "the Government had therefore invited proposals from interested parties and have received proposals which we regard as serious enough from two entities F.C.C. and Lyonnaise Des Eaux". I am quoting from Hansard. That was why I was requesting it in the manner that I did.

NO. 125 OF 2001

THE HON J C PEREZ

**INTERNATIONAL CODE**

Will Government explain why it is that there is difficulty in accessing Gibraltar from abroad via the internationally recognised 350-telephone code?

ANSWER

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

There are two main reasons why consumers are experiencing difficulty in accessing Gibraltar by telephone from abroad.

The main cause of the problem, is the lack of recognition of Gibraltar's 350 international code by Spain. Many telephone service providers, call back operators and others are sending calls into Gibraltar via Spain as a result of finding this the route which is the least expensive for them. On arrival at the Spanish network the calls are blocked because Spain does not recognise the 350 prefix and therefore the call never reaches Gibraltar.

Secondly, more and more telephone service providers abroad which are using least cost routing to send calls to Gibraltar are sometimes handing the call over to another service provider, call back company and others for them to carry. Some of these other service providers do not have the necessary infrastructure to support the volume of traffic they are carrying and calls are therefore being lost in the process. The practice is widespread and occurs throughout the world as a result of the proliferation of so many licensed operators following the liberalisation of the telecommunication markets.

SUPPLEMENTARY TO QUESTION NO. 125 OF 2001

HON J C PEREZ:

What the Minister is saying is that as a result of that proliferation, there are telephone companies of different countries that are routing telephone calls in a different manner to what they used to and therefore because they are looking for the cheapest way to get the call there, the call bounces on to Spain and Spain continues to uphold the position that it does not recognise the 350 and then that call is lost. Is that the situation?

HON CHIEF MINISTER:

To the extent that the hon Member has repeated what the hon Member has been told in the answer, yes it is the reason. Some of those companies to which the hon Member refers actually switch the calls from 350 to 0034 9567. Those get through. The technology unfortunately now exists for computers that dispatch calls from the country of origin, to switch the code at the front of the call and those that are switched, for example in AT&T or Sprint or one of the American carriers, in sending a call to Gibraltar, if they send them 350 via Spain, they get lost, but very often they do



not get sent to Spain via 350. The original caller in the United States may dial 350, but the American carrier may switch the 'convert the code' as it is called to 34 9567, in which case the call reaches Spain as an ordinary call from Spain. The hon Member, if he is familiar with the financial arrangements on the 'Sender Keeps All Agreement', will immediately understand the financial consequences. Apart from calls getting dropped, he will understand the financial consequences to Gibtel in particular and to Nynex that does not get a share of Gibtel's revenue, the termination fee of that happening.

HON J C PEREZ:

If I remember correctly, there were only a couple of countries that could access Gibraltar through the 0034 code previously and there were talks with different operators to block that route and to introduce the 350. I remember specifically that I went to Rome to speak to the Director of the Italian network in order for their computer to be set so that the 0034 should be blocked and the 350 should be introduced, and this was done at the time. How is it that now anybody can access Gibraltar through the 0034?

HON CHIEF MINISTER:

First of all it has always been possible for everyone to access Gibraltar through the 0034 because once a call gets into the Spanish network, the 9567 part of it is just an internal Spanish telephone transaction. There has never been a restriction of the sort that the hon Member says. There was a time when the European Telephone companies were in the hands of State monopoly, that it was possible to identify and to go and talk to one player in England and one player in France and then all of it would work and indeed it is still done. The problem is that over the last five, six or seven years there have been such massive deregulation and liberalisation of the global telephone markets, that there are now a massive number of companies. For example, in the United Kingdom, there are over 200 telephone companies. It is not possible to speak to all of them and ask them to send their business. In Spain there are over 100 different licensed companies through which an international operator could route a call to Gibraltar. Therefore the industry is now so fragmented, compared to the days when telephone services were monopolistic activities in the hands of the Post Office in each country. It has also been identified that a lot of this traffic is coming from one particular American company with the co-operation of Telefonica. Telefonica does not actually do anything to attract this traffic, it just reaches its network, either directly from an international operator or from another Spanish domestic carrier, because if the call reaches Spain to one of these other 100 odd companies, that other company which may be the one with the inter-connector arrangement with the American carrier, then has to hand the call to Telefonica for its physical delivery to Gibraltar. Telefonica cannot discern this information, but with the help of Telefonica, Nynex was able to identify that a large part of this traffic during a particular period of time, was coming from the United States from a particular carrier and they were able to approach that carrier with precisely the sort of approach that the hon Member has described. The only way that Gibraltar discovers these things is that when Gibtel and Nynex come to see the number of millions of minutes that they have received by Nynex or by Gibtel, when calls are routed through Spain, they would otherwise have gone to Gibtel, the number of minutes appears in the Nynex figures and drops out of the Gibtel figures, because if they go through Spain they get delivered to Gibraltar via the Nynex land line in connection with Telefonica. What happens in Gibraltar is that the Telephone Company says "hang on, my figures are down by one million minutes this month". Nynex says, "hang on, my numbers are up by a million minutes this month." Then they get their house together and try to put

out the fires as and when they arise. There is no systematic way unfortunately other than that there should only be one gateway to Gibraltar. The only way to eliminate this problem altogether is that there should only be one gateway to Gibraltar and that is the 350 code. So long as there are two gateways to Gibraltar, there will always be the risk of this problem existing.

HON J C PEREZ:

The only way that the situation can be solved is through the political moves in order to be able to resolve the number recognition, which is the subject of another question. That I suppose is the case that the only way that the situation can be resolved is through the political moves that might or might not be being made over the 350 code.

HON CHIEF MINISTER:

It depends what problem the hon Member is referring to. The numbering problem is capable of being resolved by other means. The roving agreement requires some degree of recognition of 350, albeit in a way which is not transparent to the user in Spain. These problems of getting lost plus its financial consequences to the Gibraltar Telephone Industry requires other solutions. The one that solves all of them, the only one that guarantees that all of them are solved for ever is the 350 single gateway to Gibraltar, but each of them is capable of being solved if everyone has the will technical and political, each of them will be capable of being solved by other means except the roaming agreement one.

ORAL

NO. 126 OF 2001

THE HON J C PEREZ

**NYNEX/GIBTEL - TELEPHONE NUMBERS**

Can Government state whether Nynex or Gibtel are already in a position of being unable to service customers as a result of the non-availability of telephone numbers?

ANSWER

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

Answered together with Question Nos. 127, 133 and 134 of 2001.

ORAL

NO. 127 OF 2001

THE HON J C PEREZ

**NYNEX - TELEPHONE NUMBERS**

How many of the 796 telephone numbers available to Nynex in September 2000 have now been used up and how many are left?

ANSWER

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

Answered together with Question Nos. 126, 133 and 134 of 2001.

NO. 128 OF 2001

THE HON J C PEREZ

**NYNEX - COLLECTION OFFICE**

Can Government state whether Nynex still intends to open a collection office at the Post Office to facilitate the payment of bills by pensioners, and if so, whether this will be in substitution of the limited facilities now available at the Gibtel Office in Main Street?

ANSWER

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

Gibraltar Nynex Communications plans to continue with the payment facility for pensioners at the Gibtel Office in Main Street.

It has no plans to open a Collection Office at the Post Office.

SUPPLEMENTARY TO QUESTION NO. 128 OF 2001

HON J C PEREZ:

The Minister is then saying that as an alternative to what he told the House they were considering to stay open for the Friday collection at the Gibtel Office? Can the Minister state whether the definition of pensioners for the office is that the bill should belong to a pensioner or that the person going to pay should be over 60, given that there have been difficulties that pensioners want to go there to pay the bills of their families and they are told on some occasions that they cannot take the money because it is for pensioners only? Would it not be better to open it to anybody that can avail themselves of that specifically?

HON LT COL E M BRITTO:

We seem to have this discussion periodically every time there is a question and answer session in this House. The position remains as I have said before to the hon Member. GNC has not identified a need for the expansion of a payment facility in the centre of the town area on the lines that the hon Member keeps insisting. I have said to the hon Member before and I will say it again, if he has evidence to the contrary, if he has representations from a number of people that I am told from GNC are not making representations to them, I would appreciate the information and I will take it back to the company, but from the company's point of view this is a complimentary service to pensioners and in answer to his original question, I do not know how if someone is stopped on age grounds, it would have been logical to assume that anybody who arrives with money, the payment would be accepted and I would look into that. From a point of view of there being a need for an expanded service, there is no evidence in the company's hands to suggest that the hon Member is right.

HON J C PEREZ:

I am not suggesting anything today. I have already told the Minister what my view is and that has been rejected. Fine. What I am saying is that if there is every Friday a collection for people to go there, again there have been some people coming saying two things, the opposite to one another. One is "I send my child to pay my bill there and they said because she is not 60, they will not take it as it is a facility for pensioners". The other is "As a pensioner I went with the bills of my children and they would not take the bills of my children because they are not pensioners". If there is a one day collection service in Main Street, it might be that it ought to be opened up for whoever needs to use the service on one Friday a week and not limit it to pensioners to avoid this situation.

HON LT COL E M BRITTO:

I cannot pick any holes in the logic of the hon Member's argument. I would agree with the sentiments of what he has said. I do not know the answer at this moment in time on statistics or whether so many people are using it that they have had to slow down the number of people that can be attended, but I will certainly look into it. In principle, I agree with the hon Member that it would be logical to take money from anybody who knocks on the door.

NO. 129 OF 2001

THE HON J C PEREZ

**EXTRA TELEPHONE NUMBERS**

Will Government confirm that neither the Government nor Gibtel nor Nynex have asked for extra Cadiz telephone numbers from either Telefonica or the Spanish Government?

ANSWER

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

Yes.

SUPPLEMENTARY TO QUESTION NO.129 OF 2001

HON J C PEREZ:

When the Minister said in answer to a previous question, that the other problems could be resolved outside the '350', it meant that they could be but that they were not seeking to do so other than through the recognition of the '350' code?

HON CHIEF MINISTER:

The hon Member is the master of the recapitulation statement. That is exactly what he has been told. There is a difference between where there is something that is physically possible and whether one is seeking it. "Could be" means that it could be. I have said publicly on numerous occasions that the Gibraltar Government are not seeking numbers nor the companies are seeking this. In any event it does not solve all the problems. The question of seeking extra numbers, at best, could only resolve the numbering problem. So even if it were an acceptable solution to the numbering problem, it does not solve other problems. No one is seeking it.

HON J C PEREZ:

The Chief Minister himself whilst being interviewed yesterday, again the interviewer came up with "why would you want more telephone numbers?". So there must be a view in Spain that we have asked for telephone numbers, because that is how the journalists from Spain are approaching it all the time.

HON CHIEF MINISTER:

The answers that the Minister has given and that I have given and the statements that I make publicly represent the views of the parties for which we can speak. Those are the Government of Gibraltar and the two telephone companies, and that is the position of Gibraltar. The British Government seek as always, solutions bilaterally to these problems with Spain. It may well be. I remember that when the British Government was drawing up their position paper last year, there was an early draft of it based on this one million number proposal, to which the Gibraltar

Government strenuously objected and the British Government's position paper was changed. Our logic being, not that there is anything implicitly wrong with getting more numbers, but if one asks for a number of numbers, one finds oneself in the position which has materialised and that is that the Spaniards simply convert it into a haggle of how many numbers it should be. Then they seek to use the number of numbers issue, not the numbers issue, the number of numbers issue, as a means of trying to create a choking point onto our economy which they can control. So now they are asking why we need so many numbers. It is none of their business why we need so many numbers. This was precisely why the Gibraltar Government objected last year in the summer to the British Government's number of numbers approach. It is to be regretted therefore that in his interview on Spanish Television, which otherwise was a good interview by a British Ambassador in Madrid, on the whole Peter Torry's interview in Madrid on Spanish Television about a fortnight ago, is much more robust than British Ambassador's in Madrid have been in public before. The one criticism that one could make of it is that he allowed himself to be drawn into the numbers game. In other words, instead of just saying "no, it is important that Gibraltar should enjoy its rights telephonically", he allowed himself in answer to a question, to be drawn on the fact that in the UK they have 30 numbers per head and in Gibraltar they only have three. The mention of the million came from the interviewer, not from the Ambassador. It is just that he did not scotch it. He did not say "no we are not asking for one million numbers, we are asking for recognition of '350'."

HON J C PEREZ:

The interviewer might not know what the Foreign Office was preparing.....

HON CHIEF MINISTER:

Indeed, it certainly begs the question of how the Spanish media get hold of the one million figure, because the one million figure is not without historical roots in this draft paper that was not adopted.

HON J J BOSSANO:

Are the Government not aware that Sr Pique informed the Senate of the one million figure? So it is no secret why the press.....

HON CHIEF MINISTER:

It was informed subsequently.

HON J J BOSSANO:

Yes. But even if it was informed subsequently, it is not too wide a speculation that they leaked it previous to publicly saying it. Are the Government saying that they have no knowledge or that they know that there has been no such proposal from the British Government to the Spanish Government?

HON CHIEF MINISTER:

No. I could not say. What I can say is that the Gibraltar Government recognise it as a possible solution and the hon Member should not loose sight of where we are here. At the moment the discussions relate to the complaints from Gibtel and Nynex before the Commission. The issue in those complaints, at the moment, is in the possibility



for interim relief in the litigation. That is the approach that the companies and the Government are proceeding upon. In search of that interim relief the governments of the United Kingdom and Spain are engaged in dialogue. The Gibraltar Government draw a very careful distinction between what might be acceptable as interim relief in continuing litigation and what might be a permanent solution that disposes of the litigation without therefore having the '350' issue tested. The Government's position is that there are two cases, two commercial complaints before the ECJ, that those two complainants have a right to have their rights adjudicated on in accordance with their legal rights and not made subject to a political process between two Member States, neither of whom are parties to the complaint, actually Spain now is, because of the nature of Telefonica's defence. The hon Member may know we have had this out in this House before because of the nature of Telefonica's defence being "I was ordered by my Government". Under EU procedural rules that immediately makes the Spanish Government the defendant. Rather if not the defendant, the subject of the complaint or the object of the complaint. It is important to keep this distinction clearly in the mind. We are not parties to those discussions between the United Kingdom and Spain. Therefore, I cannot give the hon Members assurance of the degree of reliability that assurances in this House should enjoy as to what transpires between them. I can only tell the hon Member that I believe that the United Kingdom and Spain are talking about number of numbers.

HON J J BOSSANO:

So the answer is that the Government believe it is happening but do not know it as a fact. That is to say, it is not that the Government have been told by the British Government, "look we have actually suggested as an interim relief, that there should be a change in the '9567' code which would produce extra numbers, whether it is one million or whatever.

HON CHIEF MINISTER:

I believe on good grounds that the United Kingdom are talking to Spain on the basis of the number of numbers. We have pointed out to the United Kingdom the risks of doing that. We have pointed out to the United Kingdom that a solution to the numbering issue, always bear in mind that any number of extra numbers does not solve the roaming issue and may not solve the calls getting lost issue. Limiting ourselves to the numbering issue, that a number of numbers solution may be acceptable to the Gibraltar Government on an interim basis to a continuing complaint, but would not be acceptable as a permanent solution instead of the complaints continuing. Interim and litigation yes. Interim in a political process no.

HON J J BOSSANO:

Is it not precisely the risk that given the reluctance of the European Union to act in these matters, that once we appear to have been given more numbers, and therefore the damage in practical terms to the economy is not there, that they are going to slow down even further the process. Is that not the risk?

HON CHIEF MINISTER:

So long as it is interim in litigation, in other words, so long as the Commission first decides to take action, which it has not actually done yet. The hon Member says reluctance. I think the reluctance is diminishing. The bilateral process has not gone well between the United Kingdom and Spain and the Commission will of course be made aware of Sr Pique's latest pronouncements about "there is no question of co-

operation on telephone numbers unless there is parallel progress on sovereignty", and remarks such as "you are not getting more numbers from us". The Commission's reluctance was in any case diminishing and I think it will continue to diminish. I believe, although the hon Member now should not go out making a public song and dance. My assessment is that the Commission will take action. Assuming that the Commission does take action, there would then be a process of litigation afoot. Gibraltar would need interim relief because even if the Commission takes action of the most robust kind, even if the Commission were to say "we are very sorry that it has taken us so long to see what these people are really like, we should have done this three years ago, but we are going to do it now", ordinary procedures for such litigation mean that it could be at least three years and would very likely be two before there was any adjudication by the court. Gibraltar's economy has got to continue to function in the meantime and therefore the question of interim relief in on-going litigation arises even if the Commission takes action. Indeed it only arises if the Commission take action because one cannot have interim relief in litigation which is not afoot. The hon Member should be fully aware that even if the Commission take action we would be, although the complainant would be asking for interim relief, that interim relief is bound to take the form of an allocation of a number of numbers because if the Commission says "as an interim relief Spain you must accept the '350'", they would be disposing of the whole subject matter of the complaint. One cannot by way of interim relief get all that one is seeking in the litigation. So the interim relief is bound to take the form of the Commission saying "Spain, whilst the due process of law runs its course, you must make available 'x' number of numbers". That is the nature that the interim relief would take. There has been such dilatoriness on the part of all the parties that should have acted on the numbering issues. This is not an issue that Gibraltar has raised in the last six months. This is an issue that goes back years. If action had been taken then, the issue might have been resolved, disposed of, adjudicated before we run out of numbers. Therefore the question of interim relief might not have been necessary. As we have reached 'D' Day, in terms of number shortage and the litigation is not yet even afoot, as the Commission has not yet decided, the litigation is afoot in the sense that the companies have made their complaints, but litigation afoot for these purposes means the Commission starting informal legal proceedings against Spain in the European Court of Justice. As they have not done so and we are already out of numbers and Gibraltar is already paying an economic price for this, just in terms of the fact that Gibraltar businesses cannot obtain, as my hon Colleague has answered to the Hon Mr Perez in the last question, just the fact that Gibraltar companies cannot obtain premium services, is in itself constraint. Therefore, Gibraltar is already paying a price. When we run out of fixed line numbers, that will have a significant constraining effect on economic growth. It is not that the Government are opposed to more numbers, the Government would accept more numbers as a necessary requirement provided it is interim, as opposed to "here, have a few more numbers and leave me alone on '350'". That is what the Government are not accepting.

HON J J BOSSANO:

I am grateful for that detailed information, but then is it not the inevitable, logical consequence of that, that the possible provision of more numbers should be something that emerges from the commencement of litigation as an interim relief and not from a bilateral political agreement between the United Kingdom and Spain even before the litigation has started, on the logic of his explanation?

HON CHIEF MINISTER:

That is precisely the point that the Gibraltar Government uphold with the British Government. That is exactly the line that the Gibraltar Government take.

HON J J BOSSANO:

Since that seems to be a very logical line to take, are the British Government prepared to pursue the matter as the Gibraltar Government want it to?

HON CHIEF MINISTER:

Yes and no. The British Government did indeed amend their position paper to be consistent with the position of the Gibraltar Government. The hon Member will recall that both the United Kingdom and Spain, in my opinion improperly, because the United Kingdom are not a party to the complaints before the Commission, but the fact is that the Commission wrote to both the United Kingdom and Spain back in June last year saying to them "we think that this situation is unacceptable". They did not use the word unacceptable, but they used language which made it perfectly clear that they thought that there was a breach of competition rules, "engage in a process of discussions, report back to us by the end of July or else we will take action". In effect, that was not obviously the language of the letter, but that is what the letter meant. This bilateral dialogue, which he and I regard as irrelevant to the extent that it forms no part of the procedures of the European Union for the resolution of complaints based on breach of legal rights, has been on-going. That is the position. I believe that the Commission now is of the view that the bilateral dialogue has not succeeded and although it is a long time since the deadline that they said has transpired, I believe that they are now considering the position in the context of failed bilateral talks, which is not to say that the hon Member should run away with the notion that the bilateral talks are not continuing. Indeed I believe they are. I understand that there is a further round of meetings scheduled if not this week, next week bilaterally between the United Kingdom and Spain and I think this issue is on the Agenda amongst other things.

HON J J BOSSANO:

Are these talks between the respective Foreign Office people or are the telephone people in Spain or UK or here involved in that?

HON CHIEF MINISTER:

No. When the UK asks us for technical information, we provide it to them. Those talks are between the Head, I believe that they are being conducted by John McGreggar, who was here last week or otherwise the Head of the Southern European Department Jeremy Hill. They are at that level. They are at Foreign Office officials level, with technical input on the British side from both Gibraltar and I think OFTEL as well, who advice on UK numbering plan issue.

ORAL

NO. 130 OF 2001

THE HON J C PEREZ

**GIBTEL/NYNEX**

Is it Government's intention to allow Nynex to provide international telecommunications services in competition with Gibtel, independent of the resolution of the numbering plan?

ANSWER

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

Answered together with Question Nos. 131 and 132 of 2001.

ORAL

NO. 131 OF 2001

THE HON J C PEREZ

**GIBTEL/NYNEX**

Have Government now abandoned their policy of merging Gibtel and Nynex into one company?

ANSWER

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

Answered together with Question Nos. 130 and 132 of 2001.

NO. 132 OF 2001

THE HON J C PEREZ

**BT/NYNEX**

Will Government confirm that British Telecom has indicated that it is no longer willing to buy out the shareholders of Gibraltar Nynex?

ANSWER

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

The Government are in an advanced stage of negotiations with their partner shareholders in GNC and Gibtel and consider that these negotiations would be prejudiced by making public the information which the hon Member is requesting.

SUPPLEMENTARY TO QUESTION NOS. 130 TO 132 OF 2001

HON J C PEREZ:

All of it, including the answer to whether it is Government's intention to allow Nynex to provide international telecommunications before the numbering plan is resolved?

HON LT COL E M BRITTO:

Yes. I do not intend to answer any supplementaries on the subject.

HON J C PEREZ:

What are the discussions about the continuing merger because then the Minister could say, "No the Government have not abandoned the question of a merger"?

HON LT COL E M BRITTO:

I have nothing further to add.

HON J J BOSSANO:

Has there been any change in the position since the question was put last when the Minister was able to give an answer?

HON CHIEF MINISTER:

No. I would ask the hon Members to accept the answers given at face value. We are literally on the threshold of a resolution to this long-standing issue. I think that the most that the Government can say at this stage is that the Government have not abandoned their policy of bringing together Gibtel and Nynex.

ORAL

NO. 133 OF 2001

THE HON J C PEREZ

**GIBTEL - NEW CARD SYSTEM**

Can Government state how many extra numbers have become available to Gibtel as a result of the new card system introduced for local mobile telephony?

ANSWER

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

Answered together with Question Nos. 126, 127 and 134 of 2001.

NO. 134 OF 2001

THE HON J C PEREZ

**GIBTEL - NEW CARD SYSTEM**

Can Government state how many customers have taken up the new card issued by Gibtel for local mobile telephony?

ANSWER

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

There are currently 480 telephone numbers available to Gibraltar Nynex Communications. Since September 2000 a total of 316 telephone numbers have been used.

The use of number shadowing, whereby three extra digits are added to an existing telephone number has enabled the production of 10000 pre-paid cards. This is a desperate self help temporary measure that is not user friendly and no substitute for proper telephone numbers.

The total number of mobile pre-paid cards activated as at the end of January was 2452.

Gibtel has been in a position of being unable to service post paid mobile customers due to the non-availability of numbers since January 2000.

SUPPLEMENTARY TO QUESTION NOS. 126, 127, 133 AND 134 OF 2001

HON J C PEREZ:

The Minister is saying that the number shadowing is something that the mobile telephony can use but would not be able to be used on the fixed network?

HON LT COL E M BRITTO:

That is not what I have said. I have said the use of number shadowing is a desperate self help temporary measure that we are doing under extreme circumstances and because of Spain's refusal to accept the '350'. In no way does it solve the numbering problem.

HON J C PEREZ:

Of the 2452 cards that have been sold would the Minister be able to identify the number of customers involved, because there could be customers buying the card regularly?

HON LT COL E M BRITTO:

Yes. It is even more complicated or less clear than that. The number of cards sold might be more than that. The hon Member may have noticed that I used the word



activated. The cards are not being sold by Gibtel only. The cards are distributed widely throughout Gibraltar. I use the figure 2452 cards activated, in other words, as it is obvious, a card that has been put into a phone and the phone switched on, logs in and Gibtel now has a number that is actually in the system. Obviously that card could have been used in a different phone. It can be used on more than one phone. On the other hand, the number of cards distributed and sold is very probably higher than 2452 because it is to be expected that people may have bought the card or may have bought more than one and not activated it. Not all the cards that may have been sold may have been activated. We can only provide the statistic of the cards activated because the cards distributed, unless we went round to every single dealer and asked them about their current stock, and did a statistical exercise, it would be impossible to identify.

HON J C PEREZ:

The Minister has said that since January 2000, Gibtel has not been able to properly service the customers not using the card. Has there been any evidence that Nynex has not been able to properly service customers? For example, wanting a selective number range which cannot be made available as a result of the shortage of numbers and so on?

HON LT COL E M BRITTO:

Yes. That is correct although there are still numbers available to Gibraltar Nynex, there are certain premium services which require numbers to be allocated in large blocks, usually about 1000 numbers. Those particular services GNC has been unable to offer for some time because of the lack of numbers.

HON J C PEREZ:

The figure available to Nynex suggests that there is no more numbers other than for the next six months?

HON LT COL E M BRITTO:

Yes. Nynex is currently very actively considering what steps to take in relation to what is a serious situation, as the hon Member has rightly pointed out.

HON J J BOSSANO:

The use of the pre paid cards, how do they compare cost wise, as opposed to the post paid Gibtel?

HON LT COL E M BRITTO:

The systems are completely different and it is difficult to make actual comparisons because one is pre paid and one puts the money upfront and the other one is paid in ones bill maybe months later. Obviously one has to take that into account. In broad terms directly compared one to one, a pre paid system usually works out more expensive than a post paid system. This is not just in Gibraltar but internationally.

HON CHIEF MINISTER:

One of the main reasons for that is that in a post paid system, one is paying a line rental charge, whereas in a pre paid system, there is no line rental charge. Therefore, the tariff for the calls measured per minute of speaking are higher.

HON J J BOSSANO:

I have not asked whether the tariff is higher, I have asked whether the cost compares.

HON CHIEF MINISTER:

That is the answer.

HON J J BOSSANO:

That is not the answer. If in one rental is paid and in the other none, taking into account the rental that one pays in Gibtel, how do the two costs compare?

HON CHIEF MINISTER:

We will need notice of that specific question. I would be very surprised and it all depends on the rate of usage. All of these different cost permutation packages very much depend on whether one uses the phone a lot or whether one does not use the phone a lot. The less one uses the phone, if one had a fixed cost attached to it like line rental, the higher the cost per call in effect. If one has a card with a line rental charge, the more one uses the phone the less the unit cost per call and the other way around. But all things levelled out, I am only speculating, if the hon Member is interested in that question, it can be obtained, but I would speculate that the same degree of average usage on pre paid cards is more costly to the user than a post paid service.

HON J J BOSSANO:

Would it not be an idea to consider whether by making the post paid card more competitive it might encourage people who have no particular need for the pre paid one to switch and therefore release some of those numbers?

HON LT COL E M BRITTO:

I am not fully current on the marketing aspect of this. What I can tell the hon Member is that the rates that had been arrived at for the pre paid cards are directly competitive with what is being offered both in Gibraltar and in Spain for Spanish telephones and Spanish cards and have been pitched at that level to compete directly against the popular Spanish brands.

HON J J BOSSANO:

I am talking about the competition from within Gibraltar by Gibtel customers, that is to say, if I have got a Gibtel number, which is one of the ones that they have run out of, if they were able to put as an alternative a pre paid card and I had no particular need for the post paid one, then would that not possibly enable them to recover some numbers which they can then use?

HON LT COL E M BRITTO:

I now realise that that was the original question and I misunderstood it. That exercise is being done and that is part of the reason for introducing the reload system. An effort is being made to do precisely that, to migrate customers away from the post paid to the pre paid for two reasons, one is the one the hon Member identified to release post paid numbers but secondly, because obviously it is a better commercial proposition for Gibtel to have a pre paid system because it eliminates bad debts and eliminates the billing system. It is a much neater answer all round.

HON J C PEREZ:

In order to assist the Minister in migrating these, perhaps one should start looking at everybody in Government that has a mobile telephone, given that the usage to Spain or roaming would be a limited one when civil servants travel, but the main use of the telephone is done in Gibraltar?

HON LT COL E M BRITTO:

Both GNC and Gibtel are looking at the Government systems with a view to recovering telephone numbers.

HON J J BOSSANO:

Other than roaming is there any other disadvantage of one compared to the other?

HON CHIEF MINISTER:

Pre paid and post?

HON J J BOSSANO:

Yes. Is that the only difference between the two?

HON LT COL E M BRITTO:

No. Basically two differences. The roaming is not available at the moment but I understand the software update packages are in line, being produced. Roaming, I am advised should be available at some time in the future. The other disadvantage is that for calls from Spain, the number shadowing is more inconvenient than a normal call. A call to one of this special pre paid cards from anywhere in the world and Gibraltar excluding Spain gets through like any other normal call. A call from Spain works slightly different. The number is dialled and one is literally told to dial the number again. When one dials the number again it gets through.

ORAL

NO. 135 OF 2001

THE HON J C PEREZ

**LOTTERY - UNSOLD TICKETS**

Can Government state what is the percentage of unsold lottery tickets in this Financial Year up to 31<sup>st</sup> January 2001?

ANSWER

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

The percentage of unsold lottery tickets for this Financial Year up to 31<sup>st</sup> January 2001 is 32.5 per cent (From draw 7/2000 to Draw 2/2001).

ORAL

NO. 136 OF 2001

THE HON J C PEREZ

**BUILDING CONTRACTORS - PAYMENTS**

Can Government state how much has been paid to building contractors (including road works) in the current Financial Year giving a breakdown showing the amount paid to each company in respect of each project and the balance to complete?

ANSWER

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

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

Answer to Question 136 of 2001

CONTRACT EXPENDITURE

<u>Project</u>	<u>Contractor</u>	<u>Amount Certified</u> £	<u>Oustanding Amounts</u> £
Security Cabin	Fitzpatrick	96,481	Completed
Camp Bay Resurfacing	Blacktop	52,559	36,725
Buena Vista Road ) Naval Hospital Hill )	Amco	26,222	79,837
Victoria Stadium Frangible Fence	Amco	157,298	138,313
Ferry Terminal	H L Wilkie	54,844	Completed
Marine Section Bldg	H L Wilkie	256,566	48,394
St Annes School Extension	Profield	93,013	Completed
Stabilisation Works Road to the Lines	Profield	12,250	Completed
Bishop Canilla House	Profield	12,900	Completed
Road Widening Phase 1B Sir Herbert Miles Road	Sharrock Shand	67,097	Completed
Casemates Beautification	Sharrock Shand	637,678	Completed
Skate Park	Amco	51,456	103,458
Roundabout/Memorial Monument	Amco	28,086	Completed
Replacement of Windows	Fibreglass Co Ltd	181,313	Ongoing project
Replacement of Windows	LIA Ltd	28,913	Ongoing project
Scaffolding Project Alameda House	Eurotec	8,144	2,000
Godley Mansions	Metrorod	11,000	Completed
Macfarlane House Refurbishment/ Replacement of Balconies	GJBS	78,284	Completed

Cont ...

**Contd. Answer to Question 136 of 2001**

Anderson House Refurbishment/ Replacement of Balconies	GJBS	293,619	317,000
Glacis Estate Beautification	AMCO (Gib) Ltd Gibralflora (Sub-contractor)	737,349 2,181	8,000
North Depot Refurbishment	Profield Contractors	292,882	Completed
29/6 Willis's Road Refurbishment	Calpe Construction Services Ltd	33,441	Completed
Sandpits	Haymills	95,831	1,500
Belvedere Retaining Wall	Budget Tradesman & Engineers	3,500	Completed
Edinburgh House Refurbishment	<u>Main Contractor:</u> Mackley Tricon & Cubiertas General Construction <u>Sub- Contractors:</u> Hewin Communications Electrical Distributors (Gib) Ltd Brookhurst Co Ltd Fitzpatrick Contractors Ltd	140,906	Completed

ORAL

NO. 137 OF 2001

THE HON DR R G VALARINO

**HARBOUR VIEWS ESTATE**

How many blocks in Harbour Views Estate have now been refurbished?

ANSWER

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

Answered together with Question No. 138 of 2001.



NO. 138 OF 2001

THE HON DR R G VALARINO

**HARBOUR VIEWS ESTATE**

How many of the blocks in Harbour Views Estate that have been refurbished have experienced water penetration after the works have been completed?

ANSWER

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

Practical completion certificates have been issued in relation to blocks 13, 14, 15 and 16. However, minor works are being undertaken to the ground floor render to blocks 14, 15 and 16.

Eighty-five per cent of the overall remedial works have been undertaken to blocks 7, 8 and 9, 65 per cent to blocks 1, 2 and 3 and 10 per cent to blocks 20, 21 and 22.

Only one report has been received of water penetration into the completed blocks. This was in respect of a flat at Hamilton Court. This arose due to a modification undertaken to the vent pipe by the owner who was reluctant to allow access in order to have this inspected by the contractor. Even though it is not a design requirement the contractor has changed the bird mesh guard on top of the vent for a cowl in the form of complete bend so as to prevent rainwater entering the pipe. I am informed that no further problems have been reported.

By comparison, 24 cases of water ingress were reported during the same period from residents in blocks where remedial works have not yet commenced.

SUPPLEMENTARY TO QUESTION NOS. 137 AND 138 OF 2001

HON DR R G VALARINO:

I wonder with such a lengthy reply, could the Minister give the details in a paper.

HON LT COL E M BRITTO:

The hon Member will get a copy of this at the end of the session.

HON DR R G VALARINO:

Has the Minister heard at all about water penetration in Nassau Court after it has been partly refurbished?

HON LT COL E M BRITTO:

No. I am not aware what the number of Nassau Court is. I can tell the hon Member what stage the work is in. If it is one of those that have not started, it could be one of the 24 cases. If it is one of those where work has been completed, then I am not aware of any water ingress.

NO. 139 OF 2001

THE HON DR R G VALARINO

**ENVIRONMENTAL PROTECTION (DISPOSAL OF DANGEROUS SUBSTANCES)  
ORDINANCE 2000**

Are Government in a position to provide information regarding registration of any person or persons holding PCB's or of any equipment containing or contaminated by PCB's, which had to be registered with the Environmental Agency by the 31<sup>st</sup> December 2000?

ANSWER

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

At present there are no entries in the Register.

All local companies which could hold PCB's or equipment contaminated with PCB's have been informed in writing about the requirements regarding registration under The Environmental Protection (Disposal of Dangerous Substances) Ordinance 2000. Many of these companies have already informed the Agency that they do not hold any PCB's.

Some companies are still analysing and investigating whether their equipment or products fall within the provisions of the Ordinance. The Ordinance was published on 28<sup>th</sup> September 2000 and since the use of PCB's has been gradually phased out since the 1970's, it is difficult in some cases to ascertain the exact nature or trace suppliers of these products.

The Environmental Agency is following up these cases to ensure the requirements of the Ordinance are complied with and our environment suitably protected from these contaminants.

SUPPLEMENTARY TO QUESTION NO. 139 OF 2001

HON DR R G VALARINO:

Has the Minister got any idea when the replies will be in by?

HON LT COL E M BRITTO:

No. If I remember rightly when we passed the Bill, most of the equipment in which the contaminants were used, is old and out of date and no longer manufactured, and some of these companies are finding problems in identifying if they have contaminated equipment or not. The Agency is allowing leniency in the rules but it is monitoring the situation to make sure that they get definite answers as soon as possible.

NO. 140 OF 2001

THE HON DR R G VALARINO

OESCO

Is the Environmental Agency precluded from serving an abatement notice on OESCO requiring them to deal with the noise nuisance complaint from residents in the area on the grounds that the company is contracted to supply electricity to Government?

ANSWER

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

The fact that a company is contracted to supply electricity to Government does not, in itself, preclude the Company from having to comply with the requirements of the Public Health Ordinance.

The cause of the complaints arises from the generating stations in the south district, one of which is OESCO and the other being the Inter Services Generating Station. Successive governments have been in receipt of this type of complaints for many years. Solutions however are technically complex, especially in the short term.

Government are advised that because of the proximity of the two stations to each other any works carried out should be co-ordinated so that equivalent works are carried out to both stations. Otherwise there will not be a meaningful reduction in the overall noise output into the vicinity.

The Government are committed to the introduction of noise control legislation during this term of office.

SUPPLEMENTARY TO QUESTION NO. 140 OF 2001

HON DR R G VALARINO:

On the Noise Control Ordinance, if I remember rightly, it was around Budget time that the Minister said that the legislation on the Noise Control Ordinance was near at hand and he would be introducing it. Has there been a delay in the matter?

HON LT COL E M BRITTO:

I do not have the actual Hansard in front of me but in my style it would have been normal for me to have said something as I have said now. That it would be introduced during this term of office. I was not committing myself to a date.

HON DR R G VALARINO:

"During the term of office" the Minister means these next supposedly three years?

HON LT COL E M BRITTO:

Yes. It means this term of office until the next election whenever that may be. Just to clarify a point for the avoidance of doubt, the existing legislation allows for action, it is not necessary to wait for the new legislation. The new legislation will broaden the powers of the Government and extend to other things like cars with blaring radios and noisy discotheques and so on. The problem will not be solved the day after the new legislation is in place. The problem is much more complex than that and the cost involved is considerable to the Government.

HON DR R G VALARINO:

Considering the length of time that this could take is there any way that the emission of noise could be reduced in the meantime for the people who live in the nearby areas?

HON LT COL E M BRITTO:

There have been interim measures carried out by OESCO in the past and a considerable amount of money in excess of £100,000, if I remember rightly, was spent by the company at its own expense, although under the contract signed by the previous Government with OESCO, the liability for soundproofing the OESCO station rests with the Government and not with OESCO. As I indicated in my answer the noise level of the MOD is actually higher than OESCO. The technical report says that even if one, by the stroke of a magic wand, were able to eliminate the noise from OESCO, the nuisance in the area would continue at the same level. The proof of the pudding is there for everybody to see because OESCO does not work at night, OESCO works only during the day. The noise that is heard at night is purely the MOD. But the advice is that even if OESCO was removed during the day, the disturbance remains at the same level, so the problem has to be tackled jointly with the MOD where the cost liability is much greater than in the case of the Gibraltar Government and there are other extraneous factors also involved.

HON J J BOSSANO:

Can the Government explain why it is that the Environmental Agency apparently tells the complainants that it cannot act because it cannot take action against the Government?

HON CHIEF MINISTER:

If I could amend the hon Member's question before answering it. The Government do not resist taking action. If spending the money on insulating the OESCO building were to deliver a solution to the problem, the Government would undertake the expenditure. Action is not required against OESCO. The Government may be bound to pay for it, but the nuisance sums would be issued against the cause of the nuisance which is OESCO. There is an issue about which I would urge hon Members not to draw me too much, as I would not wish to say anything that they might use against us. There is an issue as to whether the MOD can similarly be made the subject of a nuisance summons, given that they are the Crown. We would not in this public forum comment beyond that. I would add to that, even though it is not required by the question, that the difficult and extraneous issues to which my Colleague has referred in passing, may be familiar to some of the hon Members. That is the Ministry of Defence has as an ambition to cease to be a generator of electricity, therefore it does not make the necessary capital investment in its plant.

The consequences are obvious to those Members of the Opposition who are familiar with such issues, not least to potential security of employment in the MOD Power Station. The Government resist, in the wider public interest of Gibraltar, even though we sympathise fully with the inconvenience being suffered by people in the South District. The Government resists allowing the pressure that they come under from such citizens to be used by others to precipitate the achievement of their own agendas.

HON J J BOSSANO:

I am not suggesting that the explanation that I have just heard is the explanation that the Environmental Agency gives to the complainants. Apparently I am told the Environmental Agency says to the complainants, "I cannot proceed with an abatement notice on OESCO because it is the Government and therefore I cannot do it".

HON CHIEF MINISTER:

That is why I amended this question before answering it. The Government would not in any case be the object of that abatement notice. The object of that abatement notice would be the generator of the nuisance and there are issues about whether the Crown, which incidentally includes the Government as well as the MOD, is capable of being made the subject of a nuisance abatement notice. I do not wish to express the view one way or the other in what is the proper legal answer to that issue, just suffice it to say that there is an issue there. If the Environmental Agency is saying to people, "We cannot take action because we cannot issue a nuisance against the Gibraltar Government". First of all I would be very surprised if that is what they are saying to people for the reasons that I have just explained. The Gibraltar Government are not producing noise there. It may mean "Government" in the wider sense of the Crown, we cannot issue a summons against the Crown. Therefore that gets the MOD off the hook and that is an issue which is itself polemic.

HON J J BOSSANO:

My understanding is that the Environmental Agency has said that they cannot proceed with acting against OESCO because ultimately it would be the Government and that therefore their hands are tied. What I am saying is. Are the Government aware of that situation? Are they in a position to say whether this is factually correct or not, that this is happening?

HON CHIEF MINISTER:

I cannot answer here for what unknown to Government people may be saying to other people. Certainly it is correct that the Environmental Agency knows that under the OESCO contract, the cost of noise insulating the OESCO building, falls on the Government. That is not to say that the Government are therefore saying to the Environmental Agency "In order to save us the money, do not take up the cajoles on this issue". The Government's position is, and we have said this to the residents of the area who raised the petition, that the Government are willing to incur expenditure in insulating the OESCO building as it is contractually bound to do under the OESCO contract but that it is a pointless expenditure unless and until the Ministry of Defence also insulate their building because then it would just be expenditure without actually solving the nuisance. I cannot tell the House what different employees of the Environmental Agency may from time to time tell different complainants but if implicit in the hon Member's formulation of the question was, "Are the Government therefore

leaning on the Environmental Agency not to issue a summons so as to not eventually have to pay the money for the insulation cost?" That is not the case because it is not the Government's position. The Government's position is we are trying to persuade the MOD to make the necessary capital investment with us and then all that gets clogged up in the MOD's reluctance to invest in electricity generation. If it was a pure issue, shall we both invest in insulating our electricity stations, I am sure much progress would have been made by now. The problem is that half of the equation, namely the MOD's part of the equation gets bogged down in their desire to extricate themselves, not just not to invest in insulation, but not to invest in renewing their generators, which I believe already are nearing the end of their useful lives.

HON J J BOSSANO:

I understand all that. The point of the question on the supplementary is to establish what the Environmental Agency is entitled to say to complainants or not entitled to say to complainants. Does the Minister recall that when my hon Colleague Joshua Gabay raised the question a couple of years ago, the reply that he gave was that if people had a complaint there was the Environmental Agency. It was their role to deal with the complaint and to investigate whether there was merit in it and that is what people have done following that answer. When they have done that, they have come back to us and told us "We have hit a brick wall because the Agency says it cannot act because behind OESCO stands the Government". It would be wrong that if the power to act is there for the Government to interfere with what is the statutory duty of the Agency.

HON CHIEF MINISTER:

Absolutely. It would be wrong and the Government have not done so. I suppose that the view that the Environmental Agency has taken is that it would be justified to act if the result of its action would be the elimination of the nuisance and the Environmental Agency is aware of all the facts about the MOD that we have briefly rehearsed in this exchange this morning. That is where the issue lies. At that point it becomes a political issue as between the Government of Gibraltar and the Ministry of Defence.

HON J J BOSSANO:

The Government have previously confirmed that the MOD is subject to the laws of Gibraltar in terms of the environment, not necessarily just in this issue. Is it that the Environmental Agency has attempted to serve an abatement notice on the MOD and this has been questioned or has the attempt not been made?

HON CHIEF MINISTER:

The extent to which various procedural legal mechanisms are available against the Crown differ depending upon the mechanism in question. The law of the land applies to the Ministry of Defence. That does not necessarily mean that the method of enforcement of that law all necessarily can be deployed against the Crown. Having said that, I do not know whether the Environmental Agency has attempted to serve a summons on the Ministry of Defence. The danger of doing so would be that the Ministry of Defence says "I have got to stop generating electricity because I have received a summons telling me that I cannot carry on making this amount of noise and as I am not willing to insulate the building, I simply shut down the generators".

HON J J BOSSANO:

I can well understand that that is a consideration which politicians, the Government, in balancing the overall impact that the community would need to take into account but if the Agency is required to implement the law, does it have any freedom to take wider issues like that into account? My Colleague has just produced for me what took place in the exchanges in Question No. 567 of 1999, where the line of the Chief Minister then was to say to me that it was not a matter to be raised in the House, because it was simply a matter of implementing the law and that I was free to contact the Environmental Agency myself and tell them to get on with the job.

HON CHIEF MINISTER:

The hon Member talks about enforcing the law and indeed I talk about enforcing the law, I do not know whether it is the case, but the law requires the Environmental Officer to act, as opposed to giving him the power to do so. There are some statutory functions which create an obligation and there are other statutory functions which simply create the power to act. I would not dare without researching to exchange views with the hon Member as to whether this is one of the areas where the Environmental Agency has a statutory obligation to act on a complaint or whether they are able to exercise judgement themselves in determining whether to act, when to act.

HON S E LINARES:

Will the new Noise Nuisance law which the Minister has stated be put into place in this term of office, will it be binding on the MOD and the Crown generally or will it be the same case as the laws are now, that it does not seem to be binding on the MOD or the Crown?

HON CHIEF MINISTER:

The premise of this question is not correct. Some laws apply to the Crown and others do not. It depends on whether it says so in the Ordinance. I would suppose although we could almost look it up immediately, that the Public Health Ordinance does apply to the Crown. He should distinguish between whether the law applies and whether certain mechanisms for its enforcement are available against the Crown. That is the distinction. Certainly if the Government introduce more specialist noise legislation, at the moment what we have got is a general section about the elimination of nuisances and things of that sort. When we have a specific noise control legislation, it will certainly apply to the Crown in all its manifestations in Gibraltar which includes the Government of Gibraltar and the Ministry of Defence and all other United Kingdom departments.

NO. 141 OF 2001

THE HON MISS M I MONTEGRIFFO

**CJD DISEASE**

Will Government advise consumers as to the risk in eating imported beef and beef products from Spain, in view of the rising numbers of CJD disease over the border?

ANSWER

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

The European Union has introduced legislation that requires Member States where BSE has been identified in cattle to adopt a number of measures aimed at safeguarding public health and spread of the disease.

These measures include the prohibition of sale of specified offal, testing of all beef from over 30 months old cattle, and proper inspection and certification procedures.

Locally, the Environmental Agency has been applying these requirements in ensuring that all imported beef is properly certified and that no prohibited offal is imported, following advice received from both the EU and the Food Standards Agency in England.

In Gibraltar, all imported meat has always been inspected at the point of entry not only now with the present scare, but also as a matter of routine. This contrasts to the situation in other countries which, if nothing else because of the volume of imports only inspect a percentage of such imports.

All imports from Spain, as from other countries, are inspected to ensure they comply with current requirements and therefore comply with the safety criteria set by experts in the European Union and UK. We would further advise the public if buying beef away from Gibraltar, to do so from reputable sources only.

SUPPLEMENTARY TO QUESTION NO. 141 OF 2001

HON MISS M I MONTEGRIFFO:

I understand all the measures of safety that the Minister has mentioned but really my question is geared to the Government advising consumers in order to allay the fears that there are, or what they should be doing or should not be doing. That is the way that the question is phrased, rather than what the Minister has answered which is more in relation to all the safety measures that are being taken by the Government.

HON LT COL E M BRITTO:

In common with other European countries, the Government have not identified a need, for example, to prohibit the importation of beef in general. The Government are following the procedures that are being followed throughout the European Union. Therefore at this moment in time, I have not been advised of any need to issue public



statements on the lines that the hon Member is suggesting. If the situation were to develop further there might be a need for that and I will certainly keep it in mind.

HON J J BOSSANO:

Has any other Member State stopped importation from Spain as happened when there was a situation in the UK?

HON LT COL E M BRITTO:

Not as far as I am aware.

HON J J BOSSANO:

We in any case presumably would be able to do it if we thought it was necessary independently anyway because we are outside the Common Agricultural Policy?

HON CHIEF MINISTER:

Yes. There is an issue on which the Government do not lose sight. The Environmental Agency does not lose sight. That is if the problem does escalate in Spain, there may well be a need for Gibraltar to take a separate view from the United Kingdom because the extent to which we consume Spanish meat here, given our physical proximity to Spain may well be much greater than the extent to which Spanish beef gets imported into the United Kingdom. Therefore, in terms of need to act, our need may be greater sooner than the UK perceives their need is given that it is further away. I do not know to what extent the United Kingdom imports Spanish beef at all. We are aware, we are conscious of the fact that there may be geographical reasons why depending on how this whole situation unfolds, there may be a need to de-couple ourselves from what the UK does. But at the moment there are other EU countries who are also neighbours of Spain and that aspect of the matter is under constant monitoring.

NO. 142 OF 2001

THE HON MISS M I MONTEGRIFFO

**GFA - FIFA/UEFA**

Will Government give consideration to the provision of financial support should this be required in order to pursue GFA's application of membership of UEFA in the light of the Spanish opposition?

ANSWER

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

In the past two years Governing Bodies of Sport in Gibraltar have received a total of £256,000 as financial assistance to assist with expenses, including travel and accommodation abroad, related to participation in competitions, conferences, seminars, sports development projects, coaching courses et cetera. Within these financial assistance schemes the Gibraltar Football Association has been receiving grants towards a variety of projects, amongst them attending meetings abroad in pursuance of their application for membership of FIFA/UEFA.

SUPPLEMENTARY TO QUESTION NO. 142 OF 2001

HON MISS M I MONTEGRIFFO:

So what the Minister is saying is that if the GFA were to request the Government for financial assistance in view of the fact that they are in need of the money because they do not have it themselves, that the Government would provide this assistance?

HON LT COL E M BRITTO:

No. What the Minister is saying that GFA have already asked for that assistance in the past year and that the money has already been provided and continues to be provided.

ORAL

NO. 143 OF 2001

THE HON MISS M I MONTEGRIFFO

**EUROPA SPORTS GROUND**

Has a date been set for the hand-over of the Europa Sports Ground to the Government by the MOD?

ANSWER

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

No.

SUPPLEMENTARY TO QUESTION NO. 143 OF 2001

HON MISS M I MONTEGRIFFO:

Seeing that the Minister first announced this possible hand-over during the summer of last year, and that it would probably take more than a year then, will it not, after his announcement for the hand-over?

HON LT COL E M BRITTO:

Yes. The hon Member is perfectly right. Maybe if I can explain, the hon Member will understand why my frustration equals hers. Agreement has been reached at a meeting where I was present with the MOD for the hand-over of the Europa Sports Ground. When the hand-over documents were received, it contained a reservation clause, which was not acceptable to the Government. The document is dated the 8<sup>th</sup> August and the clause reads, "In the event of there being an emergency, defence requirement, the MOD reserves the use of the area transferred for the deployment of military units". That clause was not acceptable to the Government and at a subsequent meeting, it was agreed by the MOD to have the clause removed. Mr Davis (MOD) agreed that the delay is only administrative and that we should be hearing from them soon. That goes back to November. But so far there is silence on the part of the MOD. The hon Member is free to speculate, as I am, I do not see that there should be a problem, but until such time as the clause is withdrawn from the document, the Government is not prepared to accept the transfer. I am assured that it is going to be removed, so as soon as it is removed, it will be transferred.

HON MISS M I MONTEGRIFFO:

I hope the MOD is not waiting for a war to break out.

HON CHIEF MINISTER:

I do not know whether the MOD is waiting for a war to break out or not, but the clause is in any case from that point of view completely superfluous because the substance of that sentence applies for the whole of Gibraltar anyway. In the event of military emergency I am sure they would deploy their troops wherever they like anyway, regardless of whose land it is or whether there is this clause or not. But as a

matter of principle, the Government do not wish to concede the receipt of documents with reservation of rights clauses in it. One could say if the Government think the clause is superfluous because it applies to the whole of Gibraltar anyway, why do the Government not accept the transfer with that clause in it? There is an issue of principle there for what you accept in one case, a formula of words which amounts to a reservation of rights, it is the thin edge of the wedge and you will spend the rest of your life negotiating away such clauses or negotiating the land which have such clauses.

HON DR J J GARCIA:

Can the Minister say if he has information available, whether the MOD indicated to them the nature of the emergency they have in mind? In other words, is it an emergency, which might involve Gibraltar or is it something to do with their own wider military commitments in which we are not involved at all?

HON LT COL E M BRITTO:

No. I remember using the same argument that the Chief Minister has just used. I remember using it at the meeting with them to make a point. I remember saying "In the case of an emergency breaking out, I will not wait for you to ask for Europa Sports Ground, I will offer it to you, not only Europa Sports Ground, I will offer the Victoria Stadium as well."

ORAL

NO. 144 OF 2001

THE HON MISS M I MONTEGRIFFO

**VICTORIA STADIUM - SQUASH COURT**

Can the Government confirm whether they are now in a position to repair the squash court at the Victoria Stadium in view of its very deteriorated condition?

ANSWER

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

Yes. Arrangements are in place for Gibraltar Joinery and Building Services to perform the required works shortly.

NO. 145 OF 2001

THE HON MISS M I MONTEGRIFFO

**LEISURE CENTRE - KING'S BASTION**

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. 145 OF 2001

HON MISS M I MONTEGRIFFO:

What plans have the Government got for the running of the Leisure Centre? This is a supplementary that I have not asked before. Do the Government intend to run it publicly or privately?

HON LT COL E M BRITTO:

As long as the hon Lady continues to ask the same question from meeting to meeting, I presume it is allowed within the rules, I will continue to try to answer by saying the same thing. The Government have said that it will build a Leisure Centre. It is a manifesto commitment and similar to a previous answer that I gave, it will happen during the course of this term of office. The Government are not at the stage of opening the key to the door in six months time. We are certainly at the stage of about to start demolition. When the hon Lady asks for a date, I have not given the hon Member a more direct answer because I do not know whether it is going to be April or May, but we are about to award or go to revised tender for the demolition and the clean up of the area. As much as that is concerned, there is a start, but to ask me details about how it is going to run, what the plans are, who is going to be involved, whether it is going to be a fish and chips or a bowling alley, I am afraid we are wasting the House's time. We are not anywhere near being able to answer questions of that nature.

HON MISS M I MONTEGRIFFO:

Can the Government confirm whether there have been any representations made to them by the Heritage Trust?

HON LT COL E M BRITTO:

Not that I am aware so far but obviously we are not at the stage of having given details of plans, so I presume at that stage I will be seeking the consultation of the Heritage Trust rather than waiting for them to come to me.

NO.146 OF 2001

THE HON J C PEREZ:

**PORT AUTHORITY**

Has the restructure of the Port Department into the Port Authority now been completed?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO.146 OF 2001

HON J C PEREZ:

The last time I raised this, the Minister said that there were final details to be completed with the Trade Unions. Can the Minister expand on what the problem is and what might be holding it up?

HON J J HOLLIDAY:

The delay is due to the fact that during this interim period, there has been industrial dispute over the 1999/2000 wage dispute with the GGCA. During that time the Union re-instructed the shop stewards down at the Port not to enter dialogue in this restructuring, therefore we have been unable to continue and finalise these negotiations. I am hoping that soon this will be resumed.

HON J C PEREZ:

The question of the employment of the Maintenance Unit is still in abeyance pending that restructure?

HON J J HOLLIDAY:

That is correct. That is one of the issues that is still to be finalised.

HON J C PEREZ:

May I ask whether the current dispute is at the point of being resolved? The current dispute which is blocking the progress on this matter?

HON CHIEF MINISTER:

The hon Member's supplementary does not relate to the restructure of the Port Authority but generally to the issue of the 1999/2000 Pay Review for the public administration for the Civil Service. The Government's position is that the pay reviews for those two years have now been finalised. There are no outstanding issues that relate to those pay reviews.

HON J C PEREZ:

I presume the Unions contend otherwise if there is still a dispute?

HON CHIEF MINISTER:

The members of staff employed in the Port are just one of two groups that have not yet accepted payment of the award for those two years.

HON J C PEREZ:

This might not be a very genuine supplementary, but may I ask whether the matter is being discussed and that there are negotiations currently going on, or is there a stalemate?

HON CHIEF MINISTER:

There are no negotiations going on. There are discussions going on at officials level in relation to the aspirations of this particular category of public servant, but the Government are completely satisfied that the 1999 and 2000 pay awards, not only delivers complete parity, but indeed exceeds it. We do not believe that this remaining group are justified in declining the 1999 and 2000 pay award because they aspire to other things to which parity does not entitle them. Government's position is that people are free to raise their aspirations with Government, whether or not they arise from parity, but that they should not decline to accept a pay award that demonstrably complies with parity simply because they have aspirations for things which are outside parity. That is the position at the moment. The Government have urged TGWU/ACTSS, which represents the Port and Customs, and incidentally without having negotiating rights for those two groups because the Port Department's staff and Customs' staff are analogued to the AO grade and the negotiating rights for those are enjoyed by the GGCA/IPMS. Basically, what the Government are saying to the representatives of the Port Department's staff and Customs' staff is, accept the 1999 and 2000 pay awards because they deliver all that they are entitled to under parity and by all means raise with the Government in another context any other issue or concern that they might have about local anomalies and things of that sort. The Government's door is always open to hear any representations from any group of workers but on the other hand we defend the principle of parity. In other words parity is one thing and anything that people want beyond parity is another thing and the two should not be confused.



NO. 147 OF 2001

THE HON J C PEREZ

**GREEN LANE**

Can Government state whether there are any new developments in the discussions with the leaseholders of Green Lane over the possible public use of the thoroughfare?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There has been none.

SUPPLEMENTARY TO QUESTION NO.147 OF 2001

I know that the Chief Minister said it was not a matter of priority the last time I raised it. Has the Minister got any idea, any timetable to tackle this or is it just something that is going to be left?

**HON CHIEF MINISTER:**

It is the latter. I realise that the hon Member keeps the question on the Order Paper because he has asked it originally, as he was presumably approached by some of the residents of the area who approached me as well. The reality of it is that the Government do not have this issue on their table of matters that they are getting on with. The last time we exchanged views on this issue across the floor of the House was in the context of the owners of the land adjacent having raised the possibility of development of that land, and it was in that context that the Government flagged an interest in the Green Lane issue. It was not of our own motion and it would not arise except in that context. This is not an issue that either I or my Colleague the Minister for Transport is actively engaged in so that the hon Member might expect progress in any frame of time.

No.148 of 2001

THE HON J C PEREZ

**TRANSPORT - ROAD SECTION**

Will Government confirm that they have done away with the Road Section altogether despite their repeated commitments to this House that they intended to restructure the section?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO.148 OF 2001

HON J C PEREZ:

Can the Minister say how many employees are in the Road Section today?

HON J J HOLLIDAY:

I am afraid I cannot off the cuff but I know the numbers are small.

HON J C PEREZ:

Is it not a fact that they have transferred most of the people on duties in the Road Section into the Sewers and that they have depleted the Section rather than complement it with more staff? Is it not a fact that with the three or four that they have the capability is practically zero?

HON CHIEF MINISTER:

It is not true. There has been no collective transfer from Roads to Sewers. As the hon Member knows the Roads and the Sewers sections have always worked closely to the extent that when sewers have needed manpower it has always been provided from the Road Section. That remains the case. There has been no restructuring. There may have been a dwindling of numbers in one or both sections as a result of natural wastage and certainly the Government are talking to staff and to their Union on a restructuring of the whole thing to ensure that at least one of the functions can be done in a more focussed fashion. I think it would be unhelpful to fly kites here in public as to how these discussions might be going. Certainly, the Government believe that it would be better, both for the Government as an employer and indeed for the staff involved, if all the resources were concentrated into one of the functions and alternative arrangements were made for the other. The position is that for both functions to be properly resourced in-house the Government would require a very large amount of recruitment.

HON J C PEREZ:

The Chief Minister is basically saying that a proposal has been put to the Union or to the Staff Side to incorporate the three or four into the Sewer Section and do away with the Road Section completely? Is that the position?

HON J J HOLLIDAY:

Yes. The Unions have been informed of various options that we are opened to. A proposal has been made to them, the Union has been receptive to the change as has the Personnel who actually employ in both the Highways and Sewers. A decision has not yet been made as to the final outcome of that restructure.

HON J C PEREZ:

Does the Minister realise that if that were to happen, minor things like putting up traffic notices and so on, will all have to go out to tender and be contracted? The capability of the section will not even be able to cope with that? Even minor decisions of the Traffic Commission to change signposts would then need to be contracted outside or even painting lines on the road and zebra crossings?

HON J J HOLLIDAY:

There will have to be an in-house capability to deal with these particular issues but they would be of minor substance. Therefore the requirements for a complete Highways and Sewer Section is not envisaged.

HON J C PEREZ:

The Minister has said that there are three or four people in the Road Section, that they have proposed to the Union that they should be merged into the Sewer Section and that in any case there has to be a minor complement in the Road Section to carry out these functions. How minor is that going to be if the three or four that are there are going to be eliminated completely as a result of a proposal to be merged into the Sewer Section?

HON CHIEF MINISTER:

The hon Member underestimates the ambition of the Government's intention in this area. As in several other areas of public service, the Government consider that at the moment the general standard of highways maintenance is done on such a minimalist basis. Railings are crushed into, lampposts get bent, pavements break. There is very little level of general highway maintenance but it includes more than just the state of the surface upon which people drive their cars. It is many years since there has been that element of resource available, so that our public highways are up to the standards that the citizen is entitled to expect. Not only does something need to be done about that generally but as we invest millions of pounds in upgrading and beautifying our highways, it would be an act of gross irresponsibility not to protect that investment by exposing it to regular focussed maintenance in a way that would allow the investment simply to dilapidate and deteriorate over the years. Therefore, the Government do intend to make alternative provision for a proper level of systematic routine, on-going, day by day, monitored, inspected and implemented highways maintenance involving something akin to a term contract.

HON J C PEREZ:

We are talking about doing away with the Road Section and contracting it out. That is what we are talking about?

HON CHIEF MINISTER:

What the Minister said was that there may be a need to keep within the Government somebody or a number of people who can be deployed for very minor things, like putting up this sign or taking down that sign, somebody has to be fixed with that responsibility and we will see how much of those responsibilities stay within Government and how much goes to the vehicle for the new arrangement.

HON J C PEREZ:

Not necessarily the Road Section itself, within Government Service?

HON CHIEF MINISTER:

It could be. These are details to which the discussion on the proposals have not yet descended and which I think is unhelpful that we bandy about here. It is unlikely that work, which is presently done by one public officer, is going to be done by another public officer, as opposed to being done by a third party. It may be possible to secure agreement for that. It depends on what the function is. Some of it might be transferable to the Police Department that deals with the erection of signs. It is really very fine-tuning at the very edges and we are not at that stage yet. The Government are still dealing with the concept of it with the staff.

NO.149 OF 2001

THE HON J C PEREZ

**MOT - PRIVATE MOTOR VEHICLES**

Will Government state how many private motor vehicles were required to have taken an MOT test by 31<sup>st</sup> December 2000, and of those, how many passed the test, how many failed and how many have still not taken the test?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

A total of 11,497 private motor vehicles were required to take a roadworthiness test from 1<sup>st</sup> January 2000 to 31<sup>st</sup> December 2000. Of these:

7573 Passed the test

2105 Failed the test, of which 1586 subsequently passed.

1819 Vehicles have not taken the test.

Please note that in Question No. 390 of 2000 the number of vehicles that required examination was given as 12790. This figure was obtained from the old computer programme and was erroneous.

SUPPLEMENTARY TO QUESTION NO.149 OF 2001

HON J C PEREZ;

Can the Minister state once this is known how does the follow up take place? If there are 1819 vehicles that should have passed the test and have not, what is the follow up or is the matter just ignored until that vehicle needs a road licence? Now that there is not one date for the change of the road licence, it is much more difficult for the police to monitor the situation and if as from the 1<sup>st</sup> January there were 1800 vehicles outside the law, how is it followed up?

HON J J HOLLIDAY:

There are two issues here. One is the 1819, which obviously I have stated as not having taken the test, appear in the computer records that we do have but may not necessarily mean that the vehicles are actually on our roads. These vehicles may have disappeared but have not been notified to the Licensing Department, so according to our records they still stand. The actual fact that vehicles may not have a test is really a matter for the Law Enforcement Agency. It is not a matter for anything else.

HON J C PEREZ:

Is the Minister aware whether in this figure is included the special 'G' plate, which is normally exported out of Gibraltar?

HON J J HOLLIDAY:

I do not think it is. The number plates that are used for export from Gibraltar are not required to undertake an MOT and they would be eliminated. I would not think that they are included in this number.

No.150 OF 2001

THE HON J C PEREZ

**MOT TEST**

Will Government consider notifying private vehicle owners in writing, when their Road Tax and MOT test is due, one month in anticipation?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO.150 OF 2001

HON J C PEREZ:

As the Minister has just said, that there is a computer system, would it not be in the interest of the Government, given that there is no common date for the tax disc to be acquired and that the disc was an element that encouraged the MOT test, given that they would not be given the disc unless the MOT test was passed, is it not possible on a computer basis, to have dates coming up and people advised that they are due for a change?

HON CHIEF MINISTER:

It is a massive administrative burden. People would soon use the non-receipt of the reminder as justification for not having complied with their legal obligations. It is a legal obligation. I doubt very much if anyone of the cars that should have done their MOT test, but have not yet done so, I would wager with the hon Member that very few of them is because the owner has forgotten or because the owner has not realised that its year is up. Much more likely that the people do not do it on the basis that they think that they are not going to be caught. There is a danger with sending out administrative reminders, apart from the burden and the cost and that is that people think that their obligations to comply with their legal obligations is subject to receiving a reminder, that somehow until they get the reminder, they have got a period of grace and actually it just makes people less disciplined rather than more disciplined. It is much more likely to generate an even bigger bottleneck than what develops now.

NO. 151 OF 2001

THE HON J C PEREZ

**BREATHALYSER TESTS**

Have Government now given up the idea of making legal provision for the introduction of breathalyser tests?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No, Sir. The Government have no intention of introducing random breathalysers on the highway. Government are considering legislation to provide for breathalyser tests at the Central Police Station after a driver has been arrested on suspicion of driving under the influence of drink.

SUPPLEMENTARY TO QUESTION NO.151 of 2001

HON J C PEREZ:

The last time I raised it there was a legal situation that was being looked at. Has this now been clarified?

HON CHIEF MINISTER:

Yes. There was a legal issue and that was whether it actually was possible or not to limit the use of the breathalyser at the Police Station as opposed to on the side of the road, given the use to which breathalysers are put in the UK. The breathalyser to which one is subjected to at the side of the road in the UK is evidence of suspicion which then entitles the officer to arrest the person. One is then taken to the Station at which he does a proper breathalyser test. In England the road side breathalyser is used to justify the arrest. A way has now been found around that so that it will be possible to do what the Government always intended, which was simply to make the breathalyser available at the Police Station to simplify the evidence gathering method of proving that somebody was under the influence of drink. At the moment there are all sort of things, doctors get called up, urine samples, blood samples, walk along a straight line, basically it is down to the doctor's judgement. What the Government wanted was to replace that with a breathalyser system so that the thing would be measured mechanically and the convictions would not depend on subjective tests by doctors, which means that there is a disincentive for prosecution. That has now been resolved and legislation is now being drafted that implements that policy as opposed to the breathalyser on the side of the road which the Government never intended.

HON J C PEREZ:

Are the Government convinced that the data of those breathalyser tests are acceptable in a court of law?



HON CHIEF MINISTER:

That is just a matter of the way the legislation is drafted. The Attorney-General has expressed certain views and those are being incorporated into the legislation. What is acceptable in a court of law is in accordance with what is contained in the legislation. It is the legislation that has got to be right.

ORAL

NO. 152 OF 2001

THE HON J C PEREZ

**TRANSPORT - QUEENSWAY**

Have Government now completed their plans for the traffic decongestion of Queensway, between the junction of Europort Avenue and the Waterport roundabout, and if so, will they make their plans public?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No, the plans are not complete.

NO. 153 OF 2001

THE HON J C PEREZ

**TRANSPORT - UPPER TOWN AREA**

Can Government state whether they have now finished considering the options on traffic flow in the Upper Town area?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO.153 OF 2001

HON J C PEREZ:

Given that the Minister was talking at the time of the Budget about resolving the problem in the Upper Town quite soon, is the Minister at the point of looking at those options? Will those options be made public before they are implemented to get come back from the public so that we do not get into the situation where the Chief Minister puts up notices and then has to bring them all down again a year later?

HON J J HOLLIDAY:

The Government have been considering a number of options. Let me say that consultation has taken place and representations had been made to the Government by, for example, the parents of St Bernard's School, some of the tenants of the Moorish Castle Estate, some of the tenants further up Willis's Road, so we have taken on board some of the views that have been put to us. In addition to that we have been considering the flow of traffic bearing in mind the geography of the place and the suitability of some of the roads, for example, some roads could be too steep to have traffic going up or down. Therefore, there are geographical and physical limitations to how the traffic flow can happen. We now have more or less a plan in place which the Government are now giving consideration to and I believe that we will be making announcements as soon as we have completed our deliberations on this particular option.

NO.154 OF 2001

THE HON J C PEREZ

**TRAFFIC COMMISSION - COALING ISLAND**

Can Government state whether, at present, the Traffic Commission have any jurisdiction whatsoever over the land immediately in front of Jenny's Nursery at the entrance of Coaling Island?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Yes.

SUPPLEMENTARY TO QUESTION NO.154 OF 2001

HON J C PEREZ:

Why then is it that contrary to what the Traffic Commission has decided, there are placards put up by the MOD prohibiting traffic there, which have not been put down? I am not complaining that the placards are there because I think that the decision of the Traffic Commission is wrong. If the Traffic Commission has jurisdiction over that area, how is it that there are MOD placards putting parking restrictions outside that area at the moment?

HON J J HOLLIDAY:

I think I would like to clarify that the area just directly north of Jenny's Nursery, the wall in the surrounding area, that is MOD, but if one analyses it as a form of a square north which is the area where parking has always existed, but then subsequently removed whilst the Coach Park was temporary moved to Coaling Island, that is Government of Gibraltar land. So if one analyses the area strictly speaking to the north, the majority of that area is Government of Gibraltar, but there is an MOD area just around that boundary wall which may lead to where the signs are saying that this is MOD property and that might lead one to the confusion as to whether it is MOD land or not.

HON J C PEREZ:

I find it difficult to understand that there was a petition on behalf of the parents of the children that are there to the Traffic Commission. Before the Traffic Commission had even looked at that petition, there are MOD notices appearing saying "This is MOD land and there is no parking", upholding the wishes of the petitioners to the Traffic Commission, but notwithstanding that, the Traffic Commission continues to reply to the petitioners as if that were land under their jurisdiction. Clearly there is something wrong between the MOD and the Commission there. My view personally is that the petitioners are right and that parking should not be there and is not something that I can raise with the Minister because he has already told the petitioners in writing that it is not his matter, it is something that has to be taken up with the Traffic Commission, it is a matter which I have to take up with the Traffic Commission myself. In looking at the conflict of whether the MOD signs are right or not, one has

to be quite clear on whether the jurisdiction lies with the MOD or with the Government of Gibraltar.

HON J J HOLLIDAY:

What I actually told the parents of the children who attend Jenny's Nursery, was that I was in no position to overrule the decision being taken by the Traffic Commission. My understanding is that that area has always been a demarcated parking area, irrespective of whether it is MOD or Government of Gibraltar land. The car parking facility was removed when the Coach Park was moved temporarily to Coaling Island and therefore it became a safety issue on having the flow of coaches going down that area. When that piece of land was subsequently reverted to parking facilities, the parents of Jenny's Nursery were briefed about this, wrote to the Traffic Commission, the Traffic Commission initially decided that they were going to make it a no parking area, then subsequently the decision was overturned. My understanding is that the Traffic Commission who, as the House knows, is composed of members from the Royal Gibraltar Police and other areas of road safety, unanimously voted in favour of reverting to making this the place for parking. I said to the parents that I was in no position to overturn that decision.

HON J C PEREZ:

I am not questioning what the Minister said to the parents. I am confirming that that is what he said and that is why I have said, it is useless to raise that particular matter with him. What I am trying to identify is whether the MOD has jurisdiction for that area or the Government of Gibraltar have jurisdiction for that area. The Minister is saying the Government of Gibraltar. There are still MOD signs there making the area a 'No Parking' site something which I think the Minister is wrong in thinking that it was only as a result of the Coach Park that those restrictions were put there. The restrictions were there because of the number of people using the Nursery regardless of whether the Coach Park was there or not.

HON CHIEF MINISTER:

That is absolutely wrong. That was converted into a 'No Parking' area in order to allow the large coaches from Spain enough turning space. When they take a corner they swing in from Queensway into the Coaling Island road. That is why that was made 'No Parking'. That has been a parking area indefinitely. I have to say that a difference has to be drawn, and I suppose that this may have affected the Traffic Commission decision, a distinction has to be drawn between the convenience of parents who obviously would find it very convenient to have an empty space to arrive as a drop off area and, on the one hand have safety on the other. My view is that it is probably safer with cars parked there because whilst there are no cars parked there, it is used as a road. What there is in effect is a road immediately outside the entrance to the Nursery as opposed to an area where cars are stationary and parked. The Commission, legitimately I think, makes a distinction between convenience of users on the one hand and safety of children on the other, the latter having a much weightier value for consideration than the former.

HON J C PEREZ:

That is a matter of judgement given that the Chief Minister is not in the Traffic Commission either. The Chief Minister is talking as if he were part of the decision making process. I am not questioning the Government for having taken that decision because I know that it has been taken by the Traffic Commission. The information I

have is that the area was demarcated 'No Parking' specifically for Jenny's Nursery and the former Chairman of the Traffic Commission went down there specifically to do that with police officers of the Traffic Commission at the time. The decision was not based on the fact that the Coach Park was there and that that decision is being reversed now as the result of the Coach Park not being there which was not a consideration taken in making it a 'No Parking' area in the first place.

HON CHIEF MINISTER:

What we are saying is that as far as the Government are concerned and are aware, that is not true. That is not the case. We can stand here asserting the contrary views. He is speculating about that and we are telling him that that is not the case. I am not an infrequent user of that area and I can say that I have always parked my car there and suddenly it became no parking when the Coach Park was temporarily located there. That someone addressed the question which is we leave it no parking, even though the Coach Park has gone because of Jenny's Nursery, I do not doubt that that process may have taken place. But originally it was dealt with in a particular way because of the Coach Park, that is unquestionably the case.

HON J C PEREZ:

The Chief Minister is aware that the restrictions are for certain hours of the day only, not for the whole day and that by 6 pm vehicles can park there. There are parking areas available in the area, it is not as if it is a very scarce commodity in the area giving that there is the Coaling Island car park itself and the car park on the other side of the road. Between 80 and 100 children use that entrance every day to the Nursery.

NO.155 OF 2001

THE HON J C PEREZ

**JENNY'S NURSERY**

Can Government state whether it has asked the MOD to release the land immediately in front of Jenny's Nursery at the entrance to Coaling Island?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Yes.

SUPPLEMENTARY TO QUESTION 155 OF 2001

HON J C PEREZ:

So the Minister is telling me that it is under the jurisdiction of the Traffic Commission but notwithstanding that has asked for the land from the MOD, then it cannot be under the jurisdiction of the Traffic Commission?

HON J J HOLLIDAY:

I have already explained that the area we are referring to is a slightly large area where at least eight parking bays currently exist and the area that is under the MOD land is about one metre in front of a wall that surrounds the area of Jenny's Nursery. The square that would compose the rest of the parking area is public highway. In fact, what we have done is we have asked the MOD to release that piece of land which they in principle agreed to do because they see no use for it and also the stretch of land that goes up into Coaling Island as well. At the moment that is not being used and we find that we could make use of it ourselves.

HON J C PEREZ:

Has the Minister also asked for the land where Jenny's Nursery is, to be passed over?

HON CHIEF MINISTER:

We discussed this last time. That is commonly known as Cormorant. It was agreed to be handed over and it is just a question of doing the paperwork. Indeed the Government have committed that land in exchange for another piece of land elsewhere related to Atlantic Village. There are two problems pending the transfer, one is the rehousing of a family that lives in the cottage near the old Technical College, what is now the MOD Health Centre, there is a local family living there in what was the caretaker's cottage and the MOD is also using part of the land that will be transferred as a builder's yard for works that they are doing on their mini hospital. All of that area, the Cormorant, is already agreed to be handed over, as indeed will be the basin itself on the wharf around it as soon as ..... there is a separate question on the Order Paper about that relating to the Small Boats Owners Club.

HON J C PEREZ:

Was a request for all of it made at the same time or the request for the parts of it involving parking done recently?

HON J J HOLLIDAY:

The Government believe that the piece of land outside Jenny's Nursery and the stretch of land on Coaling Island have been asked for separately.

HON J C PEREZ:

One would possibly conclude that as a result of the petitions to the Traffic Commission and the matter arising from the Traffic Commission, that the Government are asking for that to be done. Why else would the Government be asking for that to be done at this stage?

HON J J HOLLIDAY:

I do not think I can give the hon Member an answer to that. It may have been as a result of officials thinking it was appropriate to do so, but the Government are not aware of whether the sequence of events has anything to do with the problem that arose as a result of Jenny's Nursery.

HON J C PEREZ:

Are the Government aware of any complaints to the Traffic Commission about the parking restrictions outside Jenny's Nursery?

HON J J HOLLIDAY:

Yes. The Government are aware from the letters that were sent to me by the parents of the children attending Jenny's Nursery.

HON J C PEREZ:

No. Of complaints to the Commission about the existing restrictions which are being done away with?

HON J J HOLLIDAY:

I have been copied correspondence by the parents and by the owners of Jenny's Nursery to the Chairman of the Traffic Commission.

HON J C PEREZ:

I am not asking for that. I am asking whether there have been people before that complaining about the parking restrictions in front of Jenny's Nursery, so that the Traffic Commission would have to review the matter?

HON J J HOLLIDAY:

The Government are not aware of any formal complaints that have been made to the Traffic Commission, but I am told off the record, that members of the Royal Gibraltar



Yacht Club had made complaints to the Traffic Commission, but I am not privy to formal complaints myself.

HON J C PEREZ:

So we have a situation where the Traffic Commission takes a decision on parking restrictions in order to facilitate access of children into a Nursery. We are not sure whether anybody has complained to the Traffic Commission about those restrictions, except that we think that there might be some people from the Yacht Club complaining and the Traffic Commission reverts their own decision because the Coach Park is no longer there and all of a sudden the Government, who are not responsible for this, ask the MOD to release the land that is not theirs and which is all in relation to Jenny's Nursery. I think that the Government are not being clear on this matter and I think that they should put, in my view, having been there and seen it myself, the safety of the children using the Nursery before any representations that might have been made to them by other quarters.

NO. 156 OF 2001

THE HON J C PEREZ

**PUBLIC BUS SERVICE**

Can Government state whether they have now finalised their discussions with the existing bus operators, and whether as a result, they now have a policy on how to improve the public bus service?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Before finalising and implementing a policy on the improvement of the public bus service, both existing bus operators were invited to submit their detailed proposals. One operator has already done so and whilst drafting my answer, the other operator has also submitted proposals.

SUPPLEMENTARY TO QUESTION NO.156 OF 2001

HON J C PEREZ:

So the position is that before the Government take a general view of it, they are actually inviting the existing operators to put proposals to the Government?

HON J J HOLLIDAY:

The position is that the Government have met with both operators and informed them of what Government's expectations are and the sort of service and structure which they wish to see in place irrespective as to whether they can deliver on that or not. However before taking a decision in the actual delivery of what the Government's vision is for a public bus service in Gibraltar, we have given both operators the opportunity to come up with a proposal. It may be that they may have decided to join forces or go on their own. There are different options opened both to the operators themselves and to us as a Government. At the end of the day we will deliver what the Government's vision is of the public service irrespective whether we do it with the present operators or not.

HON J C PEREZ:

Once the proposals have been considered, will Government then be in a position to make public that vision?

CHIEF MINISTER:

No. The Government could make public their vision for the new public bus service in accordance with our manifesto commitment in that respect when the Government are ready to do so.

HON J C PEREZ:

It is not that Government are seriously considering the proposals. It is that notwithstanding when Government consider the proposals they might decide not to do anything about it even though that has been a priority and it has been a priority for the past five years.

HON CHIEF MINISTER:

That is not the case. What it means is that the process of discussion with the bus operators is not the only thing that needs to be done before the Government announce their plans. The hon Member asks whether we would be in a position to make the public announcement when the discussions were completed and I answered that question in the negative.

HON J C PEREZ:

Is the Chief Minister not pre-empting those discussions given that his Colleague has said that those proposals might entail fulfilling the vision of the Government? Without looking at the proposals and considering them, how can the Chief Minister say that that might not be the solution to the problem?

HON CHIEF MINISTER:

The question of solutions to the problems is a question of implementation and certainly the conclusion of this phase of the discussions would certainly be insufficient to get us to the point where it will be appropriate for the Government to make the public statement that he asked for in his question.

HON J C PEREZ:

Notwithstanding the discussions with the operators, we shall have to wait until the Chief Minister decides when he is ready to make public....

HON CHIEF MINISTER:

Of course, as with all matters. If I was here trying to implement his manifesto, I could understand that he would press me for when I was going to implement his policies, but as what we are talking about is implementing policies which are the Government's policies which was in our manifesto and which was not in his manifesto, so that had he won the last election, there would not be any question on renewing the Gibraltar Bus Service at all, I think it is a little bit odd that he should try to set himself up as the timekeeper of the Government's compliance and deployment of what is the Government's policy. We have between now and the next general election date to deliver on our manifesto commitments.

HON J C PEREZ:

The Chief Minister forgets that it was part of his previous manifesto which he did not deliver in four years.

HON CHIEF MINISTER:

It did not discourage the electorate from voting us back into Office. That must say quite a lot about him.

NO.157 OF 2001

THE HON J C PEREZ

**TRANSPORT - DRIVING LICENCES**

Can Government explain what is required in order to obtain a driving licence to drive a coach?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The following are required in order to obtain a driving licence to drive a coach.

- Medical Certificate
- Learner's Licence
- Theory Test for Category 'D'
- Test of skills and behaviour
- A category 'D' vehicle not less than 10 metres in length and capable of a speed of 80 km/h.

SUPPLEMENTARY TO QUESTION NO. 157 OF 2001

HON J C PEREZ:

Is the Minister aware that the requirement for the Category 'D' vehicle is something that is impeding a lot of people from trying to get a licence in order to be able to compete for the jobs available as coach drivers? Would the Minister not agree that perhaps under some training scheme or other, there might be a possibility of making a vehicle available so that people could make use of it for training and for being able to pass a licence in this category of vehicles?

HON J J HOLLIDAY:

I am not aware that there is a need for this. However, let me say that I received a proposal through my Colleague, the Minister for Employment, offering the Government the services for training at a cost which the Government felt was unreasonable. Therefore, it was not an option that.....

HON J C PEREZ:

If the Minister is not aware, I can guarantee to him that that is the case. There are very few people in the private sector who hold this category of vehicles that would easily lend it to someone that is learning to drive that type of coach because the coach or the vehicle is an expensive commodity to lend to someone else. Notwithstanding that, there is one particular operator that always tries to help and does lend the vehicle to people wanting to pass but it is a risk that the man is taking. Is it not possible that there might be in the garages and workshops a vehicle of that type that could be made available to people wishing to learn to drive this vehicle in order to equip them for the market where given the tourist trade, there is a market in people perhaps being able to seek employment there.

HON J J HOLLIDAY:

It is something that we can review. I am not aware of there being a demand specifically for non-accessibility of this. I am told that there are a number of ex-Mod employees who do have this licence, surplus to numbers that are required.

HON J C PEREZ:

I believe, but I am not sure, that it is an EU requirement that the vehicle has to be a larger vehicle even though the intention is to drive a coach which is a smaller one. But one needs a licence for a larger vehicle in order to drive a coach. Perhaps the Minister might be able to look at that, whether there is a need for the licence for the larger vehicle in EU law in order to be able to drive a coach. There might be a possibility of categorising the vehicles in a different manner and then the problem might not arise.

HON J J HOLLIDAY:

The issue that the hon Member has raised has actually been looked at. Our requirements are based on Council Directive of 29<sup>th</sup> July 1991, the European Union, where there is specific requirements for that category. No category actually exists to cater for the much smaller coaches which is the majority of cases in Gibraltar. We would be able to try and have a sufficient capacity because most of them are 28 seaters.

NO. 158 OF 2001

THE HON J C PEREZ

**TRANSPORT - DRIVING LICENCES**

Can Government state why licences for driving vehicles with dangerous substances cannot be acquired in Gibraltar?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There is no category of driving licence for driving vehicles with dangerous substances.

SUPPLEMENTARY TO QUESTION NO. 158 OF 2001

HON J C PEREZ:

Is the Minister saying that there is no category in Gibraltar or that it does not exist in the rest of the world? I am asking the Minister why it is not possible to acquire this in Gibraltar. I know it is not available in Gibraltar, but what we have is a situation where workers in Gibraltar, Gibraltarians have to depend on Spanish drivers to bring in petrol because they cannot acquire the licence for driving vehicles with petrol in Gibraltar, whereas other people can acquire it outside Gibraltar. That is the situation today. I know of a Gibraltarian who has a licence from Nottingham which he has wanted to renew in Gibraltar, because that category exists in Nottingham, and he has been told that in Gibraltar it does not exist. What I am asking the Minister is, if it exists in the UK and in Spain and it is a requirement for moving substances such as petrol, should we not have it in our own statute so that Gibraltarians can also acquire it?

HON CHIEF MINISTER:

The position really is this. Taking at face value the information that the hon Member put in his question, I would accept if it is a requirement for special licences to be held, then there ought to be provision in the law of Gibraltar for locally resident people to obtain such licences. That is on the assumption, on the premise, I do not know what the answer is, but which the hon Member seems to be implying is no, that is on the assumption that there is a requirement and that the licence cannot be obtained locally.

HON J C PEREZ:

As the Chief Minister does not trust my information, can he investigate whether it is a requirement and if so, will he look at the possibility of bringing legislation to ensure that this category of licence can be acquired in Gibraltar?

HON J J HOLLIDAY:

I think I would like to clarify. Following on from this question I did try to obtain information from officials in respect of this particular issue and I am told that what

actually happens is that there is a certificate issued for Dangerous Goods Safety, which is a certificate that is issued by an actual adviser within a transport company, who trains a particular driver in the safety requirements needed to be able to load and carry a particular dangerous substance. That certificate is what actually allows one to be able to move dangerous substances, which is complementary to the existing driving licence of a particular vehicle due to its size or dimension. It is not quite a driving licence as such but a certificate that is obtained in order to be able to use that. It is very much an in-house recognised certificate that is issued in-house by the Safety Adviser.

HON J C PEREZ:

Workers in the petrol industry in Gibraltar certainly think otherwise. Before this session is finished I might bring the Nottingham licence here to convince the Minister perhaps to investigate it further.

HON J J HOLLIDAY:

Absolutely.

HON J L BALDACHINO:

Our licences do have, even though they have the category, on the other page it has a part where one can fill in if one is a taxi driver. Could that not be what is required? In other licences one puts in that that person is qualified to drive a type of vehicle?

HON J J HOLLIDAY:

I am not sure. Perhaps the Hon Mr Perez can let me have sight of the document he is talking about, then I will be very happy to take it forward and see what the answer is.

NO. 159 OF 2001

THE HON J C PEREZ

**TRANSPORT - GBZ**

Will Government state whether the letters GBZ will continue to be Gibraltar's vehicle identification sign internationally?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Yes.

SUPPLEMENTARY TO QUESTION NO. 159 OF 2001

HON S E LINARES:

Can the Minister state whether in the registration number in Europe, there is a blue tag on the side which states the country where the car comes, for example in Spain it is an 'E', Britain is 'GB', are we going to have our own GBZ?

HON J J HOLLIDAY:

The answer is yes, but I think this is a subject of a further question in the Order Paper.



ORAL

NO. 160 OF 2001

THE HON J C PEREZ

**SURVEILLANCE CAMERAS**

Is it still Government's intention to install surveillance cameras in areas around Gibraltar?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The position of the Government in this matter remains unchanged. If the Government consider that there is a need for surveillance cameras they will be introduced for as long as necessary.

SUPPLEMENTARY TO QUESTION NO.160 OF 2001

HON J C PEREZ:

For the moment Government have not taken a final decision notwithstanding that according to Ministers vandalism continues in an area in Gibraltar which has recently been refurbished. Government are still considering it?

HON J J HOLLIDAY:

The honest reply is that the Government have still not got round to actually dealing with this particular matter.

NO.161 OF 2001

THE HON J C PEREZ

**TRANSPORT - EU REGISTRATION PLATE**

Can Government state when the new EU format registration plate for Gibraltar will come into force?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No date has yet been set, but it will be very shortly.

SUPPLEMENTARY TO QUESTION NO.161 OF 2001

HON J C PEREZ:

Would that require introducing any new legislation related to EU directives?

HON J J HOLLIDAY:

I do not believe that there is anything such as transposing EU directives but there is definitely legislation on its way in order to ensure that we comply to a specific format.

HON J C PEREZ:

At the moment people using EU plates with a 'G' and a number really technically would be out of the law because the requirement in the Gibraltar law is that the number plate should be of a particular nature with the 'G' and the numbers only.

HON J J HOLLIDAY:

That is correct.

HON J C PEREZ:

Can the Minister state what is the intention of the design, whether it is going to have the EU and the GBZ on the plate itself?

HON J J HOLLIDAY:

Yes. We will have the blue band with the European stars, the GBZ underneath that and then the 'G' and the numbers/letters after that.

HON J C PEREZ:

When we legislate this, does this need to be reported to the Commission and published by the Commission in order for international recognition to be given to it, or has that already been done?

HON CHIEF MINISTER:

This is not an EU number plate. This is an EU format number plate. The international recognition remains that under the Vienna Convention, which is the Convention that allocated the GBZ to Gibraltar, in all the number plates, in all the European countries that the hon Member may have seen on the roads, the ones we tend to see here are the Spanish and Portuguese ones, they all use the letter designation given to them by the Vienna Convention. These are not separate letters designated by EU directives. The EU format requires whatever numbering system one wants with that blue band in the left-hand extremity, with the European circle and underneath it, the Vienna Convention letters for that country. In our case it is GBZ, in the Spanish case it is an 'E', in the Portuguese case it is a 'P'. These are not EU designations, these are Vienna Convention designations and so our number plate would be exactly the same as everybody else's, except that ours says GBZ. There is no notification or anything of that sort to be done.

ORAL

NO.162 OF 2001

THE HON J C PEREZ

**NUMBER OF VEHICLES REGISTERED**

What was the number of new vehicle registrations for 1998, 1999 and the year 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The number of new vehicle registrations for the years 1998, 1999 and 2000 were as follows:

1998	-	2891
1999	-	3674
2000	-	2957

ORAL

NO.163 OF 2001

THE HON J C PEREZ

**VEHICLE REGISTRATION NUMBERS**

How many numbers are still available today for registering vehicles under the present system, and what is the time span estimated before these numbers run out?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

As at 7<sup>th</sup> February 2001 there were still 2441 numbers left.

Based on the number of registrations for the last three years, the estimated time before these numbers run out is nine months.

NO.164 OF 2001

THE HON J C PEREZ

**VEHICLE REGISTRATION NUMBERS**

Can Government state what the new system for registering vehicles in Gibraltar will be once the current 99,999 numbers run out?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The system will consist of four digits and a letter. So it would be 'G' 0001A, that would be the first letter of the new registration.

SUPPLEMENTARY TO QUESTION NO.164 OF 2001

HON J C PEREZ:

One presumes that the Minister would want to exhaust the existing numbers before going into this new system or would there be a date of introduction regardless of whether the numbers have been exhausted or not?

HON J J HOLLIDAY:

A decision has not really been taken. There are counter arguments on both sides whether we ought to start from a date or whether it is worth running numbers out. It has been put to us that when we change the European number plate, it might be the right time to move, we do not know yet.

HON J C PEREZ:

Would there be a need for legislation for this or just changing regulations?

HON J J HOLLIDAY:

I am not sure.

HON J L BALDACHINO:

The present personalised numbers, are they four digits?

HON J J HOLLIDAY:

Yes. I believe the personalised ones, up to the number 5000.

HON J L BALDACHINO:

When we change into the four digits and a letter, what happens when we reach a number, which is a personalised number, but without any letter? Will it be issued that way?

HON J J HOLLIDAY:

It will be a completely different number plate, one will have a letter after it and one will not.

HON J C PEREZ:

Might the Minister not consider, for the avoidance of confusion, to start in the number 5000 and like that safeguard the personalised plates, which continue to be an income to the Government?

HON CHIEF MINISTER:

It is a matter for consideration certainly and advice. It does raise the question of whether one can have a personalised system which is outside the general scheme of the new numbering plan. One thing is to have personalised numbers but within the scheme, I suppose that the Ministry will have to consider whether the current personalised numbers can survive.

HON J C PEREZ:

When the personalised plates were introduced, the legislation said that one needed to have five digits after the 'G' and there was an amendment made to allow for one, two, three and four digits for personalised plates and the personalised plate numbers were specified.

HON CHIEF MINISTER:

It now remains that given that we have moved away from the digits only, whether it will be viable, if it is, I recognise the desirability of doing what the hon Member suggests. But if it is not, and I am not saying that it is not, query whether one can have in future a Gibraltar number plate which does not end with a letter. If that is okay, then certainly what the hon Member suggests is sensible.

NO.165 OF 2001

THE HON DR R G VALARINO

**17 EUROPA ROAD**

Now that the Government have approved the demolition of 17, Europa Road as part of a road-widening scheme in this area, when will the works commence?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The tender for this project has yet to issue. It is not therefore possible to state when the works will commence.

SUPPLEMENTARY TO QUESTION NO.165 OF 2001

HON DR R G VALARINO:

I would just like to remind the Minister that this idea was mooted back in 1997 and last year he actually stated that there was provision, and I am quoting, "In this year's budget for it to be undertaken during the year". I hope that this will be done as soon as possible before an accident occurs in this site.

HON J J HOLLIDAY:

I understand the tender documents are ready to go. I assume one will have to allow a time for the tender documents to be issued, submitted and we are probably three or four months away at least.



NO.166 OF 2001

THE HON DR J GARCIA

**HEAD 6A - SUBHEAD 8**

How much of the estimated £750,000 for 2000/2001 tourism budget for marketing Head 6-A, Subhead 8, has been spent to date, how much has been allocated for expenditure, and how much remains unallocated?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

As at 31<sup>st</sup> January 2001, a total of £616,808.49 had been spent from Head 6A, Subhead 8; and the balance in that vote has been totally committed.

SUPPLEMENTARY TO QUESTION NO.166 OF 2001

HON DR J GARCIA:

Can the Minister say whether he expects to be over budget by the end of the financial year?

HON J J HOLLIDAY:

No. We are working very much to be within budget, but very near the total amount.

NO.167 OF 2001

THE HON DR J GARCIA

**GIBRALTAR DAY TRADE FAIR**

What was the cost to the taxpayer of the Gibraltar Day Trade Fair held in Tangier on 20 July 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The cost to the taxpayer of the Gibraltar Trade Fair held in Tangier on 20 July 2000 was £3532.79.

SUPPLEMENTARY TO QUESTION NO.167 OF 2001

HON DR J GARCIA:

Can the Minister quantify and give the House an idea of the number of people who attended from Tangier?

HON J J HOLLIDAY:

I cannot give that figure because I did not form part of that delegation. This was a joint Gibraltar Tourist Board and the Department of Trade and Industry initiative, which was supported by the Chamber of Commerce and the Federation of Small Businesses. From the list of attendance I have here, there were possibly about 30 people who went over from Gibraltar and I believe that the support in the Tangier side of the event was very good. I believe that there has been a return leg to Gibraltar on the 26<sup>th</sup> October. One of our problems has been the air links with Morocco and the fact that we have not the most suitable of sea links either, but they are keen in being able to foster relationships in order to increase, not just in the area of tourism, but in the area of commerce as well. But I cannot give an exact number of people attending from the Moroccan side.

HON DR J GARCIA:

The Minister has mentioned the question of air links and sea links, which obviously I was going to come to, but was the question of visas also an additional problem?

HON J J HOLLIDAY:

Absolutely, but as the hon Members know, this is not something that it is easy to solve in that we always continue to work on this particular issue. I believe that the issue of visas is probably the most important factor when determining the success of links with Morocco.

HON DR J GARCIA:

Is there not something to be said for the view, given that that is the case, that perhaps the question of air links, sea links and visas, is something which should be

addressed before these initiatives take place, in order to allow them to prosper further?

HON J J HOLLIDAY:

The reality is that the Association of the Industrial Zone of Tangier were the ones who were extremely keen that we should go over in July. At that point the service from Casablanca was stopped, so the timing could not have been worse. Nevertheless we wanted to show commitment and we wanted to show willingness to be able to work together and at the end of the day we had three operators who were linking up Morocco with Gibraltar by sea. Therefore we felt the importance of being there.

NO.168 OF 2001

THE HON DR J GARCIA

**TOURISM FIGURES**

Why have the set of tourism figures sent to the Opposition on 9<sup>th</sup> November 2000 been the only ones marked "Confidential"?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The figures provided on 9<sup>th</sup> November 2000 consisted of the photocopy of a document produced by the Statistics Department. Their practice is to mark all papers "Confidential", as the figures are provisional and these figures differ to the ones that I send the hon Member monthly, which are produced in-house by my department from various sources that are supplied.

SUPPLEMENTARY TO QUESTION NO.168 OF 2001

HON DR J GARCIA:

We can take it then that the position remains the same, that figures supplied to me as a result of our arrangements as if they were supplied in this House?

HON J J HOLLIDAY:

Absolutely. That is correct.

NO. 169 OF 2001

THE HON DR J GARCIA

**SECURITY SYSTEMS AT THE PORT**

What are the security systems that the Government intend to implement at the Port as announced at the seminar at the Baltic Exchange in October and when are they going to be introduced?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The system will consist simply of only allowing authorised personnel to enter the controlled or restricted areas of the Port and this has been explained in this House before.

SUPPLEMENTARY TO QUESTION NO.169 OF 2001

HON DR J GARCIA:

Just to clarify, there have been no other arrangements other than that? Is that the only issue?

HON J J HOLLIDAY:

Absolutely. As I have explained in this House, the Gibraltar Fishing Association will have permits issued for them to be able to enter the Port on specific days when there is no cruise liners or bunkering along the North Mole. There will be exceptions to that and arrangements are already ready to be put in place as soon as we are able to put the security operations into place.

NO. 170 OF 2001

THE HON DR J GARCIA

**GIBRALTAR BUSINESS EXPENDITURE SURVEY**

How many of the 500 questionnaires handed out on the Gibraltar Business Expenditure Survey – Input/Output Study 2000 been returned to date?

ANSWER

THE HON THE CHIEF MINISTER

Around 50 per cent of the companies targeted for the Study have responded representing over 70 per cent of output in the Business sector. The researchers consider that the response has been extremely good and there is sufficient data from which to extrapolate accurately to complete the values of output for the business sector as a whole.

SUPPLEMENTARY TO QUESTION NO.170 OF 2001

HON DR J GARCIA:

Does it not seem odd to the Government that on the basis of 250 questionnaires people can actually draw those conclusions?

HON CHIEF MINISTER:

No. It seems a very good sample, a view that is confirmed by the experts. There is no point in the Government going all the way to Warwick University to recruit experts on precisely this sort of exercise and then expect us to question the expert techniques that they apply. The answer is no. On the basis of the advice of the experts who are knowledgeable about the representative value of samples of certain size depending on what has been measured, the Government are entirely satisfied and content to rely on their judgement in this respect. If they consider that the response is very good, extremely good and sufficient to extrapolate accurately the values of output for the business sector as a whole, the Government have no reason to doubt that.

HON DR J GARCIA:

Is there any information available in relation to the distribution of those 250 within business and industry in Gibraltar?

HON CHIEF MINISTER:

No. I have notes about the nature of the response to the various sectors, but not with numbers attached. In certain sectors, the researchers are satisfied there are almost 100 per cent responses, either because of the number of companies that responded being very high or because it is a sector represented by very few of the players and they got responses from all of them. We have a series of comments about which sectors were better represented than others but I could not give him any percentage

statistics of responses in that respect. I suppose that all of these observations will be made in their report when they provide it.

HON DR R GARCIA:

Just two points. First of all, do the Government have an indication of when the report will be made available, and secondly, could we have an indication of the sectors in terms of the return rate from highest or lowest without necessarily having a percentage.

HON CHIEF MINISTER:

It will take a long time. I do not have any reliable information to give him about when the report might be ready. I can tell him that the Offshore Financial Services sector provided "an astounding response covering virtually every business in this sector". The Onshore Finance and Insurance sectors were very well covered and included in most of the major establishments. The construction industry was represented with two major companies supported by some of the smaller units. All the main businesses and professional services were included drawing upon completed forms from the key players in each area. There were some representations from manufacturing including light engineering and printing. Both major communications companies were included. Some of these comments refer to the response rate and others refer to whether they were included in the questionnaire sample in the first place. The Transport sector provided a good range of questionnaires ranging from taxis to airlines and shipping, covering a large number of operators. Ship repairs were included in total. Obviously the public sector provided a complete set of questionnaires but the question relates to business. Four of the hotels were included but that was insufficient spectrum and unsuitable for grossing up. The retail sector was again covered from a spectrum with major petrol stations, chain stores, supermarkets, food and clothing stores. It is just a series of unscientific narrative description which I would not have thought were of any value to the hon Member. They have made the assessment, but the 50 per cent of companies that have responded, they believe, and I suppose that is an element of judgement in itself, but they believe it accounts for 70 per cent of output.

HON J J BOSSANO:

If they believe that it accounts for 70 per cent of output, what do they believe is 100 per cent of output?

HON CHIEF MINISTER:

I suppose they believe the other 30 per cent of output is accounted for by the other 50 per cent of companies for which they did not receive and have not yet received the response. I suspect they are now working on these figures.

HON J J BOSSANO:

What is the output assumed to be?

HON CHIEF MINISTER:

I think that is what they are trying to assess.

HON J J BOSSANO:

If they have no clue to what the output is, how do they know what 70 per cent is?

HON CHIEF MINISTER:

I think they have a clue. If any of us on the back of an envelope, if we were told the names of the 50 per cent of companies that have responded and we could identify the 50 per cent that have not, most people in this room doing the back of the envelope calculation of that part of output, for which the companies from which one does have a response, have I agree, it would not be a scientific measurement, but it would give a reasonable estimation of how much of ones economy one has in front with these particular 50 per cent of companies having reported.

HON J J BOSSANO:

In the approach of establishing their contribution to the economy, have the Government got any indication of how it is that this is being evaluated? For example, are we talking about the value or the turnover of the business, that is the sales of the turnover? Is that what is being used as a measurement?

HON CHIEF MINISTER:

I have a report in my office about the methodology being used but I do not have that information available here and I suppose their methodology will be included in their report. What I am entirely satisfied with is that what they are using is the proper conventional means of measuring an economy like Gibraltar and I am equally confident that when we have this report, we will have the first scientific measure of the size of our economy for a very long time.

HON J J BOSSANO:

I do not know whether the Chief Minister knows, or perhaps I can ask him whether he knows, that the last one proved to be as scientific as expected when it came out, and indeed the methodology of the input/output study used to asses the impact of the MOD which made predictions about the secondary effects proved to be totally unreliable.

HON CHIEF MINISTER:

Those who are conducting this are aware of that and we will have to see what they produce and obviously what they provide will be subject to critical study. They will be producing this in draft, so we will have an opportunity to see how these things have been dealt with. In the first instance we have got to give the experts the opportunity to come up with their first report. Again the Government are being questioned on a study that we have commissioned and we have not yet had the first proofs back from the experts.

HON J J BOSSANO:

I accept that. We are not asking about the results because obviously they have not got the results. We are certainly interested in the methodology. Is the methodology that they are using something that is publicly available as a standard method of measuring or have they devised their own?



HON CHIEF MINISTER:

I do not think they have devised their own, nor have the Government published the particular model. I suppose it must be generally accepted as an acceptable method of measuring economies. I cannot tell the hon Member now the details of the methodology that they are employing. It is something that is being dealt with by the people doing the report in conjunction with the Chief Secretary who is leading on this project for the Government. I cannot answer any questions from the hon Member about the methodology that the experts are using or not using. As I have said to him before he is perfectly welcomed to communicate with them and find out.

HON J J BOSSANO:

I am certainly interested in doing that but I am not very sure how to go about it or who the people are. Do I write to "To whom it may concern, Warwick University"?

HON CHIEF MINISTER:

No. He could start with "To whom it may concern, No.6 Convent Place, Gibraltar" and if he wants to be more specific he could address himself to the Chief Secretary or even if he can bring himself to doing it, he could address it to me "Chief Minister, No.6 Convent Place, Gibraltar".

NO.171 OF 2001

THE HON DR J GARCIA

**BALTIC EXCHANGE - SHIPPING SEMINAR**

Who were the 200 shipping experts who were invited to attend the seminar at the Baltic Exchange, how many attended and how many were from Gibraltar?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

One hundred and eighty-nine companies were invited to attend the Shipping Seminar at the Baltic Exchange. Of these, 147 accepted the invitation. There was no system in place to check off attendees against the guest list, so I cannot state precisely who was present at this well-attended event. There were nine Gibraltar attendees.

I am happy to allow the hon Member to examine the guest list and the list of acceptances at my office.

SUPPLEMENTARY TO QUESTION NO:171 of 2001

HON DR J GARCIA:

Can we just clarify that the 189 companies and 147 that accepted, nine of those companies were from Gibraltar, but obviously not nine people or nine representatives?

HON J J HOLLIDAY:

There were nine companies. These companies had actual stands on the periphery of the conference.

NO. 172 OF 2001

THE HON DR J GARCIA

**TOURISM ADVISORY BOARD**

On what basis are appointments made to the Tourism Advisory Board?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Persons are appointed in a personal capacity and not in a representative capacity.

SUPPLEMENTARY TO QUESTION NO. 172 OF 2001

HON DR J GARCIA:

Why are appointments to the Tourism Advisory Board not made in a representative capacity?

HON J J HOLLIDAY:

My experience of working with committees who are actually in a particular forum in their representative capacity means that decisions sometimes cannot be taken. They have to look after their interests of a wider forum, they have to report back to the membership and therefore we find that the whole purpose of the Tourism Advisory Council is for me to be able to pick their brains and see whether we can have input and therefore I do so on a personal capacity. This is exactly the same as the Economic Council and the Port Advisory Council as well and we feel that productivity coming out from these forums is much higher when people are represented there personally.

HON DR J GARCIA:

Does the Minister not agree that a Board based on the representative sectors of the Tourism Industry is actually better placed to give advice?

HON J J HOLLIDAY:

I do not accept that. If one takes the different sectors of the Tourism Industry, the Hotel Association, the Transporters, the Airlines, I have regular meetings. I meet the Hotel Association every two months, I meet the Transporters everyday and so on. We have an on-going dialogue on issues. This particular forum of the Tourism Advisory Council is a forum for them to put forward their views on things that I have put to them for them to advise me. It is not a forum where I entertain grievances from their particular sector. I am happy the way things are for the moment.

HON S E LINARES:

Just a simple question. Is it a statutory body?

HON J J HOLLIDAY:

No.

HON DR J GARCIA:

Do we take it that the Government are happy with the independence of the Board and its ability to provide independent advice in this respect?

HON CHIEF MINISTER:

The Government are perfectly happy with the Board since they created it, established the need for it, designed how it should be constituted, have constituted it as it designed it and therefore the Government are happy with it. This Board, as the hon Member has said and other Boards of its type exists for the Minister to receive advice. It is not a Board in which sectional interests are placed on the table for adjudication against other sectional interests within the industry. There are other mechanisms for that. These mechanisms are for broad strategic advice above sectional interests, above the interests of one hotelier over the other, or above the interests of the taxi drivers over coach operators or vice versa and it is just general tourism and that is the purpose they serve and they serve it very well indeed. The Government are very happy with the way the Tourism Advisory Council works. We hope and we wish the Federation of Small Businesses, the best of luck in their version of the Tourism Advisory Council. We hope that they do great things for their members in tourism in Gibraltar and indeed the Government welcome receiving recommendations from that entity as indeed we welcome receiving recommendations from all entities. We do not consider that the Tourism Advisory Board serves the same function as the one set up by the Federation of Small Businesses and therefore we do not believe in comparisons between the two. That is what the hon Member is doing because he has not started asking questions on this issue until the Federation of Small Businesses raised their own committee, but certainly as far as we are concerned, the answer is yes. The Tourism Advisory Board is serving the purpose for which it was established, the Government have no intention of altering the basis of its composition.

NO. 173 OF 2001

THE HON DR J GARCIA

**TOURISM ADVISORY BOARD**

How often and on what dates has the Tourism Advisory Board met during 1999 and 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Tourism Advisory council met six times in 1999 and three times in 2000. The dates of the meetings were as follows:

10 February 1999  
10 March 1999  
6 May 1999  
30 June 1999  
15 September 1999  
28 October 1999

7 September 2000  
8 November 2000  
4 December 2000

SUPPLEMENTARY TO QUESTION NO.173 OF 2001

HON J GARCIA:

Are we right in assuming then, that the Board obviously did not meet from the 28<sup>th</sup> October 1999 until 7<sup>th</sup> September 2000, despite its great importance and value?

HON CHIEF MINISTER:

It is implicit in the answer that he has had.

HON DR J GARCIA:

So how does that reconcile with what came previously?

HON CHIEF MINISTER:

The hon Member will get in a moment from my hon Friend a further answer. The hon Member presumably does not think that the quality of meetings depends on their frequency as opposed to on the quality of what is discussed there. Perhaps he would be happier if we said that they had met every day.

HON DR J GARCIA:

I understand that the quality of meetings is probably an important factor in the equation, but we are talking about a Board, which is supposed to be so important and it did not meet for 11 months.

HON J J HOLLIDAY:

One has to bear in mind that in addition to what the Chief Minister has already said, the election took place in February 2000, the Tourism Advisory Council that existed up to that date was changed, a new set of members were appointed and this did not have a priority right up to the election. There were things that needed to be attended before this and it was only until the 25<sup>th</sup> July, that the members were actually appointed.

ORAL

NO. 174 OF 2001

THE HON DR J GARCIA

**MINISTER'S OVERSEAS VISITS**

Can the Minister for Tourism give the dates when he has been away from Gibraltar on Government business from 20<sup>th</sup> June 2000 to date, giving the event or function attended, the venue, the city and the country visited?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information sought in this question is too voluminous to be read out in this House, nor would the hon Member be able to note the information given for the purposes of formulating supplementaries.

I hand the hon Member a table giving the information requested.

Answer to Question 174/2001

<u>CITY VISITED</u>	<u>DATES</u>	<u>PURPOSE</u>
London	1 – 4 October 2000	UKGTA and meetings on Tourism and Shipping
London	16 – 18 October 2000	Gibraltar Day meetings
London	12 - 15 November 2000	UKGTA, World Travel Market and meetings
Madrid	21 – 22 November 2000	Madrid Office and meetings
London	30 November to 1 December 2000	Meeting in London
London	7 – 10 January 2001	Boat Show and meetings
London	18 – 20 January 2001	Meetings with UK Tour Operators
Madrid	29 – 31 January 2001	FITUR and meetings



ORAL

NO. 175 OF 2001

THE HON DR J GARCIA

**GIBRALTAR TOURIST BOARD - INFORMATION OFFICERS**

How many persons have been employed or are pending employment as Information Officer with the Gibraltar Tourist Board following the information supplied in answer to Question No. 431 of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 176 to 178 of 2001.

ORAL

NO. 176 OF 2001

THE HON DR J GARCIA

**TOURISM SITE OFFICERS**

How many persons have been employed or are pending employment as Tourism site Officer following the information supplied in answer to Question No. 430 of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 175, 177 and 178 of 2001.

ORAL

NO. 177 OF 2001

THE HON DR J GARCIA

**TERMINALS ASSISTANT**

How many persons have applied for the post of Terminals Assistant and how many vacancies are available?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 175, 176 and 178 of 2001.

ORAL

NO. 178 OF 2001

THE HON DR J GARCIA

**VISITOR INFORMATION PATROL OFFICERS**

How many persons have applied for the post of Visitor Information Patrol Officers as per the Official Notice published on 3<sup>rd</sup> January 2001 and how many vacancies are available?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Two persons have been employed as Information Officers, and there are no pending vacancies.

Five persons have been employed as Tourism Site Officers and no one is pending employment.

There were nine applicants for two vacancies as Terminals Assistant.

There were eight applicants for two vacancies as Visitor Information Patrol Officer.

SUPPLEMENTARY TO QUESTION NOS.175, 176, 177 AND 178 OF 2001

HON DR J GARCIA:

Is the Minister in a position to say whether the people who fill these vacancies came from the unemployment list within the Government Service or from other employments?

HON J J HOLLIDAY:

I do not have that information available, but the two Information Officers that were employed did come from the unemployment list. I just happen to know of them. The others I do not know where they came from.

HON DR J GARCIA:

I have one query in relation to the Visitor Information Patrol Officers. Are these appointments seasonal or temporary or are these posts going to be permanent?

HON J J HOLLIDAY:

I believe these are permanent posts.

HON DR J GARCIA:

So there is a distinction now between the permanent ones who will be, I assume, these two and then there are also seasonal ones who are appointed during the summer. Is that the case?

HON J J HOLLIDAY:

That is the case. We need a number of these Information Patrol Officers for the whole year round but then obviously at the peak of the summer, we will recruit students mainly to be able to take care of the extra demand and requirements.

NO. 179 OF 2001

THE HON DR J GARCIA

**VISITOR INFORMATION PATROL OFFICERS**

What is the reason why the Official Notice for Visitor Information Patrol Officers which was published on 3<sup>rd</sup> January 2001 gave 19<sup>th</sup> November 2001 as the date by which applications must be submitted?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There was a typographical error on the part of the advert that went out to the Press. This differs from the answer that I have typed out here. That is correct, there was a mistake in the actual notice that we issued to the press. I believe the Gibraltar Chronicle was the only one that actually published it in error. It was then spotted and other newspapers were informed and the Chronicle repeated the advert the following day.

HON DR J GARCIA:

The actual date for submitting applications was already closed then?

HON J J HOLLIDAY:

No. The actual closing date for the applications was Friday 19<sup>th</sup> January 2001. That is how it appeared subsequently in the Chronicle and in other newspapers.

NO. 180 OF 2001

THE HON DR J GARCIA

**TOURISM - NUMBER OF VISITORS**

What was the number of visitors by air from Tangier on a monthly basis since August 2000 inclusive, and what was the number of seats offered per month?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were no flights from Tangier during the period in question.

SUPPLEMENTARY TO QUESTION NO. 180 OF 2001

HON DR J GARCIA:

Can the Minister say when the last flight from Tangier took place?

HON J J HOLLIDAY:

I do not have that information available, but I can say that it was one of these small airline companies, I think it was the Maghreb Air Service that used to do regular services to Tangier sometime in the first few months of the year 2000. This was not a reliable or regular service.

HON DR J GARCIA:

Just to confirm the position at present, is it that there is actually no air links between Gibraltar and Morocco and have not been for a while?

HON J J HOLLIDAY:

That is the position. The hon Member has been made aware on a private basis what the position is. His comment was surplus to requirements.

HON DR J GARCIA:

In relation to the Minister's last comment, surely he has to understand that we have a duty to ask questions regardless of the information he has supplied me privately and certainly the question that I am asking does not infringe on the confidentiality of our discussion.

NO. 181 OF 2001

THE HON DR J GARCIA

**MONARCH AIRLINES**

At what stage are the talks with Monarch Airlines for establishing a flight between Gibraltar and Manchester Airports?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

I regret that the hon Member should insist on asking questions of this nature in the House since the Government have repeatedly made it clear that it is not considered to be in the public interest to provide commercially sensitive details on airline negotiations to the House. If the hon Member is genuinely interested in this matter, I suggest that he should approach me so that we can meet on a mutually convenient date.

SUPPLEMENTARY TO QUESTION NO. 181 OF 2001

HON DR J GARCIA

I am not mistaken when I say that the information on Monarch Airlines was actually supplied by him to this House in relation to an answer to a previous question posed last September. I will be meeting him privately and he could let me know, but just to establish the point, it was actually the Minister who introduced the Airline into the equation.

HON J C PEREZ:

Is the Minister aware that there is public concern about the lack of flights to Manchester?

HON J J HOLLIDAY:

Yes, I am aware. It is not a Government obligation to provide that service. It is for the Government to try and create the environment and try to attract the airlines and to be able to operate the route, but unfortunately if there is commercial decisions taken that do not make it viable, there is nothing we can do.

HON DR J GARCIA:

I am glad to be able to refresh the Minister's memory. This came in answer to a question from the Hon Dr Valarino, and the information was actually volunteered by the Minister, who said that "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. 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 per week, therefore I hope that I will have something more concrete to be able to report to this House at a later date." That is the reason for tabling the question.



HON J J HOLLIDAY:

I accept that, but one thing is making a statement as to what is trying to be achieved and another one is for the hon Member to ask at what stage are the talks with Monarch Airlines. He could have said "Are the talks still on-going?". But "at what stage are we actually at in negotiations with Monarch Airlines", is just too sensitive for me to air with the hon Member in this House.

HON J J BOSSANO:

Is it the real reason that he has forgotten the answer he has given before, because surely there is nothing to stop him from phrasing the answer in whatever way he thinks it is most prudent. All that the Opposition were seeking was the information he was hopeful he would be able to give us. We wanted to see whether his hopes were being fulfilled or not, not to reveal State secrets. All he had to tell us was "I am not in a position to report on anything further", and that would have been the end of the matter.

NO. 182 OF 2001

THE HON DR J GARCIA

**AIRLINE ASSISTANCE SCHEME**

How much has been paid from the Airline Assistance Scheme and to what airlines after 17<sup>th</sup> August 2000, on a monthly basis, giving the amounts and the dates when these payments were made?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The sum of £99,000 was paid as follows:

November 2000	Monarch Airlines	£34,500
	GB airways	£15,000
January 2001	Monarch Airlines	£34,000
February 2001	GB Airways	£15,000

ORAL

NO. 183 OF 2001

THE HON DR J GARCIA

**REGIONAL AIRLINES**

Has any further payment been made to Regional Airlines after those payments listed in reply to Question No. 475 of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

I do not understand this question, given that Question No. 475 of 2000 related to the formal qualifications for classroom aides.

ORAL

NO. 184 OF 2001

THE HON DR J GARCIA

**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

A draft Memorandum of Understanding exists between the Government and Regional Airlines and has been drafted and is the subject of on-going discussions. I have briefed the hon Gentleman as to what we are trying to achieve.

ORAL

NO. 185 OF 2001

THE HON DR J GARCIA

**NUMBER OF SCHEDULED FLIGHTS**

Can Government state the number of destinations served by scheduled flights from Gibraltar airport in December 1996, December 1997, December 1998, December 1999 and December 2000, listing the names of the destinations served each year?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 186 of 2001.

NO. 186 OF 2001

THE HON DR J GARCIA

**NUMBER OF SCHEDULED FLIGHTS**

Can Government state the number of scheduled flights a week to London provided by GB Airways and Monarch Airlines during:

- (a) The summer season of 1999?
- (b) The winter season of 1999?
- (c) The summer season of 2000?
- (d) The winter season of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information sought in this question is too voluminous to be read out in this House, therefore I will hand over a table giving the information requested.

SUPPLEMENTARY TO QUESTION NOS. 185 AND 186 OF 2001

HON DR J GARCIA:

Just to get back to the earlier question. I do apologise for that. The number was No. 425 not 475. The Minister was correct. In relation to Question No. 185 of 2001, is the position then that there are actually less destinations served from Gibraltar Airport now than at any other time in the last five years?

HON J J HOLLIDAY:

Yes. That is correct. But having said that, comparing the period which the hon Member refers to in his question which is 1996 to the year 2000, air arrival for seats used during 1996 was 78,100 and that figure has risen to 103,700 in the year 2000, which is an increase of about 25 per cent in actual seats used. Even though the destinations may be less, the frequency on the route has increased by about 25 per cent.

HON DR J GARCIA:

Is it still the position of the Government they would like to see Gibraltar Airport serve more destinations and not less?

HON J J HOLLIDAY:

Absolutely, that is correct. I have intimated in our personal discussions that our negotiations with airlines hopefully will open up new routes in the foreseeable future.

Answer to Question 185 of 2001

Number of destinations served by scheduled flights from Gibraltar Airport in December 1996, December 1997, December 1998, December 1999 and December 2000, listing the name of the destination served each year.

Month	No. of Destinations	Destinations
December 1996	5	London Heathrow London Gatwick Casablanca Marrakesh Manchester
December 1997	5	London Heathrow London Gatwick Casablanca Luton Manchester
December 1998	4	London Gatwick Casablanca Luton Manchester
December 1999	3	London Gatwick Casablanca Luton
December 2000	2	London Gatwick Luton

Answer to Question 186 of 2001

Number of Scheduled flights a week to London provided by GB Airways and Monarch airlines during:-

- (A) The summer season of 1999
- (B) The winter season of 1999
- (C) The summer season of 2000
- (D) The winter season of 2000

Period	Airline	No. of flights
(A)	GB Airways	12
	Monarch Airlines	6
(B)	GB Airways	11
	Monarch Airlines	5
(C)	GB Airways	12
	Monarch Airlines	7
(D)	GB Airways	11
	Monarch Airlines	4

NO.187 OF 2001

THE HON DR J GARCIA

**NEW AIRLINES**

At what stage are the discussions with the three new airlines who were interested in flying to Gibraltar according to the information supplied by the Government in answer to Question No. 424 of 2000 and are there any other new ones that have expressed an interest since then?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This is a delicate issue, as I have said in this House on many occasions. It is far preferable that the hon Member should approach me in a way which will allow me to brief him on a totally confidential manner. However present discussions continue with two of the new airlines and negotiations with the third have currently been suspended.

SUPPLEMENTARY TO QUESTION NO.187 OF 2001

HON DR J GARCIA:

If the Minister is able to answer the question, which I am going to pose to him, then he can do so, otherwise we can discuss it in private. Will these two open a new destination or will it be to existing destinations?

HON J J HOLLIDAY:

Yes, it will open up new destinations.

HON DR J GARCIA:

Can I just ask the Minister? Did he actually say there are no new ones? Only the two which were pending from previously?

HON J J HOLLIDAY:

Yes, Mr Speaker.



ORAL

NO. 188 OF 2001

THE HON DR J GARCIA

Has there been any change in the operators or the number of operators providing a ferry service between Gibraltar and Morocco since the information supplied in answer to Question No. 419 of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There has been a change. There are now two ferry operators on the Gibraltar-Tangier route; Bland Limited and the operators of the Hanse Jet service.

SUPPLEMENTARY TO QUESTION NO.188 OF 2001

HON DR J GARCIA:

Are there any other new operators maybe interested which may be on line but have not started yet? And, are there any plans to service a new port other than Tangier?

HON J J HOLLIDAY:

I am not aware of any new operator on the route. I understand that Southern Ferries who used to operate the route are looking for a suitable ferry to charter and hopefully that will come on line, but I am not aware of new operators.

NO. 189 OF 2001

THE HON DR J GARCIA

**LAND FRONTIER - REFURBISHMENT WORKS**

How many companies have tendered for the planned refurbishment and beautification works at the land frontier and when is the work expected to commence?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Three companies tendered for the works on the land frontier building and the adjacent area. The project is due to commence today 12<sup>th</sup> February 2001.

SUPPLEMENTARY TO QUESTION NO. 189 OF 2001

HON DR J GARCIA:

Can the Minister advise who were the three who tendered and what exactly will the works involve?

HON J J HOLLIDAY:

The three tenderers were Sharrock Shand, AMCO and Profield. Sharrock Shand were awarded the tender.

HON DR J GARCIA:

The other question was what exactly will the works involve, in terms of the actual projects?

HON J J HOLLIDAY:

The work will involve the creation of a terminal type of building completely different to what we have today, far more open. The actual design and visual aspect of it will be similar to the cruise liner terminal and the coach park. There will be a Tourist Information office, the Taxi Association office, and facilities for Immigration and for Customs. The building will be pushed back into MOD land by about 1.5 metres to 2 metres in order to provide much needed expansion in the building itself. The wall upto what we know as the MOD gate further up the road will be pushed back a couple of metres so that the building can be straight. What we know as the Gibraltar Taxi Association little building outside, that will disappear, it will be incorporated as part of the building. The taxi rank will be moving off the road in order to facilitate the flow of traffic in the area. The Customs area for vehicles will be very much improved and beautified in order to ensure that our visitors have a good impression on arrival in Gibraltar. The décor will be very much in line with the terminals that we have already developed. We have obviously worked closely with Customs and Immigration to ensure it meets their requirements and everybody will be pleased with the final product, which will no doubt enhance the working environment.

NO. 190 OF 2001

THE HON DR J GARCIA

**FEASIBILITY STUDY - EASTERN BEACH/CATALAN BAY**

At what stage is the feasibility study into the extension of Eastern Beach and Catalan Bay?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The preliminary studies into the project which encompasses the possible beach stabilization of Eastern Beach and Catalan Bay, which would produce larger beaches than at present, have not yet been completed.

SUPPLEMENTARY TO QUESTION NO:190 of 2001

HON DR J GARCIA:

Can the Minister give the House an indication of when he expects it to be ready?

HON J J HOLLIDAY:

I am not able to do so as only this week we have had officials from the Government in Holland looking at some of the models that are options that as yet I have not had the opportunity to consider. Once that exercise is completed, a decision will have to be taken as it not only covers the area of Catalan Bay and Eastern Beach, but also what is commonly known as the East Side Reclamation area, in that the whole project will encompass decisions that will influence the final layout and use of the area.

NO. 191 OF 2001

THE HON DR J GARCIA

**ROSIA BAY**

At what stage is Government consideration of the four proposals made for the development of Rosia Bay?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Four parties each put forward a pre-tender proposal for the development of Rosia Bay. The tender for the project has not yet been issued.

SUPPLEMENTARY TO QUESTION NO.191 OF 2001

HON DR J GARCIA:

Is there a particular reason for the delay in issuing the tender?

HON J J HOLLIDAY:

The delay is mainly as a result of the fact that two of the proposals that the Government preferred, I explained this to the House in one of our meetings last year, has heritage implications as such and we are trying to see how we can match the sensitivity of the area with some of the activities the proposal encompasses. I think this project will soon be able to move forward.

HON DR J GARCIA:

Do we take it then that the Government have a pretty clear picture of what it is that they want for the area, in terms of whether it is residential, commercial or heritage?

HON J J HOLLIDAY:

Yes, that is correct.

HON DR J GARCIA:

Can the Minister explain what that is or is that subject to the tender?

HON J J HOLLIDAY:

I would be spelling out information which I do not think is proper considering that the tenders have not yet been awarded. It is mainly leisure related, obviously maritime related. The sensitivity of the area of Parsons Lodge, the Walls, are obviously issues that need to be taken into account. The fact that some of the proposals include some residential development needs to be taken in mind considering the sensitivity of the area and that is the area which we are not too happy with.

ORAL

NO. 192 OF 2001

THE HON DR J GARCIA

**PARSON'S LODGE BATTERY**

What is the annual cost to the Government, if any, of Parson's Lodge Battery, giving a breakdown of the sum involved?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

None.

ORAL

NO. 193 OF 2001

THE HON DR J GARCIA

What were the number of visitors to Parson's Lodge on a monthly basis for each month of 2000 to date?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 194 of 2001.

ORAL

NO. 194 OF 2001

THE HON DR J GARCIA

**100 TON GUN**

What were the number of visitors to the 100-Ton Gun on a monthly basis for each month of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This information is not available to the Government.

SUPPLEMENTARY TO QUESTION NOS. 193 AND 194 OF 2001

HON DR J GARCIA:

Is it that this information is not kept or recorded by the people who run Parson's Lodge or is it that they simply refuse to supply it to the Government?

HON J J HOLLIDAY:

The Parson's Lodge is run by the Heritage Trust, therefore we do not have figures as to visitors to the site. I presume we could obtain them but it is not information that we actually have readily available. In the case of the 100 Ton Gun, when one buys a ticket to go to the Upper Rock, that entitles one automatically to enter the 100 Ton Gun site and if one goes to the 100 Ton Gun site one actually buys a ticket which entitles one to go to the Upper Rock with only one ticket. It is the same if the hon Member asked me how many people actually go into Moorish Castle. I can tell the House how many people go to the Upper Rock but not actually this particular site.

HON J L BALDACHINO:

I understand that the information that my hon Colleague sought was not possible before, could it be possible to have an answer to see how many visitors visit the 100 Ton Gun, taking into account the new system that has been put in place where the ticket gets signed everytime somebody goes to a different place?

HON J J HOLLIDAY:

The new system that has been put in place for ticketing will be able to give us that information, but the hon Member was asking me for the monthly figures each month of the year 2000. The reality is that this system started on the 1<sup>st</sup> February 2001, so we still have not completed the first month of operation.

NO. 195 OF 2001

THE HON DR J GARCIA

**ST MICHAEL'S CAVE**

How many companies expressed an interest in the tender for the new sound and light system at St Michael's Cave and what did the tenders comprise?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Six companies tendered for the new sound and light system for St Michael's Cave. To provide details of the tenders would be exceedingly onerous, as some of the tenders consisted of long lists of items and the specifications thereof.

SUPPLEMENTARY TO QUESTION NO. 195 OF 2001

HON DR J GARCIA:

Can the Minister say whether any of the six companies that applied were local companies?

HON J J HOLLIDAY:

I do not know exactly but judging by the names I have here, I would say that at least three were. The names are known to me. The others I am not sure whether they are local companies or outside companies.

HON DR J GARCIA:

The tender we understand has since been awarded to a UK concern. Have any provisions been made for that contractor to use a local subcontractor to do the work?

HON J J HOLLIDAY:

I do recall having read through the tender after it was awarded by the Treasury Tender Board because I wanted to ensure that I knew exactly what I was going to be getting for the tender, and although there is an element of expertise which will mean that they will have to import labour for it, I understand that there is a commitment in the tender to use local labour and materials for a substantial section of the contract.

HON DR J GARCIA:

Did the tender go to the highest bidder or were other factors taken into the equation?

HON J J HOLLIDAY:

No. The lowest bidder of the six was for £25,000 and the highest bidder was for £839,166. I do not think we were being offered like for like, therefore the lowest bidder did not get it, but neither did the highest.



HON DR J GARCIA:

Can the Minister say who got it and for what amount?

HON J J HOLLIDAY:

Yes. The company that got it was a company called "Electro Sonic" and I believe it has been made public.

HON DR J GARCIA:

I do not think the actual amount has been made public, only the name of the company?

HON J J HOLLIDAY:

The award was £738,195 .

ORAL

NO. 196 OF 2001

THE HON DR J GARCIA

**WORLD WAR II TUNNELS**

How many companies have expressed an interest in the tender for works to develop a visitor attraction within the World War II Tunnels following the publication of an official notice on 8 January 2001?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 197 of 2001.

ORAL

NO. 197 OF 2001

THE HON DR J GARCIA

**WORLD WAR II TUNNELS**

When is phase one of the Project to open part of the World War II Tunnels to the public expected to commence?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The closing date for the receipt of tenders has been extended to 9 February 2001. The Tender Board will make its report as soon as possible thereafter and it will then be possible to reply to this question.

Once the tender has been adjudicated, work will commence on Phase one of the project.

SUPPLEMENTARY TO QUESTION NOS. 196 AND 197 OF 2001

HON DR J GARCIA:

Do the Government have any plans as to who will administer and run this site once it has been set up, or is this too early to say?

HON J J HOLLIDAY:

The Government have not made a decision in this respect.

ORAL

NO. 198 OF 2001

THE HON DR J GARCIA

**COACH TERMINAL**

Can the Government give a breakdown of the £948,390 that it cost to build the new coach terminal building and the coach park?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The answer I gave in reply to Question No. 375 of 2000 was, cost of the new Coach Park Terminal Building and the Coach Park £932,055 and not £948,390. I am surprised that the breakdown was not requested at the time in the form of a supplementary question.

**BREAKDOWN OF COST TO BUILD THE NEW COACH TERMINAL BUILDING AND COACH PARK**

	£
Coach Terminus building	473,306.77
Coach Parking Area	426,512.81
Project Management Costs Michael Severs	4,200.00
Design Costs Michael Severs	5,243.00
Signs	184.00
Electricity and Water	1,409.82
Lighting System	19,154.36
Incidental Expenditure Transfer of Coach Park from Coaling Island for Millennium Party	2,045.00
	<u>932,055.76</u>

SUPPLEMENTARY TO QUESTION NO. 198 OF 2001

HON DR J GARCIA:

Is the Minister in a position to say whether the project was over budget, and if so, by how much?

HON J J HOLLIDAY:

The project was over budget when comparing with the initial project that was in place in 1996 when we came into office. The project was a much smaller one and we decided to extend this in order to meet what we felt were the requirements of today. The amount of over budgeting as a result of the additional works to the project initially, I cannot recall, but the project has been expanded substantially.

HON DR J GARCIA:

The Minister corrected the figure which I gave in relation to the cost of the Coach Park and actually the figure which he has supplied me with in the breakdown and the figure which was quoted in answer to Question No. 375 of 2000, which he referred to, is also different. So we now have three figures, not two. Can the Minister say whether the problems, which were encountered in relation to the contracting and the sub contracting, may also have allowed for an element of over budgeting?

HON J J HOLLIDAY:

Yes. There was an element of additional cost as a result of the original contractor going into liquidation and subsequently JBS had to be brought in. Therefore that required additional funds in order to be able to complete the project. It definitely had implications on the timing as well.

NO. 199 OF 2001

THE HON DR J GARCIA

**COACH PARK**

How many tenderers have expressed an interest in the construction of two warden control cabins at the coach park and can Government explain the purpose of these cabins?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were 2 tenderers.

The purpose of the cabins is to control the barriers which are to be erected to manage the entry and exit of vehicles into the coach park.

SUPPLEMENTARY TO QUESTION NO.199 OF 2001

HON DR J GARCIA:

Is there any intention to use this to charge coaches or simply just to control the entrance?

HON J J HOLLIDAY:

These small cabins will be used as a collection point for foreign coaches coming into Gibraltar to pay their dues. They will also be used for those that actually leave from the Terminal with vouchers to be able to go into the Upper Rock in order to show that they have valid passengers on board and that they are covered by vouchers. It is a matter of policing in and out of the coach park.

HON J L BALDACHINO:

The control cabins, are they portable ones, or will they be of a permanent structure?

HON J J HOLLIDAY:

The tender has not yet been awarded as we felt the submissions were not reasonable in cost. It is intended to have permanent cabins there, whether the proposals are for permanent or mobile ones will remain to be seen.

ORAL

NO. 200 OF 2001

THE HON DR J GARCIA

**CATALAN BAY ROAD**

Is the realignment of the Black Spot at Catalan Bay Road, tenders for which were invited in Government Notice 984, connected to any wider development of the area?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

ORAL

NO. 201 OF 2001

THE HON DR J GARCIA

**SCHOOL OF MARITIME STUDIES**

When do the Government expect to open the School of Maritime Studies and where will it be located?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No decisions have yet been taken on this matter.

SUPPLEMENTARY TO QUESTION NO. 201 OF 2001

HON DR J GARCIA:

Can the Minister clarify whether no decision has been taken to open up the school in the first place or in relation to the location?

HON J J HOLLIDAY:

The answer refers to both parts of the question.

HON DR J GARCIA:

Just to have it absolutely clear. There is a possibility that there actually might be no school on Maritime Studies?

HON J J HOLLIDAY:

There is always that possibility. We have already initiated discussions and we are looking at the possible options open as a result of the fact that we feel that this would be something that would benefit our particular use in training into particular areas of water activities of maritime studies.



NO. 202 OF 2001

THE HON DR J GARCIA

**TOURIST OFFICE - OLD HEALTH CENTRE BUILDING**

When is the Tourist Office expected to open at the ground floor of the Old Health Centre Building?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

During week commencing Monday 5<sup>th</sup> March 2001.

SUPPLEMENTARY TO QUESTION NO. 202 OF 2001

HON DR J GARCIA:

Can the Minister say how it will be staffed and whether some of the vacancies which we were speaking of earlier will actually be for this?

HON J J HOLLIDAY:

This particular Information Office will be manned with existing staff as the Information Office in the Piazza, which will close subsequent to this opening.

NO. 203 OF 2001

THE HON DR J GARCIA

**FITUR**

Can Government give the total cost and a breakdown of the cost of attending FITUR this year?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The cost of attending FITUR 2001 was £20,817.52, broken down as follows:-

Exhibition costs

Hire of stand space	£11,846.20
Stand entertainment	1,016.17
Giveaways	4,139.31
Miscellaneous expenses	150.92

Staffing costs

Flights	340.00
Hotels	777.26
Subsistence	2,199.06
Travel expenses	348.60

TOTAL	<u>£20,817.52</u>
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SUPPLEMENTARY TO QUESTION NO. 203 OF 2001

HON DR J GARCIA:

Can the Minister clarify whether Gibraltar participated or had a stand in its own right or in conjunction with anybody else?

HON J J HOLLIDAY:

The Gibraltar stand is exclusively for the use of Gibraltar and has not changed for the last three years.

HON DR J GARCIA:

Are there any records kept as to the number of visitors that come to the stand on these occasions?

HON J J HOLLIDAY:

There are records of trade inquiries that are made but we do not have records of actual numbers that visit the stand. The reality is that on the weekend of the show, which is Saturday and Sunday, the Exhibition is open to the public, and I can assure

hon Members that we get thousands of people turning up, not just on our stand, but circulating around the Exhibition. That is the reason why this year we decided to increase our budget on giveaways because it is an attraction when one has things to be able to give away, such as computer mouse pads or pencils with Gibraltar written on it et cetera.

HON DR J GARCIA:

Is there no such thing as a Visitors Book which is kept for people to sign or to leave their address in case they want a mail shot to be sent to them?

HON J J HOLLIDAY:

No. There is not. I think it would be impractical to have a book like that for everybody and sundry to sign.

HON DR J GARCIA:

In relation to the staffing of the stand, is this carried out by the Gibraltar Office in Madrid or do support staff also go from Gibraltar for that purpose?

HON J J HOLLIDAY:

This year we had the Sales and Marketing Manager and his assistant from Gibraltar and the Marketing Co-ordinator from the Madrid Office. Obviously the other two people in Madrid were obviously manning the office, which is a particular busy time because people are generally in Madrid and not everybody at the Fair all the time. In addition to that, we had Miss Gibraltar, who helped out this year for part of the time.

NO. 204 OF 2001

THE HON DR J GARCIA

## **POWER BOAT FESTIVAL**

What was the total cost to the Government of staging the Power Boat Festival, giving a breakdown of the cost involved?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The total was £117,309.10 made up as follows:-

1.	Infrastructure	£20,336.60
2.	Cleaning	10,814.00
3.	PR	3,875.00
4.	Flights	286.00
5.	Receptions	8,911.50
6.	Transport	400.00
7.	Miscellaneous	247.00
8.	GTB sponsorship	30,000.00
9.	Support commitment to PEL (50%)	42,439.00
GRAND TOTAL		<u>£117,309.10</u>

SUPPLEMENTARY TO QUESTION NO. 204 OF 2001

HON DR J GARCIA:

Can the Minister explain what is the last item that he mentioned, the support commitment to PEL?

HON J J HOLLIDAY:

The House may recall initially we agreed to sponsor £30,000 to provide some structural support that was required in order for the event to proceed. The event was no longer going to happen as a result of the fact that there were difficulties in bringing the event to fruition. The Government were approached by a number of people claiming that the event was something that ought to be brought to Gibraltar and the Government undertook to underwrite the event to the tune of 50 per cent of the loss or a maximum of £45,000. As it was the 50 per cent of the loss was £42,439.

HON DR J GARCIA:

When the Minister mentions, as one of the figures in the breakdown, the receptions/hotels and the figure is approximately £9,000, whose hotel bill were we paying?

HON J J HOLLIDAY:

One has to remember that we had come to an agreement with the organisers of this particular event to have a Gibraltar Tourist Board sponsorship, to put in place some infrastructure for the event to be able to take place, like electricity and water which were needed for the boats themselves and then we agreed that we would have a welcoming reception which is common practice at all these events and this is the reception I hosted up at St Michael's Cave. Then the closing event where trophies were presented et cetera and that was done at the Caleta Palace Hotel. There was an element of hotel accommodation in respect of the judges which was something that needed to be covered, which we agreed to do. We had an initial agreement and then we had to extend our support in order to make sure that the event was possible.

NO. 205 OF 2001

THE HON DR J GARCIA

**LONDON BOAT SHOW**

What was the cost of attending the London Boat Show which opened on Thursday 4 January 2001?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The cost was £17,657.28.

SUPPLEMENTARY TO QUESTION NO.205 OF 2001

HON DR J GARCIA:

Does the Minister have the breakdown of that figure available?

HON J J HOLLIDAY:

Yes I do.

Hotels	£1,329.00
Subsistence	£ 740.19
Travel Expenses	£ 61.00
Flights	£1,355.90
Stand	£12,909.14
Reception	£ 838.60
Others	£ 423.45

HON DR J GARCIA:

One query, in relation to the stand, this obviously depends on what? On the area or on the location?

HON J J HOLLIDAY:

There are two elements of cost to the stand. One is the hiring of the space and that depends on the location and the size as to where one has the stand and also the fact that one then has to build the stand on the space. We tend to re-use some of the material that we have and update and depending on the theme of the Exhibition, for example, in this particular case the London Boat Show is very much maritime

orientated in order to gauge and attract the sort of market that we are targeting. Generally speaking the basis has been the same for the last year.

NO. 206 OF 2001

THE HON DR J GARCIA

**NAUTILUS IV**

When did the Government grant a licence to allow the tourist semi-submersible vessel Nautilus IV berthed at Marina Bay to operate and when was it withdrawn?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government have not as yet granted the full passenger licence requested by the operators of the Nautilus IV. What has been granted is a licence from the Captain of the Port which entitles the vessel to carry up to 12 passengers. The licence was granted on 4 October 2000, withdrawn on 13 October 2000 and granted once again on 23 November 2000.

SUPPLEMENTARY TO QUESTION NO.206 OF 2001

HON DR J GARCIA:

Can the Minister elaborate on why that particular licence was issued and then revoked?

HON J J HOLLIDAY:

On 4<sup>th</sup> October, the Harbour Craft Licence was issued with endorsement for 12 passengers only. On 13<sup>th</sup> October when the licence was considered for a 49 passenger capability, the Deputy Governor, who is responsible for the signing of these licences was not satisfied that the vessel was safe to carry these number of passengers. On 23<sup>rd</sup> October the authorisation was received by the Chief Secretary to engage the services of an MCA surveyor to inspect the Nautilus IV and make recommendations and classify the vessel as a class 6 for use in Gibraltar waters. Subsequently to that on 10<sup>th</sup> November 2000, we contacted the MCA and asked for a surveyor to be sent with the utmost urgency and immediately. On 14<sup>th</sup> November the MCA demanded payment for the surveyor who travelled to Gibraltar and subsequently to that the MCA surveyor came to Gibraltar to carry out a preliminary study and this was completed and submitted to the Government on 19<sup>th</sup> November 2000. There was litigation in respect of the withdrawal of the licence and on 23<sup>rd</sup> November it was re-issued on the Chief Justice's order on this particular issue and the Harbour Craft Licence was re-issued and endorsed for 12 passengers only. On 15<sup>th</sup> December we received a final report from the MCA and basically it highlighted the number of issues that needed to be attended to by the operators in order for them to be able to be re-considered for a fully-fledged passenger operator licence.

HON DR J GARCIA:

Can the Minister explain what are the issues which the MCA say need to be addressed in order to have the licence re-issued?



HON CHIEF MINISTER:

I do not think it is appropriate to rehearse in public what are technical issues relating to one particular identifiable vessel. Suffice it to say that they are the items that would have caused this vessel to fail the class 6 UK test. In other words, were this boat intending to do in the UK what it was intending to do in Gibraltar, it would not have passed MCA, and the works that are required to be done are those which were identified by the MCA surveyor against that criteria.

HON DR J GARCIA:

Perhaps the Chief Minister could explain whether these were issues which were simply of a technical nature or were they related to safety?

HON CHIEF MINISTER:

All issues in shipping that are of a technical nature are for reasons of safety. The case has highlighted lacunae in our local shipping legislation. That is, whereas in the United Kingdom there is a special regime applying safety measures to what one could call inshore tourist type craft, it appears extraordinary, as far as I am concerned, that such regulations do not exist in Gibraltar, so that all the boats that are used for tourist excursions appear to operate on the same basis as any other harbour craft not used for carrying passengers. Given the particular characteristics of this particular vessel which carries up to 49 passengers underneath the water line in a compartment which is mainly glass, as far as I can tell, the Government proceeded on the basis that safety was a priority regardless of the state of the legislation.

HON J C PEREZ:

When the original licence was given to the vessel, was the vessel expecting to have an extension given that the capacity of the vessel was for 49 and the original licence was for 12 persons only? I cannot envisage that an operator looking at it from a business point of view would come into Gibraltar with a 49 seater and a licence for 12 persons only. Unless the expectation was at some stage to use it as a 49 seater after something had happened.

HON CHIEF MINISTER:

The position is that in order to carry more than 12 paying passengers, one needs a full passenger safety certificate. Up to 12 one can do, even without a licence, and certainly the Port licence issued by the Captain of the Port allows one to carry up to 12 persons. The Government are not opposed to this boat, the Government through their Tourism Department actively support this facility as a useful addition to the tourist product in Gibraltar. Therefore, the people who brought this boat in, with help from the Government it has to be said, were fully expecting that they would obtain a full passenger safety certificate, for which purpose one of the Port's surveyors actually went off to America before this boat came from there. They fully expected to obtain a passenger safety certificate which would have enabled them to carry more than 12, up to the capacity of the vessel. It was fully the intention of all parties concerned, including the Government, that that would indeed be the case. It was when the application for the passenger safety certificate that would enable them to carry more than 12 passengers, came to the Deputy Governor, it has to be said that the Deputy Governor then was the Acting Deputy Governor, namely the Chief

Secretary, the Deputy Governor being on leave, but he subsequently ratified the actions of the Acting Deputy Governor, that the Government took the view that given that this was a novel craft, that there were no surveying standards established, that no European Shipping Authority had ever surveyed such a vessel, that the local surveyor that had seen this vessel in America had no prior experience about these type of vessels, that there were certain contradictions of the documentation that was presented to the Deputy Governor for signature upon which he should rely to sign the passenger safety certificate, certain questions were asked relating to the safety of this vessel. The more questions that were asked, the more questions that were begged and the Government were just not willing to take a risk in respect of the safety of a boat that could have gone to sea the following day with 49 of our children sitting underneath the water line, which is not to say that the Government think that the boat is unsafe, let me make that absolutely clear. It is that the Government considered that there was a particular onus to be satisfied that everything reasonably possible and proper had been done to establish its safety. Until that had been done, one had to proceed on the basis of caution. That is what has happened. The Chief Justice then made the ruling that he made, which left the Government with no option but to return the local Port licence, the one that allows the carriage of up to 12 persons on board. The Government's position as to safety remains as it has just been explained by us. That is that the Government would wish to see all the work that has been identified done before there should be any contemplation of the issue of a full passenger certificate and certainly the Government's preference is that the vessel should not put to sea with fare paying passengers at all until those works have been done on the basis that if a boat is not up for 49, then it is not up for 12 either. As the legislation stands, it appears, and I find this surprising, that the Government are powerless to prevent the vessel putting to sea with less than 12 passengers on board.

NO. 207 OF 2001

THE HON DR J GARCIA

**WELCOME HOST COURSE**

How many different Customer Care courses with a bearing on the tourist industry are run or funded by the Government at present and what are they?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There is only one course run and funded by the Government, the Welcome Host course, for Government employees and students of the School of Tourism, College of Further Education and Comprehensive Schools.

SUPPLEMENTARY TO QUESTION NO. 207 OF 2001

HON DR J GARCIA:

Is there any monitoring in place to see whether those who attend and complete this course actually gain employment in the Tourist Industry afterwards?

HON J J HOLLIDAY:

These courses are mainly geared towards those that are already in employment and in the School of Tourism and are part of overall training. What we do ensure is that at the end of the course, if they are successful, they will get the necessary certificate, which hopefully will stand them in good chance to seek employment later. It is mainly training for people who are already in place.

Nº. 208 OF 2001

THE HON DR J GARCIA

**CONTAINER TRANSHIPMENT PROJECT**

What is the projected cost of the appointment of Credit Agricole Indosuez as the transaction advisers for the Container Transhipment project for the Port?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This project is divided into two phases. Phase 1, in essence, consists of the commissioning of the technical and marketing feasibility studies and analysing them to produce recommendations on the feasibility or otherwise of the project. The Transaction Adviser's fees for this phase are capped at Euros 195,000.

The second phase, the realisation of the project, will only be commenced if the Government decide to proceed with the project. I will give details of the fees for this phase once the Government decide to implement the project.

SUPPLEMENTARY TO QUESTION NO: 208 OF 2001

HON DR J GARCIA:

On what basis was this appointment carried out? Are the hon Member supposed to be leading experts in this field, were other people considered and they were the ones who got the job?

HON J J HOLLIDAY:

I believe I have answered that question before in this House, but the hon Member may have been away. This project went out to public tender. There were a number of submissions. There was a short list and eventually Credit Agricole Indosuez were appointed as successful bidders. They have experience in this field. This appointment is Merchant Banking/Maritime Division. There is local involvement but it is mainly with Head Office in Paris and their London Office as well.

NO. 209 OF 2001

THE HON DR J GARCIA

**PORT OPERATORS - LICENCES**

When do the Government expect to have the licensing system for all port operators in place and how many such operators are there?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This will be done at the earliest opportunity. Operators will be invited to apply for licences. When applications are processed it will then be possible to state precisely how many operators there are.

SUPPLEMENTARY TO QUESTION NO.209 OF 2001

HON J C PEREZ:

Will all existing operators be entitled to a licence or would there be the question of having to apply and possibly be rejected even if they are in operation today?

HON J J HOLLIDAY:

I see it highly unlikely that any present operator would be rejected a licence. However, there will be certain conditions attached to the licence which definitely new operators will have to comply with and we are hopeful that the existing ones will have no problem in complying as well

ORAL

NO. 210 OF 2001

THE HON DR J GARCIA

**HOTEL GRADINGS**

Why have no hotels in Gibraltar been graded at five star?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No.211 of 2001.

NO. 211 OF 2001

THE HON DR J GARCIA

**HOTEL GRADING**

When were the two assessments of hotels carried out by Associated Quality Services Ltd?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The grading inspections were carried out on 6<sup>th</sup> December 1999 and 21<sup>st</sup> June 2000.

There are international grading criteria against which the Gibraltar hotels have been judged. None of the hotels achieved five star grading, and indeed it is my understanding that none of the hotels was aiming for this category at this stage.

SUPPLEMENTARY TO QUESTION NOS. 210 AND 211 OF 2001

HON DR J GARCIA:

Is it possible for the Minister to say what the determining criteria is between a four star and a five star? Are there specific things between a four star and a five star?

HON J J HOLLIDAY:

There are specifications for a four and a five star hotel. There are differences and there are specifications which they have to meet. None of our hotels meet that.

HON DR J GARCIA:

Is it now known how often they are going to revisit the hotels in order to see whether the standards have raised or have lowered?

HON J J HOLLIDAY:

The inspections will be carried out once a year but it will not be known to the hotels when this will happen.

HON J C PEREZ:

Does the Minister expect any existing hotel to have as its objective the attainment of the five star status, or can it be said that in order to have a five star in Gibraltar, in all probability, that can only come about as a result of a new hotel coming in and setting up?

HON J J HOLLIDAY:

I am not aware that any of the existing hotels wish to achieve a five star grading. There are obligations attached to a five star grading, which may not necessarily be what the present hotels want. Also it is very much for the hotel to judge where the

demand is and what the market wants and they feel that four star grading is more appropriate for the sort of market that they wish to target and the potential market that they have available.



NO. 212 OF 2001

THE HON DR J GARCIA

**HOTEL GRADING**

What specific adjustments to meet the requisite standards do the Bristol Hotel, the Caleta Hotel and the Continental Hotel have to make in order to keep their provisional star grading?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This information is confidential. I am happy to provide details to the hon Member, but only on a private and confidential basis.

SUPPLEMENTARY TO QUESTION NO. 212 OF 2001

HON DR J GARCIA:

I would be grateful for that information. Could the Minister elaborate then whether this concept of having a provisional star grading was something, which was in the terms of reference of Associated Quality Services originally, or something that emerged subsequently in the discussions?

HON J J HOLLIDAY:

No. We started of from the premise that each hotel gave us an indication as to what the target rating was, and we in turn gave them the information on the sort of criteria that they would be looking at in order to achieve that grading. Therefore a time was allowed before any inspections took place in order to allow the hotels to be able to assess this. Some of the hotels met the grading, others have not, but some of the details involved in not achieving this have been minor details, so therefore we have decided to give these hotels provisional gradings and a time span and a specific list of items that need to be achieved. Otherwise they are bound to suffer a drop in the gradings in the next inspection.

ORAL

NO. 213 OF 2001

THE HON DR J GARCIA

**HOTEL ASSISTANCE SCHEME**

What is the total amount owing to the Government by each hotel in respect of loans under the Hotel Assistance Scheme as at 31<sup>st</sup> March 2000 and 31<sup>st</sup> December 2000, giving the name of each hotel, the amount of the loan, the repayments against each loan, and the total amount owing for each hotel?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

I hand the hon Member a table giving the information requested.

Answer to Question No 213/01

<u>Hotel Assistance Scheme Loan</u>	<u>Loan Approved</u>	<u>Drawdown as at 31 March 2000</u>	<u>Drawdown as at 31 December 2000</u>
Bell Hotels Ltd	£1,000,000	£1,000,000	£1,000,000
Rock Hotel Ltd	£1,500,000	£1,425,789	£1,425,789
G&JB Hotels Ltd (Caleta Hotel)	£1,500,000	£1,264,694	£1,450,000
<b>TOTAL</b>	<b>£4,000,000</b>	<b>£3,692,514</b>	<b>£3,877,820</b>

No repayments are due to be made until 2003 – five years from the date of first drawing.

ORAL

NO. 214 OF 2001

THE HON DR J GARCIA

**HOTEL ASSISTANCE SCHEME**

How much money have the Government paid to hotels since 19 April 2000 in loans and grants from the Hotel Assistance Scheme, or from elsewhere, in chronological order with a breakdown giving the name of the hotels in question and the amounts paid?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No payments have been made since 19 April 2000.

ORAL

NO. 215 OF 2001

THE HON DR J GARCIA

**HOTEL ASSISTANCE SCHEME**

Can Government say whether any loans made to hotels under or outside the Hotel Assistance Scheme have been converted to a grant, giving the name of the hotels in question and the sum involved?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There are none.

ORAL

NO. 216 OF 2001

THE HON DR J GARCIA

### **HOTEL ARREARS**

What amounts are due and owing to Government by hotels broken down by item and in respect of which periods these monies became due as at the end of December 2000.

### ANSWER

### THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The arrears due by hotels stood at £644,000 as at 31<sup>st</sup> December 2000. These arrears are in respect of amounts due over a number of years dating as far back as 1991. The breakdown is as follows:

Social Insurance	£194,000
PAYE Tax	£167,000
Electricity	£257,000
Rates	<u>£ 26,000</u>
	<u>£644,000</u>

Agreements were entered into for the repayment of most of these arrears as well as for ensuring that current bills were settled as and when due.

ORAL

NO. 217 OF 2001

THE HON DR J GARCIA

**TOURISM - PERSONS INTERVIEWED**

Can Government say how many interviews with persons who said that they have stayed at a hotel have been carried out since April 2000, on a monthly basis, giving the number of persons interviewed each month?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 220 of 2001.

ORAL

NO. 218 OF 2001

THE HON DR J GARCIA

**TOURISM - NUMBER OF HOTEL BEDS**

What is the state of the discussions with the five parties that have approached the Government with proposals to increase the number of hotel beds in Gibraltar as per the answer to Question No. 401 of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No.219 of 2001.



NO. 219 OF 2001

THE HON DR J GARCIA

**TOURISM - NUMBER OF HOTEL BEDS**

Have any new parties approached the Government with a view to increase the number of hotel beds in Gibraltar following the answer to Question No. 401 of 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Discussions continue with different entities, including a new party, aimed at increasing the number of hotel beds. These are commercially sensitive discussions and it is not possible to give detailed information publicly.

SUPPLEMENTARY TO QUESTION NOS. 218 AND 219 OF 2001

HON DR J GARCIA:

Do we take it then that there are a total of six entities, five who were there before and this new one?

HON J J HOLLIDAY:

Yes.

HON DR J GARCIA:

Can the Minister say, he gave us some information on this the last time in relation to when the question was asked, how many are from Gibraltar and how many are from the outside? Specifically if the new one is a local entity or somebody from abroad?

HON J J HOLLIDAY:

The new one is a foreign entity. I gave an indication that the previous one was a local entity and the others were foreign.

HON DR J GARCIA:

Can the Minister elaborate as to the locations which the various entities have in mind generally?

HON J J HOLLIDAY:

One of the places that has been earmarked for a hotel for some time is the Europort but whether that comes to fruition or not is still in the air. Government's vision for this site is to include a hotel but that is one of the options that is being considered amongst a wide range of other options.

NO. 220 OF 2001

THE HON DR J GARCIA

**TOURISM - PERSONS INTERVIEWED**

Can Government state, of the number of persons who have been interviewed since April 2000, who said that they had stayed in a hotel, how many were interviewed at the airport and how many were interviewed at the land frontier, and in each case what was the average length of stay in hotels?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information sought in this question is too voluminous and I will now pass over the information to the hon Member.

SUPPLEMENTARY TO QUESTION NOS. 217 AND 220 OF 2001

HON DR J GARCIA:

If I can revert to Question No.217 of 2001? There was a discussion in this House in terms that the Government were thinking of changing the ways in which interviews were being conducted and on increasing the sample of those interviews. Can the Government say whether that is now being carried out and is in place and what we have before us is a result of that change?

HON J J HOLLIDAY:

I confirm that that is the case. We realise that the number of interviews that are now being carried out on a monthly basis is quite considerable considering the sample range that we used to have before. Not only is the number of interviews that are now being carried out well over 1,000, but also the fact that they are being carried out regularly every month and not like it used to be in the past. The directive I gave was that I wanted at least 1,000 interviews of these to be carried out. It was up to the Government's Statistics Office to apply this recommendation or not, but they seem to have followed the recommendation and now we are getting a far larger sample range and we should have more reliable statistics.

HON DR J GARCIA:

In relation to the weighting, the number of people coming through the border, say six or seven million, and the numbers that come through the airport could be in the 80,000 to 100,000 mark, yet that is not reflected proportionally in the number of interviews conducted at the airport and the land frontier. Can the Minister explain whether that anomaly is also going to be corrected and due weight will be given to where more people come in?

HON J J HOLLIDAY:

The reality is that it is a coincidence that the number of people interviewed at the airport and at the land frontier adds to 257. I do not know how the Government Statistics Office actually conduct their weighting depending on the point of entry.

HON J J BOSSANO:

In the table we have got 11,111 interviews that have been carried out between April and December and out of those interviewees 536 stayed in hotels, but we do not know what that represents in terms of the numbers interviewed at the airport and the numbers interviewed at the frontier. At least I cannot work it out from the information that has been provided.

HON J J HOLLIDAY:

If one takes the month of April, the number of people that had been interviewed were 1,461, out of which they say 106 stayed at hotels. The others did not. At the airport, out of the ones that were interviewed, 39 stayed in hotels. From the information that we have here, we do not know how many were interviewed at the airport or at the land frontier. The information is based on the questions that have been tabled in front of us. I do not have the information here available but I am sure if they have been able to supply us this information in order to answer these questions, the information must be available.

HON J J BOSSANO:

Will the Government accept that on this basis, given that the relationship between the number of interviews and the response confirming that they stayed in the hotels, is 106 out of 1,461, it is important to know whether the 39 and the 66 represent relativity between the number of persons asked and the numbers confirming that they were staying in a hotel, which is impossible to know without a break-up of the 1,461.

HON J J HOLLIDAY:

That would be available when they produce the Tourist Survey Report. I assume that that information will be available. What is being made available here is precisely the information, which Dr Garcia has asked for in his question.

HON J J BOSSANO:

I do not dispute that. As a supplementary, what I am asking is, if the 39 and the 66 is the 106, and the Minister says, "If you take 106 away from 1,461, then the balance are the ones who said they did not stay in the hotels." We know of those who said they did stay in hotels, how many said it at the airport and how many said it at the land frontier. We do not know of those who said they were not staying, what is the proportion?

HON CHIEF MINISTER:

The proportion of what?

HON J J BOSSANO:

Of the difference between 106, which is the addition of the two columns in the second part and the first column in the top table.

HON CHIEF MINISTER:

Is not the Leader of the Opposition misunderstanding the information given that it is a specific answer to a specific question? The question was "Can Government state of the number of persons who have been interviewed since April 2000, who said that they 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 a hotel?". We are talking about persons who said that they stayed in a hotel having been interviewed at the airport or at the land frontier. The people who have been interviewed somewhere else do not feature on here at all. If one takes April as an example, forget the number of interviews, of the number of people interviewed 106 said they had stayed at hotels. Of the 1,461 people who were interviewed at either the airport or the land frontier, this excludes the number of people who were interviewed elsewhere, 106 said that they had stayed at hotels. Those 106 of the total people who said they had stayed at hotels, 39 had answered the question at the airport and 66 at the land frontier. The difference has to be persons who stayed at a hotel and were interviewed elsewhere.

HON J J BOSSANO:

I was not questioning the difference of one. All I am saying is, 39 said at the airport they were staying at hotels, and 66 of those at the land frontier. That could be either 10 per cent of those interviewed or 50 per cent of those interviewed. What I am asking is that if half the people who stepped off the plane were the 39 because 78 were asked, then that would not be an unreasonable assumption.

HON CHIEF MINISTER:

If hon Members wanted a correlation to find out whether people who arrive at the land frontier are more or less likely to stay in hotels, than people who arrive at the airport, one cannot glean it from this information here. That is clear.

HON J J BOSSANO:

Given that it ought to be gleanable, can the Minister provide that? It would effectively be telling us the breakdown of the interviews as well as the breakdown of the response.

Answer to Question 220 of 2001

Persons interviewed and, of these, persons who stayed at a hotel

	Number of Interviews	Stayed at Hotel
April	1,461	106
May	1,428	99
June	1,415	54
July	1,309	71
August	1,416	55
September	944	37
October	1,075	32
November	1,121	47
December	942	35
TOTAL	11,111	536

Persons staying at hotels, interviewed at the airport and land frontier and average length of stay

	Airport	Average Length of Stay	Land Frontier	Average Length of Stay
April	39	4.5	66	3.1
May	28	5.0	80	3.3
June	33	4.9	28	2.9
July	33	5.9	25	5.1
August	26	5.0	24	3.8
September	22	5.2	9	2.8
October	22	6.2	7	3.4
November	29	5.6	14	3.2
December	25	5.1	4	4.0
TOTAL	257	5.2	257	3.4

Although Tourist Survey questionnaires have been inputted for the year 2000, the information has not been fully processed at this stage and the figures given in answer to this question are thus provisional.

ORAL

NO. 221 OF 2001

THE HON DR J GARCIA

**TOURISM - "GIVE AWAYS"**

Why was there a delay in awarding the tender in relation to Government Tender Notice published on 5 May 2000 for "Give Aways" beyond the end of September?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 222 of 2001.

NO. 222 OF 2001

THE HON DR J GARCIA

**TOURISM - "GIVE AWAYS"**

Who were the 14 companies or organisations that supplied the Government with ideas for "Give Aways" in response to Government Tender Notice published on 5<sup>th</sup> May 2000 and what were the ideas?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This tender has not yet been awarded, as additional information requested of some of the tenderers has not yet been received.

The information sought in this question is too voluminous and I will be passing this information to the hon Member.

SUPPLEMENTARY TO QUESTION NOS. 221 AND 222 OF 2001

HON DR J GARCIA:

The "Give Aways" that should have been given away now at Fitur obviously do not relate to this list or this tender?

HON J J HOLLIDAY:

No, they do not. They were purchased in Spain.

Answer to Question 222 of 2001

## PROPOSALS FOR 'GIVE AWAYS'

### Vogue Ltd

- Mousemats
- Coasters
- Candles
- Wall clocks
- Jigsaw puzzles
- Golf umbrellas

### Mr R B Simonsen

- paperweights
- porcelain miniatures

### Gibraltar Philatelic Bureau

- History of Gibraltar Millennium Stamp Booklet
- Millennium Stamps Presentation Packs

### Gibraltar Arts & Crafts Association

- watercolours
- hand painted bone china and porcelain
- hand painted bookmarks
- dolls
- bookmarks
- painted glass
- jewellery
- brooches and pill boxes
- home made jams, marmalades and chutneys
- hand painted fans
- hand knitted toys
- hand knitted key rings
- painted plates and Gibraltar model rocks
- hand painted Gibraltar stones
- hand painted ashtrays and plant pots
- Gibraltar stone and shell pendants
- Pictures made with shells and fish scales
- Encaustic art pictures made with wax

Cont..



Cont'd.... Answer Question 222 of 2001

Gibraltar Crystal

- Glass souvenirs

Anuska

- old Gibraltar print tableware

A Cabedo Fine Arts

- etchings and prints

Alwant Group

- welcome flower with advertising panel

Zenith Printers

- various items including car stickers, pens lighters etc

Mr M R Yeats

- CD on Gibraltar

Charles Anes Ltd

- Stone souvenirs and rock models

Mr Lionel Perez

- souvenir coins and coin folders

Mr J L Mifsud

- pieces of Gibraltar rock

City Explorer Guides

- City Explorer Map

ORAL

NO. 223 OF 2001

THE HON DR J GARCIA

**NUMBER OF PRIVATE MOTOR VEHICLES IMPORTED**

What was the value and number of private motor vehicles imported by individuals for each month from August 2000 to date inclusive?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 224 of 2001.

ORAL

NO. 224 OF 2001

THE HON DR J GARCIA

**NUMBER OF PRIVATE MOTOR VEHICLES IMPORTED**

What was the value and number of private motor vehicles imported by licensed dealers for each month from August 2000 to date inclusive?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

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

**LICENSED DEALERS**

**2000**

	<b><u>QUANTITY</u></b>	<b><u>£(MILLION)</u></b>
August	557	5.90
September	563	5.94
October	407	3.58
November	632	6.35
December	140	1.36
<b>TOTAL</b>	<b>2,299</b>	<b>23.11</b>

**INDIVIDUALS**

**2000**

	<b><u>QUANTITY</u></b>	<b><u>£(THOUSAND)</u></b>
August	24	57.70
September	21	75.80
October	26	113.50
November	13	29.10
December	10	55.40
<b>TOTAL</b>	<b>94</b>	<b>331.50</b>

ORAL

NO. 225 OF 2001

THE HON J J BOSSANO

**PORT - VALUE OF BUNKERS**

Can Government state what was the value of bunkers supplied by the Port of Gibraltar for the year 2000 and the comparable figure for 1999?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

This information is not available to the Government.

SUPPLEMENTARY TO QUESTION NO. 225 OF 2001

HON J J BOSSANO:

Is the information on the volume available to the Government?

HON CHIEF MINISTER:

The Government are happy to make that information available to the hon Gentleman confidentially. The hon Member may be aware that this is one of the areas where aim is sometimes taken at Gibraltar from nearby and we would not wish to put wind in the sails of any such dispute. Unless the hon Member is particularly keen to use the information for some public purpose, he may be satisfied to learn it in private. It is not the end of the world to give it to the public and therefore we leave it to his judgement.

HON J J BOSSANO:

I am quite happy to have it privately, it is just that I am slightly surprised because it has been given in the House before without any reservation.

HON CHIEF MINISTER:

It is given on a more historical basis than that sometimes.

HON J J BOSSANO:

Are these figures going to be published in the Abstract of Statistics?

HON CHIEF MINISTER:

Yes. There is no intention to curtail the publication of these figures. They are just very fresh, at least the 2000 figure is very fresh. Therefore, it has a certain degree of commercial value to the neighbouring area.

HON J J BOSSANO:

I am quite happy to receive it privately and wait until it comes out publically to make use of it.

NO. 226 OF 2001

THE HON S E LINARES

**COMMITTEE OF FINE ARTS**

Can the Minister state why he asked the Committee of Fine Arts to remove a sculpture that was chosen to be part of the International Arts Exhibition by the adjudicators to be suitable?

ANSWER

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

The International Arts Exhibition is organised and sponsored by the Ministry of Culture with the technical support of the Fine Arts Association. Accordingly, I did not ask the Fine Arts Association to remove the sculpture, as suggested in the question, I did as a matter of courtesy inform the Fine Arts Association, but I simply instructed the Director of Culture to have the said item removed because I, as the Minister ultimately responsible for the Exhibition, together with numerous other persons who attended the exhibition, found it to be grossly offensive.

SUPPLEMENTARY TO QUESTION NO: 226 OF 2001

HON S E LINARES:

Does the Minister not think that this is a form of direct censorship and curtailing the freedom of expression of an artist?

HON CHIEF MINISTER:

What is wrong with that? Or does the hon Member think for one moment that artists, unlike everybody else, have an unrestricted right to express themselves freely regardless of the gross offence that they cause?

HON S E LINARES:

That depends on the level of the offence. That is very subjective. Therefore it is not up to politicians to get involved in something that was grossly unacceptable politically rather than grossly unacceptable for other reasons.

HON CHIEF MINISTER:

It was not grossly unacceptable for political reasons in the domestic partisan sense. It was grossly unacceptable to the vast majority of people that were there seeing them. It has proved to be a decision, I only discovered the decision after the event, but I certainly applauded the Minister for his courage in taking it. His decision appears to have been supported by most of the people that have expressed a view of it in public in the media and frankly the people who are elected to exercise judgements on behalf of their community as to what are acceptable standards in areas such as this, are indeed Ministers. I do not know why the hon Members' constantly disqualify Ministers as being valid decision takers as if Ministers were somehow unqualified or disqualified or the least qualified people to take decisions

when they are the only people in a society that people can hire and fire and hold therefore to account for the quality of the decisions that they take. I think the Minister was eminently well placed to make the decision. I think he made an excellent decision which the Government believe enjoys the overwhelming support of the community that he has been elected to serve.

HON S E LINARES:

Is it not the case that the next International Art Exhibition could do away with adjudicators altogether and we could have the Minister deciding who gets the awards, what is acceptable and what is not. Why bring an adjudicator in the first place? I understand that even that piece was one of the pieces that might have been awarded. Quite frankly bringing adjudicators is a waste of time if what the Chief Minister is saying is correct.

HON CHIEF MINISTER:

I cannot believe that the hon Member has asked this question on the basis of the degree of lack of understanding of the issue at stake, that he has just disclosed by that question. Does he really think that the issue of the withdrawal of this particular exhibition and the reasons for it had anything whatsoever to do with adjudication for the purposes of prizes? How does his last question relate to the issue of the previous one which is about the removal of articles which are grossly offensive regardless of whether they were of such quality that might have won the prize. Or is the hon Member suggesting that the Minister for Culture removed this piece in order somehow to fix the result of the competition? Is that what he is suggesting?

HON S E LINARES:

No. I am not suggesting that. There were about 200 odd pieces and there were only about 100 odd that were exhibited and the adjudicators decided that that was one of the pieces that was to be exhibited. Nothing to do with the prizes. Trying to mix in prizes or no prizes is irrelevant. What I am saying is that if one has an international art exhibition in which about 300 pieces are presented and there is certain people there to decide who or which pieces are going to be exhibited because of space or other reasons and they do decide to put that piece and along comes the Minister and says, no I do not like that piece, and takes it away, why have the committee deciding which ones are going to be exhibited? That is my question.

HON CHIEF MINISTER:

The answer is that what is socially acceptable in Gibraltar in terms of what is and what is not grossly offensive and what should and should not be exhibited to the public in Gibraltar is not a matter that can be left to adjudicators, who are not applying the criteria required for that. They are simply looking at it from an artistic point of view, that is the answer to his question, that it is the Minister who is the person that is in a position to do that. It is a Government sponsored, Government organised exhibition and the idea that the Government should allow grossly offensive objects of this sort .....

HON S E LINARES:

Offensive to the Chief Minister.



HON CHIEF MINISTER:

And to most of the other Ministers who were there. The hon Member jumped into the bandwagon a little bit too quickly for his political good, what the hon Member did not realise was that public opinion was going to rally behind the Minister as opposed to his cheap political shot. If he had waited a bit longer he might have kept his head down below the parapet wall but as he has rushed from the passing bandwagon, then he made that mistake. The hon Member is one of the few persons I have heard express the view that he has expressed about this issue, unless what the hon Member is saying is that in the name of art anything and everything has to be permitted without curtailment because otherwise somebody is exercising censorship over art. Frankly, if that is what the hon Member thinks freedom means, he has a very warped view of what freedom means. Freedoms are constantly being curtailed in the name of common standards of decency. I would have hoped that the hon Member could simply accept that this was a good decision made by a Minister of high repute in good faith for the benefit of the community at large, instead of constantly trying to insinuate some element of underhand impropriety or bad motive on the part of the Minister, which no-one except him, has attributed to the Minister.

HON J C PEREZ:

I do not think we are looking at whether the item in question was of bad taste or not. At the end of the day if it was offensive the fact that it was removed gave more publicity to it, it appeared in the press much more and it gave offence to more people than if it had not been withdrawn. It was certainly of bad taste as far as my judgement is concerned and I objected to it particularly. But we are not talking about that. We are talking about the fact that there is an art exhibition open to our members in the Campo, it is called International Art Exhibition. We opened it up to the Campo and we accept that they have to participate. They come here, it is something that I particularly do not very much accept given the reciprocity that we receive on the other side, they participate in an exhibition, we have adjudicators who decide that the entry is a valid one and we are relying on the judgement of the Minister to decide whether it is offensive or not. On this occasion I agree with the Minister, it was offensive, it was of bad taste, in my view. If we have a mechanism why is it that we have to rely on the judgement of the Minister? What if the judgement of the Minister tomorrow is not the same one and we do get people accusing us of censoring art because the Minister looks at it from a different perspective. I am not one to judge art because I am not very much into subjects of that nature but I can tell the Minister that the subject is not whether the decision on this occasion was right or not, but in a wider field whether the mechanism is there to stop this from happening again so that the Minister has not got to take the responsibility of having to withdraw or not withdraw a subject. Quite legitimately the artist might have accused the Minister of censorship given that the adjudicator from an artistic point of view, which is what we are talking about in an art exhibition, had accepted it. It would be legitimate for the artist to say that the Minister by withdrawing it was censoring art, notwithstanding the fact that I agree that the piece in question was offensive. But there must be a mechanism so as not to put a Minister, a Government Minister in a position, where a Minister of the Government can be accused of censorship by someone else.

HON CHIEF MINISTER:

What censorship simply means is that one prevents something from being said or done and that is exactly what happened. Censorship is not always objectionable. If

one exercises powers of censorship badly, then one stands to be held accountable by their community, by their electorate or by international opinion for a decision badly made. There is nothing wrong. If by censorship one means that the Minister withdrew the thing from the exhibition so that no one else could see it, that is exactly what happened and what the Government are saying is that we consider that decision to be a good one. Whether there ought to be a mechanism, I wish there were a mechanism, some other mechanism, but whether or not there is a mechanism, I think that the Minister for Culture is ultimately responsible for this matter and even if there were a mechanism, I think his judgement of the issue is one that has to be given considerable weight given that ultimately he is held responsible in the community for these issues.

HON J C PEREZ:

How can the Chief Minister in a democratically elected Chamber stand up and imply that censorship is right as long as the right decision is taken. Are we going to say that in the days of Franco in Spain some of the things that were taken away from the news were right because it was offensive to the public?

HON CHIEF MINISTER:

That is not what I have said.

HON J C PEREZ:

The Chief Minister said it is censorship what the Minister did and it is right as long as the decision is the right one.

HON CHIEF MINISTER:

No. That is not what I have said. What I have said is that there are many aspects of censorship in a community. One might regard it as censorship the fact that one cannot buy a pornographic magazine as easily as some people might like to buy them. That is a form of censorship but it is a censorship because it is decided that there are certain curtailments to individual rights which are justifiable in the name of the general public good. Therefore one cannot just say censorship is all bad. Some forms of censorship are enshrined in our legal system. Therefore there are some forms of censorship which are always good, there are some forms of censorship which are always bad, like the one that he might have had in mind which he made in his last intervention and there are some forms of censorship which require judgement. Certainly if one gets that judgement wrong one opens oneself to very legitimate criticism.

HON S E LINARES:

Did the Minister also censor the Chronicle for putting two photographs of the exhibition of which now everybody in Gibraltar got nose of? Not everybody in Gibraltar goes to see art exhibitions. Everybody in Gibraltar has now seen it with two photographs in the Chronicle, did the Minister also phone the Chronicle and censor them?

HON DR B A LINARES:

No, the Minister did not phone the Chronicle. I do not see quite the relevance of that assertion. It does not touch upon the central issue and as regards the central issue, I

think the task of the adjudicators is very important in the mechanism that the Hon Mr Perez was talking about. They actually assess essentially on the aesthetic merits of the entry and they make their selection. An exhibition has wider dimensions as well, they are not just an artistic event, an exhibition is also a social event. People who attend the exhibition respond not just simply on the artistic and aesthetic merits, they also react in taking with them other emotional and social and moral aspects and considerations. An exhibition has wider dimensions and that is where the Minister has to come in because he is ultimately responsible for that public event which is sponsored by his Ministry. I do agree that that exercise by the Minister should be as minimal as possible. I certainly would not like to place myself in the position of judge discriminating or deserving or eventually judging on the social merits or political merits of any particular, I would not like to put myself in that position, but the responsibility is there and I did not shirk from taking that responsibility on the one odd ad hoc situation which cannot be now resented in a scenario of repression of the arts in Gibraltar.

HON S E LINARES:

Can the Minister say what was so offensive about the exhibit. I found it offensive, I have got my own reasons. Can he explain his?

HON DR B A LINARES:

Can the hon Member explain how and why he found it offensive? It is very difficult to define and describe the offensiveness of particular subjective items as such but it is really a reaction which brings in to play many considerations, not the aesthetic ones, because I was not judging on that level, but certainly on the impact it made on the general public, and I think the general public actually confirmed and seconded that reaction.

HON J J BOSSANO:

There are no suggestions that the sculpture, if that is what it is, if it had not been something that might have a political connotation, it would not have been deemed to be offensive. It was only because of its perceived political content. This is not something that might be considered offensive on moral grounds or decency grounds, it is not an indecent bit of sculpture? If it had been a different number plate, would there have been a problem?

HON DR B A LINARES:

There were also subtle elements of pornography.

NO. 227 OF 2001

THE HON S E LINARES

**EDUCATION - LIBRARY BOOKS**

Can the Minister for Education state now what financial provision has been made specifically for the purchase of library books for the academic year 1999/2000 and 2000/2001?

ANSWER

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

As I have actually explained in answer to a previous question along the same lines, money is allocated by the Department to schools on a per capita basis. It is for the Headteacher to decide how once he gets that allocation, that capitation allowance, how this money is allocated to the different needs and curriculum areas within the school.

The specific provision for library books made by Heads during the 1999/2000 academic year, which is one of the dates suggested in the question, was actually stated by me in this House in answer to Question 714 of 1999 made then by the Hon Joshua Gabay. It is as follows:

First Schools	£20,283
Middle Schools	£12,699
Secondary Schools	£ 6,250

The information that the hon Member requires on the current academic year will not be available with exactitude to us in the Department until the end of the academic year.

ORAL

NO. 228 OF 2001

THE HON S E LINARES

**HEAD 1A SUBHEAD 4B - BOOKS AND EQUIPMENT**

Can the Minister state under what heading in the expenditure is the freight for stationery being paid for?

ANSWER

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

Freight for stationery is paid from Head 1A Subhead 4B – Books and Equipment.

SUPPLEMENTARY TO QUESTION NO. 228 of 2001

HON S E LINARES:

Is the Minister satisfied that the stationery is of good quality?

HON DR B A LINARES:

That is a somewhat different question and I would not be in a position to comment on that.

HON S E LINARES:

Are the Government then paying for the freight over and above what they used to pay before because it was done directly by the schools themselves in two catalogues?

HON DR B A LINARES:

That is correct. The schools have been now given extra funds over and above what was given before in terms of capitation because they are buying stationery locally and are required to pay the additional freight costs.

HON S E LINARES:

Is this worked out in a percentage? I am sure it is going to be very difficult to ascertain the actual amount that private companies pay for the freight for books et cetera.

HON DR B A LINARES:

I do not know. I am not too sure how the department works it out but the schools seem to be quite pleased and happy about the arrangements.

NO. 229 OF 2001

THE HON S E LINARES

**EDUCATIONAL PSYCHOLOGIST**

Can the Minister state how many times has the Educational Psychologist acted for the Director of Education in the academic years of 1997-1998, 1998-1999, 1999-2000?

ANSWER

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

Six times, three times in 1997-1998, twice in 1998-1999 and once in 1999.

SUPPLEMENTARY TO QUESTION NO. 229 OF 2001

HON S E LINARES:

Can the Minister state what happens when the Educational Psychologist is acting for Director? Who takes the position of the Educational Psychologist? Would it be the Educational Adviser or are they bringing in a locum or what is the arrangement?

HON DR B A LINARES:

The Educational Special Needs Adviser works very closely with the principal psychologist and I suppose she will be of additional assistance given those times when the psychologist is acting for Director, but broadly speaking, he just has to double up.

HON S E LINARES:

Is the Minister satisfied with this situation considering that the Educational Psychologist has a very high rate of referrals?

HON DR B A LINARES:

The question of the workload of the Educational Psychologist is under review, so in that sense that matter is being looked at. I am satisfied as things stand at the moment. There has been no major disaster.

HON S E LINARES:

Can the Minister confirm that probably under the review we might have another Educational Psychologist?

HON DR B A LINARES:

It is possible but it is something which is still pending.

NO. 230 OF 2001

THE HON S E LINARES

**EDUCATION - TEACHER PROMOTIONS**

Can the Minister state whether he has been able to look at the way in which teachers are promoted at both responsibility post and managerial level as stated by the Chief Minister in answer to Question No. 182 of 2000?

ANSWER

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

What the Chief Minister stated in answer to Question No. 182 of 2000 was (and I quote from Hansard) that this matter "could be looked at but it would require a lot of administrative effort".

Reflecting on the civil service globally, I do not know what is happening in that global context in terms of appointments, but procedures in terms of responsibility posts for teachers obviously have to fit within that context.

HON S E LINARES:

Can the Minister state if they are going to prioritise this system or look into the system in reasonable time or is it just an idea or are they going to look at it?

HON DR B A LINARES:

What happens for teachers has to fit within the global context of the civil service, because as the hon Member is aware, teachers are civil servants and that is beyond my remit as Minister for Education. It may be of interest to the hon Member that a system of appraisal is being included in the NASUWT salary claim and they have suggested that the on-going appraisal results, could be evidence to be put before the selection board for a teacher who seeks promotion. That would add that element of transparency, that is obviously behind the thrust of his question.

HON S E LINARES:

Could the Minister look into the appraisal scheme or the pilot scheme that they might introduce which the NASUWT is all in favour of, that they look into a system where the teacher if not successful, will have a form of knowing why they have not been successful for the post that they have applied for?

HON CHIEF MINISTER:

Let me just comment before my Colleague raises, that is what I was referring to in the quotation of me by the Hon Dr Linares, that it could be looked at but it would require a lot of administrative effort. In other words, a process of feedback to unsuccessful candidates as to why they had not been successful, and when we had a debate, I expressed the view that unsuccessful candidates should get told why they had not been successful, so that they know whether there is something that they can do by way of gaining additional training or experience, that would better qualify them

the next time round. There are good grounds for that sort of system, not just for the teaching profession but in any profession. A lot of people end up with a sour taste in their mouth feeling that they have been discriminated against and they have not been properly treated, that they have been unfairly treated. None of us like to admit that perhaps we were not up to what we have applied to do. Generally across the board, in the civil service, there ought to be a system whereby people have access to the assessment of them being made at various stages of their career, not just on application for promotion, so that they can develop their own attraction, their own qualifications for any future promotion. That is what I said, it could be looked at but it would require a lot of administrative effort.

HON S E LINARES:

I appreciate that. It is just that there is a little bit of disparity between the teacher as a teacher per se to the administrative or civil servant that we are accustomed to think about, because now with the pay negotiations which are different, we are aware that the Government are now in pay negotiations with the GGCA. What I am saying is that the teacher is apart from, to one side, and within that I am sure that the teachers have never shrugged away from appraisal. The only thing is, like the Chief Minister has rightly said, that there is a lot of administrative work, one has to have a department basically to appraise the teachers. If that is going to happen with the pay negotiations, I would appreciate that this part of what I am trying to get at, that is the promotion of teachers, is included.

HON CHIEF MINISTER:

They are different things. His original question related to the way teachers are promoted. The way teachers are promoted, as opposed to the allocation of responsibility posts, but the promotion of teachers is a Public Service Commission matter in the main. Therefore, as the Constitution currently stands, there is nothing that the Government can do to change the way teachers are promoted because we are bound to what the Constitution says, the Public Service Commission et cetera. One of the great grievances of the teaching profession, and I can understand it, is that decisions about promotions within a professional body like the teaching profession are made by people who perhaps have no real knowledge or understanding at managerial level. That cannot be addressed, at least as the Constitution stands, although we share with the Teachers Union the desire that it should be different for teachers, who are not really civil servants, in the functional sense of the word. The reasons why the civil service needs to be "independent" does not really apply to teachers who are a professional body and whose promotional mechanisms should be that which is common in a professional body of men and women. What can be addressed regardless of all that I have just said is this business of giving feedback to unsuccessful candidates. That is not anything to do with the way teachers are promoted. It is simply the administrative handling of unsuccessful applicants.



ORAL

NO. 231 OF 2001

THE HON S E LINARES

**NURSERIES**

Can the Minister state if and when Nurseries will be regulated?

ANSWER

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

The Legislation Support Unit has now completed the draft legislation to regulate privately-run nurseries. This draft legislation will be considered by the Council of Ministers before presenting it to the House as a Bill for approval. We hope that this will take place in the near future.

ORAL

NO. 232 OF 2001

THE HON S E LINARES

**SPECIAL EDUCATIONAL NEEDS REPORT**

How much did the Special Educational Needs Audit Report 1997 cost?

ANSWER

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

The Special Educational Needs Audit Report 1997, carried out by a team led by the University of Hull including OFSTED inspectors cost £7455.00

NO. 233 OF 2001

THE HON S E LINARES

**EDUCATION - CORRESPONDENCE COURSES**

How many people have been given financial assistance to meet the cost of the fees in relation to correspondence courses in the current financial year?

ANSWER

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

Fifty-three students have been granted financial assistance to meet the cost of fees related to distance learning courses.

SUPPLEMENTARY TO QUESTION NO: 233 OF 2001

HON J J BOSSANO:

Do the Government consider paying tuition fees for people who do not get a maintenance grant, who still want to go ahead rather than stay behind, but that do the course by correspondence?

HON DR B A LINARES:

It is something that we could consider but we have not really come across that situation in terms of any demand or request from the students themselves.

HON J J BOSSANO:

So in all the 53 cases there are people who are doing it from Gibraltar and there is nobody in the category that I have mentioned? But it would be looked up if somebody came up with that?

HON DR B A LINARES:

Yes.

ORAL

NO. 234 OF 2001

THE HON S E LINARES

**EDUCATION - PARENTAL CONTRIBUTION**

Can the Minister state whether any of the 19 that failed last year in relation to parental contribution has now been awarded a full grant back due to incorrect assumptions made when it was investigated?

ANSWER

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

Only one of the 19 has been awarded the full grant. One other has had the minimum grant initially awarded adjusted but not increased to a maximum grant.

In determining these awards we have not made incorrect assumptions as suggested in the Hon Member's question. We simply investigate those cases where the evident standard of living does not reflect their declared earnings as per income tax declarations.

NO. 235 OF 2001

THE HON S E LINARES

**EDUCATION - DISCRETIONARY AWARDS**

Can the Minister state how many of the 61 applicants for discretionary awards were granted in 1999?

ANSWER

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

Forty-three of the 61 applicants for discretionary awards in 1999 were successful in obtaining scholarship grants.

SUPPLEMENTARY TO QUESTION NO. 235 OF 2001

HON J J BOSSANO:

Is there any information available to the department as to whether those who were not successful, did they try to carry on on their own? I am thinking of the question I put in relation to giving some assistance to people in that category. Between the 61 applicants and the 43, does the Minister have any knowledge of what the rest did, the ones who were not successful?

HON DR B A LINARES:

The department may have information but in an ad hoc sort of way I do not think there is a systematic way of tracing the reactions of those who failed to obtain a discretionary award. The hon Member may know that they are given the chance of an appeal to the Scholarship Awards Committee and also interviews with the Director of Education as part of the appeal process, of course the Director of the department may know exactly how they moved from then on. I do not think there is a systematic way of tracing them.

HON J J BOSSANO:

The figure that the Minister gave of 43, was that the 43 initial ones or the 43 including some reversals as a result of appeals?

HON DR B A LINARES:

There is a deadline for applications for discretionary awards and 61 applicants sent in their applications within that time limit and the 43 who were selected came from those 61.

HON J J BOSSANO:

My question was, "Was the 43 that came from the 61 inclusive of a given number that had originally been turned down and then reversed on appeal or were the 43 initially selected and that was it?"

HON DR B A LINARES:

Some were actually awarded after the appeal.

HON J J BOSSANO:

Does the Minister know what the number of that is?

HON DR B A LINARES:

The department will know definitely but I have not got the figure with me.

NO.236 OF 2001

THE HON S E LINARES

**EDUCATION - SCHOLARSHIPS**

Can the Minister state whether in the case of mandatory or discretionary, grants are guaranteed through the duration of the course subject to satisfactory completion?

ANSWER

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

All scholarship holders are funded during the duration of their courses subject to satisfactory completion of each year (notified by the Academic Institution).

SUPPLEMENTARY TO QUESTION NO. 236 OF 2001

HON S E LINARES:

Is there any other reason other than the non-completion that a student might be denied the grant for the next year?

HON DR B A LINARES:

No. The initial contract is for the duration of the degree course, be it three years, four years, but that requires that each year is successfully completed.

ORAL

NO. 237 OF 2001

THE HON S E LINARES

**EDUCATION - EDINBURGH HOUSE**

Can the Minister state at what stage the Department of Education is in, in relation to the provisions of schooling for children who live at Edinburgh House?

ANSWER

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

Children in Edinburgh House attend Bishop Fitzgerald School (middle school pupils) and Governor's Meadow School (first school pupils).

SUPPLEMENTARY TO QUESTION NO. 237 OF 2001

HON S E LINARES:

I ask this question because that is exactly the same answer that I have been given before. The Minister stated that they were going to review and look into having another school down there, and Government announced that they were going to do something in Fleet Pavilion. That is why I am posing the question. Is the department looking into having a new school down there or re-allocating resources from one end of Gibraltar to the other?

HON DR B A LINARES:

The department is looking into this as we look into many other possibilities in improving and enhancing our educational service. I am not in a position here and now to give any definite conclusions.

HON S E LINARES:

Can the Minister indicate at what stage it is?

HON DR B A LINARES:

What does the hon Member mean by what stage?

HON S E LINARES:

The original question is "At what stage is the Department of Education in, in relation to the move". Is it that the department has already identified an area, have they actually done a study to ascertain whether the schools are too full to take all the children that are coming in? Has the department ascertained how many children live in Edinburgh House in order to school them elsewhere? These are the sort of questions that I am talking about.



HON DR B A LINARES:

Of course the department looks at all these aspects very closely and scientifically. Population movements, locations, but as I have said, we are not here and now in a position of announcing any particular conclusions.

NO. 238 OF 2001

THE HON S E LINARES

**ST ANNE'S SCHOOL - EXTENSION**

Can the Minister state how much was the actual cost of the extension at St Anne's School?

ANSWER

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

The actual cost of the St Anne's School extension was £772,822.81.

SUPPLEMENTARY TO QUESTION NO. 238 OF 2001

HON S E LINARES:

Can the Minister state what the extension actually consists of?

HON DR B A LINARES:

It consists of a magnificent hall, gymnasium, which is now also available for community use after school hours with changing rooms and showers and six additional classrooms, which have enabled an expansion of the music department facilities, a computer room and a resources room.

ORAL

NO. 239 OF 2001

THE HON S E LINARES

**ST BERNARD'S SCHOOL**

Can the Minister state at what stage is the relocation of St Bernard's School?

ANSWER

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

The relocation of St Bernard's School is still under review but no conclusive decision has been reached.

SUPPLEMENTARY TO QUESTION NO. 239 OF 2001

HON S E LINARES:

Can the Minister state at what more or less stage they are in. I would say that St Bernard's School is becoming top priority for many reasons, the space within the school, the location of the school itself where it is extremely dangerous for the children coming in and out of school because of the traffic. Could the Minister consider and advice his department because I have had parents complaining about the access to school and the general resources. I know there have been certain improvements within the building but it does not seem to be enough. Would the Minister put it on his priority list?

HON DR B A LINARES:

The department is looking closely at problems such as those stated by the hon Member. We are reviewing the relocation of St Bernard's in general terms but no conclusive decision has been reached.

ORAL

NO. 240 OF 2001

THE HON S E LINARES

**EDUCATION - AVERAGE CLASS SIZE**

Can the Minister state what is the average class size in each school?

ANSWER

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

The average class size in each school is as shown in the table that I will now hand to the hon Member. These class sizes represent registration classes – teaching groups are more generous. I also give in the table a more recognised measure of staff resources which is the Pupil/Teacher ratio. Both are given in the table.

Answer to Question 240 of 2001

School	Average class size	Pupil/Teacher Ratio	
Governors Meadow	20.50	17.73	
St Joseph's First	18.44	16.39	
Notre Damme	19.117	15.33	
St Bernards	19.29	16.88	
St Mary's	17.90	13.77	First Schools
St Paul's	19.46	16.32	Average P/T=16.12
Bishop Fitzgerald	26.06	19.69	
St Joseph's Middle	22.36	18.41	
Sacred Heart	23.92	17.94	Middle Schools
St Annes	25.71	18.60	Average P/T = 19.11
Hebrew	19.75	15.80	First & Middle
Bayside	N/A	14.22	Secondary School Average 14.16
Westside	N/A	14.10	

ORAL

NO. 241 OF 2001

THE HON S E LINARES

**EDUCATION - CODE OF PRACTICE**

Will the Minister for Education state how many children are currently registered in stages 1, 2, 3, 4 and 5 as set out in the code of practice?

ANSWER

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

I hand the hon Member a separate paper with all the information.

Answer to Question 241 of 2001

**SEN REGISTER – SPRING TERM 2001**

**CODE OF PRACTICE**

School	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
Gibraltar College of FE	16	4	0	0	0
Bayside Comprehensive	66	40	15	0	4
Westside Comprehensive	38	32	5	0	4
Sacred Heart Middle School	29	15	5	0	0
St Anne's Middle	43	38	32	0	0
Bishop Fitzgerald Middle School	21	24	6	0	11
St Joseph's Middle	17	1	2	0	0
Governor's Meadow First School	26	5	0	0	0
Notre Dame First School	40	3	0	0	0
St Bernard's First	62	18	20	0	0
St Joseph's First	27	1	4	0	0
St Mary's First	48	4	2	0	0
St Paul's First	27	7	1	0	0
Hebrew Primary School	4	2	1	0	0
St Martin's Special School	0	0	0	0	17
	464	194	93	0	42

ORAL

NO. 242 OF 2001

THE HON S E LINARES

**EDUCATION - SCHOOL GROUPINGS**

Can the Minister give a breakdown of the groupings of each school as in Group 2 or Group 3?

ANSWER

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

If the hon Member is seeking to know which schools classify under Group 2 and Group 3 based on the criteria of the School Teachers Pay and Conditions Document (The Blue Book), the answer to his question is as follows:-

Group 2        Notre Dame First School  
                    St Mary's First School  
                    Governor's Meadow First School  
                    St Paul's First School  
                    St Joseph's First School  
                    St Bernard's First School  
                    Sacred Heart Middle School  
                    St Joseph's Middle School

Group 3        St Anne's Middle School  
                    Bishop Fitzgerald Middle School

SUPPLEMENTARY TO QUESTION NO. 242 OF 2001

HON S E LINARES:

When I said Group 2 or 3, I meant the Comprehensives for example, would be what?

HON DR B A LINARES:

Group 6.

HON S E LINARES:

Just for a matter of clarification. I say Group 2 or 3 because when I posed the question last time the Minister said, "do you mean the Group 2 or 3?" What I intended to get was the whole information and the Minister has already given it to me.

HON DR B A LINARES:

There was confusion last time. There are groupings in schools and I understood that to mean the class groups and all that and what the hon Member was getting at is the classification of schools in groupings for the purpose of Headteachers salaries as determined by the Blue Book.



NO. 243 OF 2001

THE HON S E LINARES

**EDUCATION - ASSESSMENT PANEL**

Will the Minister state whether the Assessment Panel for special educational needs have been given terms of reference or has the role of this panel been clarified and what are these?

ANSWER

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

The assessment panel is a statutory body and its terms of reference are defined in the Education Ordinance as follows:

The duties of the panel in respect of every handicapped child referred to shall be:

- (a) to receive, examine and assess such child;
- (b) to advise the director on the education and training of such child;
- (c) to keep under review the progress of every such child; and
- (d) to co-ordinate all therapeutic treatments including medical, psychological and social treatment.

The panel is essentially by a multi-disciplinary team. It is an advisory body which recommends on placements of individual children and discusses also wider issues such as the creation of new observation and assessment facilities to identify children as early as possible with special educational needs.

SUPPLEMENTARY TO QUESTION NO. 243 OF 2001

HON S E LINARES:

I just posed the question because as the Minister well knows there has been certain confusion as in the assessment panel, as in their role, their terms of references. It could probably be that the members of the Assessment Panel did not know the Ordinance. It could have been that or it could be that they have not been explained their role properly.

HON DR B A LINARES:

When we last referred to certain confusion, it was actually drawn from the SEN Audit Report. We pointed out that in the perception of parents, very often they did not understand the role of the Assessment Panel and that has been well cleared now because parents are brought much more into consultation with regard to the assessment of their individual child. What parents cannot be brought into, is the general discussions by the specialists on generic issues.

NO. 244 OF 2001

THE HON S E LINARES

**EDUCATION - EXTRA PERIPATETIC TEACHER**

Can the Minister state whether an extra peripatetic teacher has been employed to date?

ANSWER

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

An extra peripatetic teacher has not been employed to date.

The department of Education and Training had intended to employ a supply teacher as I had announced earlier, a supply teacher as an extra peripatetic teacher (the Department has one already). Unfortunately, no suitable person has been identified to undertake this demanding post from the supply pool. The Department is committed to increasing the level of peripatetic support available to schools to help them cope better with children with emotional and behavioural problems and is studying ways of realising this aim.

SUPPLEMENTARY TO QUESTION NO. 244 OF 2001

HON S E LINARES:

Could it be that the Minister cannot find a suitable candidate because he is trying to get it from the supply pool rather than getting it from the profession generally?

HON DR B A LINARES:

No. I think it is a question of being able to identify and attract to the post someone with the competence and the knowledge and the experience for this very demanding task.

HON S E LINARES:

Is the department looking into probably putting a responsibility post plus one to this post to make it attractive? The way the Minister is responding it seems as if nobody is interested or nobody is qualified.

HON DR B A LINARES:

The department accepts that this is definitely needed and I am sure it is looking at all avenues to achieve that aim.

NO. 245 OF 2001

THE HON S E LINARES

**EDUCATION - SCHOOL REFURBISHMENT**

Can the Minister give a breakdown of the refurbishment programme being conducted at present in relation to

1. St Bernard's School (whole building!)
2. St Martin's School (playground)
3. Bayside Minor Works programme non-existent?

ANSWER

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

St Martin's playground is scheduled for the new financial year. St Bernard's has recently undergone extensive refurbishment including a larger play area, new music room and a new roof to the tune of over £44,000. Being a very old building it requires constant maintenance.

Bayside is earmarked for extensive works including a conversion of showers to two classrooms, new toilet facilities, upgrading of library, new computer area, expansion of the art/craft area and expansion of the technology area.

NO. 246 OF 2001

THE HON S E LINARES

**EDUCATION - VISITS BY HEALTH AND SAFETY INSPECTORS**

Can the Minister state how many times Health and Safety Inspectors have inspected schools generally?

ANSWER

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

Health and Safety Inspectors are requested to inspect our schools whenever the department feels that it requires an opinion. There is no on-going programme given that expertise is available within schools, especially in higher risk areas such as laboratories, workshops et cetera, where teaching staff and ancillary staff have attended Health and Safety courses. Normally schools contact the Health and Safety Inspectors directly whenever they feel they need to do so.

SUPPLEMENTARY TO QUESTION NO. 246 OF 2001

HON S E LINARES:

The reason why I have asked this question is because we have recently passed through this House a lot of Health and Safety EU directives and I would have thought that from the beginning, since the law is already there, that we started afresh and the inspectors inspected all Government departments and especially schools. Therefore, they can identify as inspectors where there is a shortfall or where the law is not being complied with. The procedure is usually that the Headteacher goes and inspects around, I know that the Caretaker does likewise, but I would have thought that as the legislation came in that Health and Safety Inspectors go to schools, look at what they feel needs to be done and then start from scratch as from there. So my question is "Why cannot the Health and Safety Inspectors do that?"

HON DR B A LINARES:

The Health and Safety Inspectors are perfectly content with the arrangements that prevail at the moment. There has been a lot of induction of Headteachers and staff concerning the new Health and Safety exigencies and I am sure that any area of doubt in which they need the further expert advice from the Health and Safety Inspectors, they will have recourse to.

ORAL

NO. 247 OF 2001

THE HON S E LINARES

**EDUCATION - SCHOOL ATTENDANTS AND CARETAKERS**

Can the Minister state what is the current state of negotiations with the union in relation to School Attendants or Caretakers?

ANSWER

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

A lot of progress has been made but it is not appropriate at this moment to give details of the negotiations which are currently going on.

SUPPLEMENTARY TO QUESTION NO. 247 OF 2001

HON S E LINARES:

Is it still Government policy not to accept selective industrial action?

HON DR B A LINARES:

That is a much wider issue outside the remit of my department and I would not wish to comment on this.

HON CHIEF MINISTER:

I am happy to comment on that. The policy of the Government is that it fully respects the right of all employees to exercise their right to take industrial action. That is their right to withdraw their labour, to go on strike. What the Government do not recognise is the right of people to pick and choose which parts of their contracts of employment they choose to honour and which they choose not to honour and expect to be paid in full as if they were honouring the whole of their contracts of employment.

HON J J BOSSANO:

Is this something that the Government have introduced as a general rule in respect of all civil servants or does it affect only groups where the numbers are small?

HON CHIEF MINISTER:

No. As far as I am aware that has been the policy that the Government have applied since we arrived in Office in May 1996.

HON J J BOSSANO:

That policy may have been introduced in 1996, but was never made public until the recent issue of the Caretakers, that is the first time the Government stated publicly

that selective industrial action would not be tolerated and that people would be considered to be on strike if they took selective industrial action.

HON CHIEF MINISTER:

I cannot say whether it is the first time it has been the subject of public comment or not by the Government. It is certainly not the first time that the policy has been applied.

HON J J BOSSANO:

Was it applied subsequent to that in the selective industrial action undertaken in the course of the dispute over the pay of the civil service?

HON CHIEF MINISTER:

The industrial action that was taken at that time did not involve the omission to perform any of the jobs specified in the job specification of any of the officers involved.

HON J J BOSSANO:

Has it ever been taken since 1996 on any occasion when members of the Port Department refused to handle visiting cruise liners, have they all been told if they are on strike they will not get paid?

HON CHIEF MINISTER:

I believe that that is absolutely so on each of those occasions. The instructions that the Personnel Department is under is to treat the staff involved as being on strike and therefore off pay.

HON S E LINARES:

Does the Chief Minister then think that even teachers or nurses are not allowed to take selective industrial action, and therefore close schools and hospitals?

HON CHIEF MINISTER:

The policy of the Government is the policy of the Government. Teachers have never shown an inclination not to fully perform their duties as per their contract and therefore the situation has not arisen, but the policy does not have any exceptions.

HON S E LINARES:

Has the Chief Minister informed the GTA of this move, what I would call a new development?

HON CHIEF MINISTER:

The hon Member's supplementary question is nonsensical. I have just spent the last five minutes explaining to him why it is not a new development.

ORAL

NO. 248 OF 2001

THE HON S E LINARES

**CONSTRUCTION TRAINING CENTRE**

Will the Minister for Education state how many trainees have qualified for enrolment at the Construction Training Centre for September 2000 intake giving a breakdown by trade?

ANSWER

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

Answered together with Question No. 249 of 2001.

NO. 249 OF 2001

THE HON S E LINARES

**CONSTRUCTION TRAINING CENTRE**

Will the Minister for Education state how many trainees from the Construction Training Centre have not completed the 1999 intake?

ANSWER

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

The following have been enrolled at the Construction Training Centre for the September 2000 intake:

Carpenters	5
Painters and Decorators	5
Plasterers	1
Plumbers	3
Bricklayers	<u>2</u>
	<u>16</u>

Out of 23 trainees in the 1999 intake two have not completed the NVQ level 1 course.

SUPPLEMENTARY TO QUESTION NOS 248 AND 249 OF 2001

HON J L BALDACHINO:

Out of the total of 16, are there any females in that total?

HON DR B A LINARES:

I would not be able to answer this, I have not checked on that.



NO. 250 OF 2001

THE HON S E LINARES

**CONSTRUCTION TRAINING CENTRE**

Can the Minister state whether a teacher from Bayside is present at all times with the children in the Construction Training Centre?

ANSWER

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

A teacher from Bayside is not present at all times. This is not found to be necessary either by the Headteacher in Bayside or the manager of the Construction Training Centre. A teacher from Bayside liaises regularly with the Construction Training Centre to monitor the student progress in order to modify arrangements as and when necessary. Parents of students attending this Centre have been consulted prior to sending the students to the Centre and are kept informed of progress.

SUPPLEMENTARY TO QUESTION NO. 250 OF 2001

HON S E LINARES:

Can the Minister state whether the students going to the Construction Training Centre go for a whole day or do they have to commute from the Centre to school during school hours?

HON DR B A LINARES:

I am not sure of that. I know that it is a part-time course in the Training Centre and part-time in school. I do not know what the timetabling arrangements are exactly.

HON S E LINARES:

Has the Minister got an idea of how many children are involved in this?

HON DR B A LINARES:

I have not got the figures with me.

NO. 251 OF 2001

THE HON S E LINARES

**EDUCATION - WESTSIDE/BAYSIDE COURSES**

Can the Minister state what sort of courses have been prepared for both Westside and Bayside schools for children leaving at the age of 15 in year 10 for the academic year 2000/2001?

ANSWER

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

Bayside

For students at age 15 in Year 10 for the Academic Year 2000-2001, a one-year vocational course is currently being offered. These students attend both school and the Our Lady of Europe (OLE) Training Centre. At Our Lady of Europe Training Centre, Gibraltar College of Further Education qualified staff are present a great part of the time.

Westside

Offers non-GCSE courses in areas as Commercial Studies, Housecraft and Integrated Studies. Within these, students follow RSA Initial Awards, Textiles Technology and Life Skills. These are pre-vocational 2-year courses which are examined through coursework and external examinations.

SUPPLEMENTARY TO QUESTION NO. 251 OF 2001

HON J L BALDACHINO:

The Minister said about two or three years ago that he was looking at the possibility of introducing G NVQs. Has that happened in the schools?

HON DR B A LINARES:

No, Mr Speaker.

NO. 252 OF 2001

THE HON S E LINARES

**EDUCATION - SCHOOL ATTENDANCE**

Can the Minister state what sort of co-ordination there is between the Ministry of Education and the Ministry for Social Affairs in relation to children suspended from school and children who are truant from schools?

ANSWER

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

The Education Department is represented and proactive in the Child Protection Committee and in the work of the Adoption and Fostering Panel.

Before children become suspended there is considerable liaison between the Principal Educational Psychologist, the Behaviour Support Teacher and the child's Social Worker. Certainly if a child is on the At Risk Register, he will be well known to both Departments and the subject of formal liaison.

Attendance at school is monitored by the Educational Welfare Officer who works very closely with the Social Worker concerned.

There is a sub-committee of Headteachers, Principal Educational Psychologist and Senior Education Adviser (SEN) who meets to discuss liaison issues with Social Services.

Never has the relationship between educators and social workers been as good as they are now. In this connection, my officers feel free to take decisions jointly and co-operate in parenting classes, law reform and preventive work.

SUPPLEMENTARY TO QUESTION NO. 252 OF 2001

**HON S E LINARES:**

I specifically asked this question because I am quite worried and concerned for certain children whom I see and we all know that are out in the streets. I know of some who have had family history and are still out there and we have had the brothers and sisters of those children out in the streets, now we get the little ones still out in the street. There seems to be a whole list of certain families that do not attend school. One sees them down the street; the brother did not attend school, now the little brother is not attending school, the sister is not attending school and that is why I have asked the question because there does not seem to be a follow up. It seems to be recurring. I am worried about these children who are out there and for years the same families have been doing the same. The best way we can tackle this is to change the law in relation to truancy of children. The Minister is aware that once the Register is looked into and they see that there is high absenteeism of a child and at the end of the day they go to court, they are taken to court and they are fined £5, it does not seem to be a deterrent to the family or to the parents, the fact that the child is truant. Would the Minister look into this and the law so that we do not have those children out there and that the parents are made responsible?

HON DR B A LINARES:

We can certainly look at the legal context to this. I am perfectly satisfied that outside the legal context the proactive strategies of the department, as I have explained in my original answer, is very positive and of course I too am familiar, teachers have always been familiar with situations such as the ones described by the hon Member. I can assure him that every step is taken in those cases to try to counteract the incidence of truancy and the hon Member will agree that truancy in Gibraltar is really quite minimal compared to situations in other countries.

HON S E LINARES:

I totally agree, it is very low, but it always seems to be the same families.

ORAL

NO. 253 OF 2001

THE HON S E LINARES

**TRAINING - CAMMELL LAIRD**

Can the Minister state how much money Government are paying Cammell Laird for each student that they take in for training purposes?

ANSWER

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

The Government contribute to Cammell Laird's training scheme £1771.65 per apprentice for the current year.

SUPPLEMENTARY TO QUESTION NO. 253 OF 2001

HON S E LINARES:

Can the Minister state how many there are currently?

HON DR B A LINARES:

There are 45 apprentices in Cammell Laird.

ORAL

NO. 254 OF 2001

THE HON S E LINARES

**TRAINING - CAMMELL LAIRD**

Will the Minister for Education state how many applicants have registered at Cammell Laird for the third intake in October/November 2000 that includes electrical and mechanical trades?

ANSWER

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

Up to 17 applicants have registered at the Cammell Laird Training Centre for Intake 3 corresponding to the October/November 2000.

ORAL

NO. 255 OF 2001

THE HON S E LINARES

**COLLEGE OF FURTHER EDUCATION - NUMBER OF COMPUTERS**

Can the Minister state how many computers were available for use in the College of Further Education as from the end of October to the present date?

ANSWER

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

Mr Speaker, 130 computers.

SUPPLEMENTARY TO QUESTION NO. 255 OF 2001

HON S E LINARES:

Are these computers functional or is it just that they have 130 computers there? Can students actually use them?

HON DR B A LINARES:

My understanding is that they are fully functional, 106 computers are for students use, 14 are used for the College Administration and staff areas, like resources, library, management and 10 are used as a teaching resource for students who are learning maintenance and repair work of IT equipment.

ORAL

NO. 256 OF 2001

THE HON S E LINARES

**COLLEGE OF FURTHER EDUCATION - NUMBER OF STUDENTS**

Can the Minister give this House a breakdown of the number of students that started attending the educational programme of the College of Further Education in the Year 1999/2000, 2000/2001 by subject and how many have not completed in each year?

ANSWER

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

I hand the hon Member a separate paper with the information that is required.



Answer to Question No. 256 of 2001

**GIBRALTAR COLLEGE OF FURTHER EDUCATION**  
**Student Numbers (Full-Time Only)**

**1999-2000**

<u>Full-Time Courses</u>	Started	Completed the year
Information Technology	59	53
Built Environment	21	16
Business Studies	73	65
Preparatory Course	<u>19</u>	<u>14</u>
Total	172	148
Our Lady of Europa Training Annex	20	13
Bayside A Level Link	23	23

**2000-2001**

<u>Full-Time Courses</u>	Started	Current:Jan 2001
Information Technology	90	83
Built Environment	26	24
Business Studies	66	57
Preparatory Course	<u>34</u>	<u>30</u>
Total	216	194
Our Lady of Europa Training Annex	19	15
Bayside A Level Link	24	24

ORAL

NO. 257 OF 2001

THE HON S E LINARES

**EDUCATION - BLEAK HOUSE**

Can the Minister give this House a breakdown of the number of students who started attending courses offered at Bleak House 1999/2000, 2000/2001 by subject and how many have completed in each year?

ANSWER

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

I hand the hon Member a separate paper with the information that is required.

### Answer to Question No 257/2001

#### On-going Training Programmes taking place at Bleak House

##### 1. Secretarial and Business Administration Scheme (1 year course)

###### INTAKE 1 - January 2000 to December 2000

No of students who started	-	16
No of students who completed	-	11

Of these who did not complete, 4 left for other employment.

###### INTAKE 2 – December 2000 – to finish December 2001

No of students who started : 12  
On-going course

##### 2. School of Tourism

	<u>Started</u>	<u>Completed</u>
INTAKE 2 : January 1999 – January 2000	9	5
INTAKE 3 : June 1999 – June 2000	11	7
INTAKE 4: October 1999 – October 2000	15	10
INTAKE 5 : February 2000 – February 20001	14	8
INTAKE 6 : October 2000 – to finish October 2001	13	on-going

##### 3. School of Health Studies

###### Diploma Course (3 year course) September 2000 – August 2003

No of students who started : 12  
All passed Module 1  
On-going Course

###### Enrolled Nurse Course (2 year course)

13 students completed course in September 1999  
New 2 year course due to start in March 2001

###### Registered Nurse Course (3 year course)

9 students due to complete this course in June 2001

##### 4. Counselling courses (central School of Counselling Training)

Cont.....

**Contd...Answer to Question 257 of 2001**

(i) Welcome Host Course

A customer service course provided by the Gibraltar Tourist Board –  
Groups of between 10 and 20 participants

(iv) Health and Safety Courses

These are provided by :

- (a) Environmental Agency
- (b) Richard Labrador

Courses on offer :

Food Hygiene  
Office Safety  
Risk Assessment  
Working Safely

(v) Some private sector companies and institutions have used Bleak House for their in-house training such as:

Norwich Union  
Natwest Bank  
Chartered Institute of Bankers  
And also the Ministry of Defence

(vi) Government departments use Bleak House for in-house training such as:

Department of Education and Training  
Gibraltar Health Authority  
Social Services Agency  
City Fire Brigade

**Contd...Answer to Question 257 of 2001**

Diploma in Counselling - September 1999 – September 2000

No of students who started : 8  
No of students who completed: 8

Introduction to Counselling Skills – September 2000 – December 2000

Started : 9  
Completed: 9

Certificate in Counselling Theory – September 2000 – May 2001

Started: 36  
On-going – Completion in May 2001

Certificate in Counselling Skills – January 2001 – June 2001-02-08

Started : 16  
On-going – completion in June 2001

5. Additional courses taking place at Bleak House sourced from the Gibraltar College of Further Education.

(i) AAT – Accounting Technicians Level

No of students who started : 15  
Completion – March 2001

(ii) ILEX : Institute of Legal Executives

8 students  
Course ended October 1999 (by personal choice, students did not sit examinations)

(iii) ICSA – (Institute of Chartered Secretaries and Administrators)

15 students  
Started October 1999  
Completed – June 2000

(iv) Computer Courses

Completed: September – December 2000  
Microsoft Word - 10  
Microsoft Excel 10  
Microsoft Access 10

Cont....

**Contd...Answer to Question 257 of 2001**

On-going	January 2001 – April	
	Microsoft Word	- 13
	Microsoft Word (Advanced)	10
	Microsoft Excel	13
	Microsoft Access	10

**(iv) Institute of Management**

**Certificate in Management : October 1999 – June 2000**

Started : 10

Completed - 10

**Certificate in Supervisory Management – October 1999 – June 2000**

Started 10

Completed 10

**6. ACCA Course (Association of Chartered Certified Accountants)**

**(iv) November 1999 – May 2000**

Started - 8

Completed - 8

**(v) October 2000 – May 2001**

Started - 11

Completion – May 2001

**7. Short courses which have taken place at Bleak House during the period (1 or 2 days' duration)**

**Training Providers : External**

**(i) Chamber of Commerce (Jane Goodwin Associates Group)**

- Generic training for the private sector through the Chamber of Commerce
- Weekly slots of one or half day courses in groups of up to 15 students (approx 100 participants per week)
- Take place approximately every 6 months.

**(ii) Civil Service Training (JGA Group)**

**A Series of one and half day workshops as above for the Civil Service**

- Took place in June 2000 and June 1999
- 400 participants in total for each year.

Cont....

NO. 258 OF 2001

THE HON S E LINARES

**EDUCATION - KEY SKILLS PROGRAMME**

Can the Minister for Education state what has been done to date in relation to key skills programme of numeracy, literacy and computing in both Westside and Bayside?

ANSWER

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

Bayside

A key skills programme is currently being devised to be implemented in Year 12. From Year 8 to 11, a numeracy and literacy programme is conducted by the English, Maths and Special Needs Departments. A programme of Information Technology is followed by all students in Years 8 and 9. In Year 11 Bayside offers Information Technology and Office Application Options at GCSE level.

Westside

The school is preparing all Year 12 AS level students for Key Skills in Communication, Application of Number and Information Technology. A team of eight senior members of staff was set up in September to anchor the Key Skills programme and to co-ordinate the teaching and assessment of Key Skills. At the moment, students are in the process of putting together their portfolios in these three areas. As those are completed and assessed, students will be entered for the examinations in Key Skills which are now scheduled by the Examination Boards four times during the year.

SUPPLEMENTARY TO QUESTION NO. 258 OF 2001

HON S E LINARES:

Is the examination in the case of Westside but not in Bayside?

HON DR B A LINARES:

That is correct.

HON S E LINARES:

Is the Minister aware that students going to University are now, not as a requirement itself, but the Universities are looking at students who actually go through these Key Skills programme and therefore we might have a case if it is not done fast that in Westside, the girls will have the opportunity to apply to University with an extra qualification in order to get into University, while Bayside does not. It worries me that Universities are asking more and more for these qualifications. In this case Westside seems to have reacted quicker than Bayside, so I am worried about that.

HON DR B A LINARES:

Bayside are working hard on this and quickly catching up.



NO. 259 OF 2001

THE HON S E LINARES

**EDUCATION - LOCAL NATIONAL CURRICULUM**

Can the Minister for Education state whether they are going to upgrade IT from foundation subject to core subject within our local National Curriculum?

ANSWER

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

There is no intention at present to upgrade IT from foundation to core subject within our National Curriculum.

SUPPLEMENTARY TO QUESTION NO. 259 OF 2001

HON S E LINARES:

Is the Minister aware that in some schools in the UK they are already upgrading IT as a core subject? It would be a step in the right direction for us to take initiatives of this sort rather than to wait for reactions in the UK. Since IT is growing so fast that sometimes we cannot keep up with it, may I suggest that the department looks into this quickly because it is a thing that even if in the UK they do not react, we need to react?

HON DR B A LINARES:

The fact that IT is not a core subject does not mean that it is not given due emphasis and importance in the Curriculum. When the hon Member says that some schools in the UK actually adopt IT as a core subject, it does not quite make sense, because when we speak of core subject and foundation subject we are talking about the National Curriculum, we are not talking about the policies or strategies of any particular school. As far as I know, the UK National Curriculum has not upgraded the IT to the level of a core subject. Core subjects are still English, Mathematics and Science.

HON S E LINARES:

That is why precisely I have asked the question. We do not have to wait for the UK. Our National Curriculum is exactly that, our National Curriculum. We legislated the year after the National Curriculum started in the UK because we were reacting and looking, which was a good move to wait and see how they fetched with the new National Curriculum, but I am stating that there is no reason why we in Gibraltar cannot put IT as a core subject rather than a foundation subject. That is the point that I am trying to make.

HON DR B A LINARES:

The only effect of that would be really to give more time to the teaching of IT. Core subjects are required in the timetable to be taught for longer periods.

HON S E LINARES:

Does the Minister envisage any changes in our comprehensive system?

HON DR B A LINARES:

That is a very wide question and I will not comment on that. I think the way the Blair statements have been represented by the media may not be entirely scientifically correct. What I can tell the hon Member is that a committee has been formed chaired by the Director of Education to review and look into the provision of post 16 education in Gibraltar, with a view to improving and enhancing the scope of that education.

NO. 260 OF 2001

THE HON S E LINARES

**EDUCATION - TRAINING IN E-COMMERCE**

Can the Minister for Education state what steps have been taken to provide training in E-Commerce that Government presumably value as an important element for our economy?

ANSWER

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

The Government committee on E-Commerce proposes to take the following steps.

1. To implement a campaign to increase awareness of the benefits of the ICT revolution.
2. To ensure that good resource provision is available at all levels to enable school leavers and others to obtain appropriate ICT skills.
3. To make available relevant courses to facilitate learning of ICT skills, including the European Computer Driving Licence.

SUPPLEMENTARY TO QUESTION 260 OF 2001

HON S E LINARES:

Can the Minister give an indication as in what time these courses and this awareness campaign will be in place because this is a fast moving element of technology and it takes a couple of months for the systems to change.

HON DR B A LINARES:

It cannot be deduced from the fact that there is a committee improving and looking at the way of enhancing and the provision of education on ICT, that there is nothing there already. I do not want to give the impression that we are lacking in resources here and now. We are fully resourced adequately in our schools for the teaching of Information Technology and as I explained in the context of a previous question, a great deal of emphasis is placed in our curriculum to do that. The fact that there is a committee precisely to meet the demands of the market now and of the importance of E-Commerce generally does not mean that there is nothing there already.

HON S E LINARES:

I appreciate that. It is just that the Minister spoke about schools and I am talking about the business people because they can lose out. He just mentioned that the committee is looking into it, which is what I was going on about.

HON K AZOPARDI:

All I would say is that clearly the Department of Trade and Industry and the Department of Education will be working together because my Colleague has responsibility for matters educational, but I have a clear interest in IT skills being

promoted in the community, and through the objective free programme we intend to work together departmentally to ensure that we provide skills to the workforce for training and re-training purposes.

NO. 261 OF 2001

THE HON S E LINARES

**EDUCATION - NUMBER OF COMPUTERS IN BAYSIDE**

Can the Minister state whether he is satisfied at the provision of computers in Bayside to be able to conduct A-level courses?

ANSWER

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

Yes, I am satisfied with the provision of computers in Bayside to be able to conduct A-level courses. A computing course at A-level has been successfully offered for a number of years. Students have attained a complete range of grades from A to E.

SUPPLEMENTARY TO QUESTION NO. 261 OF 2001

HON S E LINARES:

Is it true to say that some of the students have had to go to Bleak House in order to complete part of their A-level courses?

HON DR B A LINARES:

I am not aware of that, but I would not be surprised and I would not be shocked. There is close liaison between all the educational establishments and institutions and if it has been found beneficial for students to avail themselves of the excellent facilities in Bleak House, I would not be adverse to that strategy being adopted by the school.

HON S E LINARES:

That is precisely why I asked the Minister if he is satisfied with the resources in Bayside because it seems that if the resources were adequate there would not be a need to go to the excellent place in Bleak House. What I am saying is that the resources should be in the school not in other institutions. I am aware that there is co-ordination between one institution and the other.

HON DR B A LINARES:

The question was whether I was satisfied and I am satisfied which does not mean that I am complacent. As I said in the context of a previous question, we have plans for the expansion of computer facilities in Bayside, expanding for instance the number of rooms adjacent to the existing computer suite into an ITC Unit which will include the networking of all the rooms and new computers and furniture and internet access. The state of the art facilities are planned to commence as from September 2001.

HON S E LINARES:

Is the Minister aware that in Westside they do not offer A-level IT?

HON DR B A LINARES:

Yes, I am aware. I have got the list of A-level courses that are being offered in Westside. They may not be offering A-level IT as an examination but I do know that a great deal of emphasis is placed throughout the curriculum and in stage 3 and 4 in Westside on the teaching of Information Technology.

HON S E LINARES:

Therefore it means that the opportunities are not equal.

HON CHIEF MINISTER:

They are in other subjects.

HON S E LINARES:

I am glad that the Chief Minister is acknowledging it.

HON CHIEF MINISTER:

That is a complaint from my daughter on numerous occasions.

NO. 262 OF 2001

THE HON S E LINARES

# **EDUCATION - A-LEVEL COURSES**

Can the Minister state whether girls and boys have the same opportunities as in courses offered at A-Levels?

ANSWER

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

It depends what the hon Member means by opportunities. If one looks at the concept of opportunities in a broad sense that the level of educational advantage is available to both boys and girls on an equal opportunity basis, I would say yes I am satisfied. If we go into specific subjects that are offered at one particular level or other, or the examination courses, then yes, they do not have exactly the same opportunities. I do know that every effort is made, for instance PE at A-level was not being offered at Bayside, but nevertheless the boys who wanted to take PE A-level were incorporated into a group at Westside and Headteachers make every effort to actually share students for courses which for one reason or another they are not able to offer subject courses, that they are not able to offer in one particular school.

## SUPPLEMENTARY TO QUESTION NO. 262 OF 2001

HON S E LINARES:

As the Minister has just rightly stated this is the subject of another question. Is it possible to get a list of what each school offers at A-level?

HON DR B A LINARES:

Yes. I have the list here and I will be glad to pass it on to the hon Member.

HON S E LINARES:

Would it not be sensible to allow girls and boys to go to other schools, I know that that does happen, but it is only on the provision that the group in a specific school is low, so for example, if one is going to do History A-level and they are offering it in Westside and not in Bayside and there are four girls doing A-level History and one boy wanting to do A-level History in Bayside, that that boy is allowed to go, it depends on numbers. Would it be sensible to offer the whole array of A-levels to both girls and boys in either school?

HON DR B A LINARES:

That is an idea and no one can be averse to that but that is subject to constraints of availability of specialised staff. A-level teaching as the House knows requires a certain degree of specialism and we do not always have the available staff to duplicate subjects in both schools, but that is one of the areas that we are looking at in the committee that I mentioned before as being formed, chaired by the Director of Education, the Headteachers of both the secondary schools, the Principal of the

College, Education Advisers, precisely to look at ways that we can co-ordinate and integrate the post 16 education in future precisely to avoid these problems that arise out of the lack of teachers that can enable us to duplicate the provision in one school and another in particular subjects.

HON S E LINARES:

Does the Minister then think that it might be a sensible move to have like a 6<sup>th</sup> form college type of scenario where both comprehensives actually offer the array of subjects. One would have to have different types of rules because they would be changing and exchanging. It would be the first step towards Co-education at least at A-level. We might disagree about Co-education in general.

HON DR B A LINARES:

I think it is a very interesting concept and certainly one of the areas that are being looked into by the committee. One of the objectives that has been set for this committee to study in depth is to look at the logistics and at the feasibility of that type of arrangement, but that does not mean that I declare myself here and now in favour. I prefer to adopt an empirical and exploratory approach to these things and let the technicians study the feasibility and the logistics of the whole thing.



NO. 263 OF 2001

THE HON S E LINARES

**EDUCATION - A-LEVEL PE COURSE IN BAYSIDE SCHOOL**

Is the Minister satisfied at the way Bayside School is currently running the A-level PE course?

ANSWER

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

Yes.

SUPPLEMENTARY TO QUESTION NO. 263 OF 2001

HON S E LINARES:

I asked this question because my reports are that part of the A-level course PE is being run after school lessons rather than during school time. Is that correct?

HON DR B A LINARES:

That is correct. What happened is that Bayside pupils normally join the Westside School for A-level PE. This has not been possible this year because unexpectedly there are a large number of girls for AS-level PE and there were no places available for the boys, which is one of the situations that the hon Member described before. The department immediately suggested that the school offer this course to the boys, who would otherwise not have done it on the principle that we discussed earlier that we want to make sure that as close a provision is made in terms of equal opportunities to the boys and girls. The timetable by that time had been constructed, the hon Member may know how complex and difficult it is to change the timetable once it is locked, it was decided to offer this course after hours. All the necessary in-service has been provided to the Bayside staff who have gone out of their way to enable the pupils after hours to pursue this course. I can assure the hon Member that as from September next the course will be included in the normal timetable.

ORAL

NO. 264 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

Can the Minister state whether the change of school hours is expected to alleviate the flow of traffic generally?

ANSWER

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

Answered together with Question Nos. 265 to 271 of 2001.

ORAL

NO. 265 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

Can the Minister state whether provisions or facilities will be made available after school finishes at 2.30 pm, 3.00 pm or 3.30 pm as the case may be?

ANSWER

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

Answered together with Question Nos. 264 and 266 to 271 of 2001.

ORAL

NO. 266 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

How many extra staff are going to be employed in each school to

- (1) supervise children
- (2) clear up at the end of the session

as a result of the change of school hours?

ANSWER

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

Answered together with Question Nos. 264, 265 and 267 to 271 of 2001.

ORAL

NO. 267 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

Can the Minister state whether the works for providing a place for children to have their packed lunches have commenced?

ANSWER

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

Answered together with Question Nos. 264 to 266 and 268 to 271 of 2001.

ORAL

NO. 268 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

Can the Minister for Education state how much has the study into the detailed costing of the works necessary to provide a place for all the children whose parents may wish them to have their packed lunches in school cost?

ANSWER

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

Answered together with Question Nos. 264 to 267 and 269 to 271 of 2001.

ORAL

NO. 269 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

Can the Minister state whether a study has been conducted to ascertain the educational value of the change of school hours?

ANSWER

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

Answered together with Question Nos. 264 to 268 and 270 to 271 of 2001.

ORAL

NO. 270 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

Can the Minister state who conducted the detailed costing of the said works?

ANSWER

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

Answered together with Question Nos. 264 to 269 and 271 of 2001.



NO. 271 OF 2001

THE HON S E LINARES

**EDUCATION - CHANGE OF SCHOOL HOURS**

Can the Minister state what studies, surveys or questionnaires have been conducted by the department to ascertain the social implication that will inevitably occur once the school hours have changed in September 2001?

ANSWER

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

Answer to Question 264 of 2001

The change of school hours is expected to alleviate the flow of traffic generally.

Answer to Question 265 of 2001

School facilities are always available for extra curricular activities and community use. Any facility that can support such activities will be made available after school finishing times.

Answer to Question 266 of 2001

There are no stipulated maximum numbers for supervision of children during the lunch break. An average ratio of 1 supervisor for 35 children is acceptable. The exact numbers in each school will depend on the age of the pupils and the particular circumstances of each school. The clearing up at the end of the lunch session will be included in the supervisor's job description.

Answer to Question 267 of 2001

I can confirm that the works for providing a place for children to have their packed lunches in school have commenced.

Answer to Question 268 and 270 of 2001

The detailed costing of the works has been carried out by the Director of Education assisted by the Senior Education Adviser, the Senior Executive Officer, the Technical Officer and the Headteachers at no extra expense to Government.

Answer to Question 269 of 2001

A working group was set up by the Department of Education in February 1998 to study all aspects of the change of school hours. The working group was chaired by the Director of Education and included a representative of Headteachers and of the Teachers' Association. The educational implications were duly considered by the Group.

Answer to Question 271 of 2001

The possible social implications were studied by the same Working Group, which included representatives of Parents' Associations, the Womens' Association, the Traffic Commission and consultations were carried out with other relevant bodies such as the Royal Gibraltar Police.

SUPPLEMENTARY TO QUESTION NOS.264 TO 271 OF 2001

HON S E LINARES:

There is one question which has not quite been answered. In the social implications how many questionnaires and surveys have been conducted? Not that the committee were looking into it.

HON DR B A LINARES:

When I said the Working Group considered these implications, remember the Womens' Association particularly carried out their own survey of parental reactions and there are reasons the 'whys and wherefors' of the support that the change of school hours carried at the time. Recently the hon Member may be aware we have also carried a survey and a questionnaire of parental reactions.

HON S E LINARES:

Does the Minister see a problem that the department is not tackling head on, which is what are children going to do after the early finish?

HON DR B A LINARES:

There are problems. Children finish school at one particular time now, what do they do now? What will they do when the finishing time is earlier is essentially, in principle, exactly the same problem. It is only a question of time. There are problems, these problems have been studied by the relevant persons concerned with these matters, like the Parents' Association, the Womens' Association and they have come to the conclusion that seen globally in Gibraltar, we actually discussed publicly during the election campaign, it was in the interest of working parents of Gibraltar, that the pattern of school hours should be changed. There are problems in every change. Every change has repercussions on a social plain and those problems are there to be solved. I am sure teachers, parents, the educators, other relevant bodies like the RGP, Traffic Commission, will all rally together to see that these problems are minimised and that we can carry on life as safely and as happily as possible in our community.

HON S E LINARES:

Can the Minister give an indication of the results of the recent survey or questionnaire given out to parents which 5,300 odd were sent out?

HON DR B A LINARES:

Not yet. We are now collating. It has been a very massive response of teachers and parents and we are now collating the information, the Director of Education is analysing and a report will be presented to Council of Ministers initially and eventually we will be quite happy to make it public.

HON S E LINARES:

Is it true to say that in the options A, B and Other, there has been more response to the 'Other' than the A and B?

HON DR B A LINARES:

He will not draw any further specific information on that one.

HON S E LINARES:

The Government have put forward two options. One finishing at 3.15 pm and one finishing at 3.30 pm. If one looks at it as a teacher, teachers will be happy to finish earlier, but if one looks at it as a parent, they are not happy because they are happier that the school finishes later, although they are under the impression that children can stay at school at lunchtimes but finish at 4.15 pm, so that the problem is less. What I am saying is the questionnaire does not reflect the sentiments of one or the other. That is why I feel that the options that were put forward were trying to direct the result in having these finishes rather than giving options, which as I understand it, there are more on the 'Other' than on those two options.

HON DR B A LINARES:

There was no malicious intent to manipulate.

HON S E LINARES:

I am not saying that.

HON DR B A LINARES:

The hon Member hinted that we were actually directing the questionnaire along certain goals that we wanted to achieve. That is not correct. It would be silly to do that because what we really wanted to draw is the genuine feeling and views of parents and teachers. I think the questionnaire is adequate from a scientific sociological point of view. The reason why we spelt out Option A and Option B is because those are the options that have been placed before the department by everybody up to that point. Then we thought that nevertheless there should be an open choice under the column 'Other' for anyone who would not agree with A or B but nevertheless had any other ideas, although I am still resisting the temptation of giving the hon Member the information on that. I can assure him that many people availed themselves on that opportunity of providing their own thinking about timings which were not covered by Option A or B and they made use of the Option 'Other', which is a very common technique in questionnaires when one puts particular instances A, B, C and then one puts 'Other' to facilitate people who have other ideas.

HON S E LINARES:

As I understand it in Option A or B, the teachers' suggestion and especially the Headteachers' suggestion were not put there. The Headteachers' suggestion was an earlier finish and therefore one just puts 'Other' and the Headteacher's suggestion was of an earlier finish so that they have a shorter lunchbreak. That was the suggestion put forward and it was not in the questionnaire.

HON DR B A LINARES:

I am not commenting what the Headteachers are suggesting because as I say the information is still reserved but I can tell the House that it was not put there with any devious intent.

ORAL

NO. 272 OF 2001

THE HON DR R G VALARINO

**THEATRE ROYAL**

Have the Government now made a decision on the conservation and restoration of the different features of the Theatre Royal?

ANSWER

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

Answered together with Question Nos. 327 and 328 of 2001.

ORAL

NO. 273 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Are the costs of patient referrals between 1 April 1999 and end of August 1999 now available?

ANSWER

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

Answered together with Question Nos. 274 to 279 of 2001.

ORAL

NO. 274 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Have the costs for quota patients treated between 1 April 1999 and end of August 1999 now been received from the UK?

ANSWER

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

Answered together with Question Nos. 273 and 275 to 279 of 2001.

ORAL

NO. 275 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

What were the costs of non-quota patients treated in the UK between 1 August 2000 and the end of December 2000?

ANSWER

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

Answered together with Question Nos. 273, 274 and 276 to 279 of 2001.



ORAL

NO. 276 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state since the 1 August 2000 to the end of December 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 AND HEALTH

Answered together with Question Nos. 273 to 275 and 277 to 279 of 2001.

ORAL

NO. 277 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what was the number of Sponsored Patients treated in the UK from 1 August to the end of December 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 AND HEALTH

Answered together with Question Nos. 273 to 276 and 278 to 279 of 2001.

NO. 278 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Have the costs of Sponsored Patients treated in the UK for the period 1 January 2000 to the end of July 2000 with the fees being met by the UK Government now been received?

ANSWER

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

Answered together with Question Nos. 273 to 277 and 279 of 2001.

NO. 279 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what was the total number of Sponsored Patients treated in the UK for the period 1 August 2000 to the end of December 2000 with the costs being met by the UK Government and what was this cost?

ANSWER

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

The fees in respect of quota patients treated as from 1 April 1999 have not been received, or for that matter, the cost of quota patients from 1 August 2000 to the end of December 2000.

The costs in respect of non-quota patients treated in the UK between 1 August 2000 and the end of December 2000 was £235,301.70. The total number of Sponsored Patients and referrals during this period were 266 sponsored patients and 415 referrals and 51 quota patients were treated in the UK during the period 1 August 2000 to the end of December 2000, but we have not received the cost.

SUPPLEMENTARY TO QUESTION NOS.273 TO 279 OF 2001

HON MISS M I MONTEGRIFFO:

When the Health Care Reciprocal Agreement was amended, Government at the time stated that the figure of patients being treated in the UK free of charge would certainly be about 150 and that it could even be higher. Can the Government confirm whether this has happened and also the actual figure of free patients?

HON DR B A LINARES:

The notional figure on which we are working, which goes back to 1996, is 120. That is the latest figure on which we are working at the moment.

HON MISS M I MONTEGRIFFO:

So it is not the figure that his predecessor was anticipating of over 150?

HON DR B A LINARES:

It could be because it is a notional figure based on calculations made in 1996. When the formula which is a complex one, as the hon Member will know, is reviewed again when the Department of Health obtains details from all the hospitals and then present to us their accounts, the figure may well go up to 150, I am not too sure of that.

HON MISS M I MONTEGRIFFO:

How often do the Government receive these figures from the UK in order to be able to offset their UK fees with the Gibraltar Authority fees, because it seems to be taking quite a long time?

HON DR B A LINARES:

They have not done so since 1996.

HON J J BOSSANO:

Can I just be sure that we have understood? Since 1996 we have not actually cleared the accounts with the UK? Is that the position?

HON DR B A LINARES:

There are transactions going on on the basis of 120 free patients. Cleared the accounts, does the hon Member mean payments and making cash transactions, yes, but on the notional figure of 120, which was what was calculated with the use of a complex formula in 1996.

HON J J BOSSANO:

This complex formula we are talking about, is it the new formula that was agreed with the United Kingdom following a commitment that had been given by the UK when we were in Office prior to 1996 by David Davies, that the provision to UK pensioners in Gibraltar which was covered by Community law, this is the formula we are talking about?

HON DR B A LINARES:

That is the formula yes.

HON J J BOSSANO:

Is the Minister saying that the base line is the one that existed at the time the formula came in or the one that was supposed to be created by the implementation of the formula? When the formula was introduced retrospectively, which was brought to the House, there was already in existence a reciprocal health service scheme which went back to 1973 and which was periodically updated on the basis of information as to the number of UK nationals being treated in Gibraltar and the number of sponsored patients that we sent to the United Kingdom and it was part of the reciprocal agreement through which we also recover the cost of treatment in Spain, such as dialysis which goes through the same system. What I am asking is, this new formula which provided for pensioners which previously had not been an element in the old formula, is the 120 the calculation of the new formula or the calculation existing at the time the formula was brought in which was the one existing under the previous formula?

HON K AZOPARDI:

It is the new notional figure because if the hon Member goes back to the 1973 Agreement, they were proceeding on the basis of something like 40 or 45 quota patients. It was expected at the time of the implementation of the new formula, this is

why I made statements in the House some years ago, because the department had assessed that possibly up to 150 quota patients, we would be entitled to 150. What we did was when we signed the Agreement, we agreed with the UK that because we could not foresee the exact number of entitled patients that could forward in the ambit of the agreement, we would proceed on the basis of a new notional figure, not the 45 and we talked about 120 which is the one now and then we would agree to meet on an annual or once every two year basis to consolidate the accounts and then adjust the figure accordingly. I had no knowledge whether those meetings had taken place recently. To my knowledge, when I was Health Minister, certainly there were meetings but because all the statistics had not been collated yet, for example, in respect of dialysis patients Spain was very slow in bringing forward accounts in respect of those patients, there has not been a final consolidation of accounts.

HON J J BOSSANO:

The position then is that the notional figure is there because the exercise has not happened at all since 1996. We have not yet had an exercise with real figures?

HON DR B A LINARES:

That is my information.

NO. 280 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - ALZHEIMERS DISEASE**

Can Government state whether they have accepted the arguments put by the Opposition, in relation to the approval of a drug called Reminyl which has already been approved in the UK for patients suffering from Alzheimers disease?

ANSWER

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

The Gibraltar Formulary Committee recommended in November 2000 that the use of Galantamine (Reminyl®) on the GPMS should be in line with UK recommendations.

The National Institute for Clinical Excellence (NICE) recommended in January 2001 that Galantamine should be available on the NHS only for persons who meet certain clinical criteria. This appraisal requires clinical assessment by a neurologist or a psychiatrist.

Arrangements are being made with the consultant psychiatrist and as soon as the protocol has been established, the drug will be made available in Gibraltar.

NO. 281 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Can Government confirm what is the latest position as regards their policy to review 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 19 August 1999?

ANSWER

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

The revised fee of £1.80 was introduced with effect from 15<sup>th</sup> October 2000 in keeping with the agreement and in anticipation of the amendment to be made to the Regulations of the Pharmaceutical Services Regulations of August 1999. The total amount to be recovered from all the Pharmacists in question in respect of the financial year 1999/2000 is £111,429.33.

This amount will be clawed back by sums held by Government in respect of the amounts retained as a margin for corrections when the claims by the Pharmacists are presented and paid. It is 5 per cent retainment.

The final arrangements for settlement will be set in motion as soon as the Regulations have been amended to include the £1.80 dispensing fee as opposed to the earlier £2.35.



NO. 282 OF 2001

THE HON MISS M I MONTEGRIFFO

**NUMBER OF PRESCRIPTIONS**

Can Government confirm whether the number of prescriptions with three or more items have increased since they introduced the maximum fee of £7.50?

ANSWER

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

I cannot confirm whether the number of prescriptions with three or more items have increased since the maximum fee of £7.50 was introduced since these statistics are not collated.

However, I can confirm that the number of items that do not attract a £2.50 charge on the patient either because they are over and above the three items ceiling or because they are prescribed to patients who are exempt, have not significantly changed or increased since the new charges were introduced.

SUPPLEMENTARY TO QUESTION NO.282 OF 2001

HON MISS M I MONTEGRIFFO:

One other point, the Minister in the last House of Assembly meeting, in answer to a similar question, stated that there were ways in which patients were finding a way round the situation to still obtain products which are not necessarily required. The Minister said that the Government were looking at the intricacies of that and therefore can he confirm that the Government are tackling their alleged abuse?

HON DR B A LINARES:

I can confirm that the Prescriptions Pricing Advisory Unit has this as one of their tasks and objectives to investigate all aspects which may be fraudulent inclusive in the question of prescriptions charged to Government.

HON MISS M I MONTEGRIFFO:

Can the Minister therefore confirm that the Government have proof of this abuse?

HON DR B A LINARES:

No. I cannot go as far as actually making a statement to that effect, but that we are investigating possible potential areas of abuse.

HON MISS M I MONTEGRIFFO:

Do the Government have a number of cases that they are investigating?

HON DR B A LINARES:

I presume that the Prescriptions Pricing Advisory Unit look at actual numbers and suspicious and definite cases.

NO. 283 OF 2001

THE HON MISS M I MONTEGRIFFO

**NUMBER OF 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 July 2000, in respect of which £2.50 per item 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

I hand the hon Lady a table with the information required covering periods 5, 6, 7, 8, 9 and 10 of 1999/2000 and the same periods for 2000/2001 and I apologise for the hand-written corrections to that table.

ANSWER TO QUESTION NO 283/2001

1999/2000

PERIOD	5	6	7	8	9	10
WEEK	25/7/99	22/8/99	19/9/99	17/10/99	14/11/99	12/12/99
SCRIPTS	5185	4319	5374	5079	5579	5290
ITEMS	10090	8277	10757	10670	11285	10241
COST £	112365.20	77977.20	100068.69	106691.50	104429.30	102228.74

2000/2001

PERIOD	5	6	7	8	9	10
WEEK	23/7/00	20/8/00	17/9/00	15/10/00	12/11/00	10/12/00
SCRIPTS	5219	5298	5595	5805	5464	4760
ITEMS	9388	9450	10159	10502	10018	8800
COSTS £	111,878.03	114,222.09	121,881.76	129,915.77	123,541.79	109,911.02

NO. 284 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

What was the value of the medicines in respect of which £2.50 per item prescription charge was payable in the 12 month period since this level of prescription charge was introduced and the comparable preceding 12 months when the charge was £1.20 and the amounts of dispensing fees for each such periods, and can Government identify the periods in question?

ANSWER

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

I hand the hon Lady a table with the information required.

SUPPLEMENTARY TO QUESTION NO. 284 OF 2001

HON J J BOSSANO:

In relation to the question on the period when the £2.50 came in and the preceding period, the value of medicine that was given in Question No. 493 of 2000 was £3.6 million. The value of the medicines given here between August 1998 and July 1999, is that the period preceding the introduction of the £2.50 or the first 12 months of the £2.50?

HON DR B A LINARES:

That figure covers two weeks only because the new charge was introduced two weeks into that four week period, so that is why the figure of the value of the medicine is lower than the normal value for the full four week periods that are listed below.

HON J J BOSSANO:

Between August 1998 and July 1999, are those the first 12 months of the medicines dispensed with the £2.50 per item operating. Is that correct?

HON DR B A LINARES:

Yes, that is correct.

HON J J BOSSANO:

When we asked for similar information in Question 493 of 2000 in September, the value of medicines under the new one was given as £3,732,964.25p for the first 12 months. There seems an enormous difference.

HON DR B A LINARES:

The figures given there are the value of medicines in respect of which £2.50 has been paid. That is not the total cost to Government because there are medicines, which have been dispensed which do not carry the £2.50 charge. Nevertheless they are a cost to Government. I have actually got those figures and that may explain the additional value of that. In one case we are quoting the value of medicines related to items in which £2.50 have been charged and the other figure may include the total cost of medicines whether £2.50 has been recouped by Government or not.

HON J J BOSSANO:

The question asks the amount of dispensing fee for the period.

HON DR B A LINARES:

I apologise. I have that answer over the page. The records of the dispensing fees for paid items only, those records are not kept and they have never been kept. We have the value of dispensing fees calculated for all the items which have been dispensed. Pharmacists are paid the dispensing fee of £1.80 et cetera for all items that they dispense, whether they carry the £2.50 charge or they are free.

HON J J BOSSANO:

Does the question also not ask for the value of the medicines of the preceding 12 months, the comparison between the two?

HON DR B A LINARES:

I also have information on that. For the preceding 12 months, that is from August 1997 to the end of July 1998, statistics for the value of charged items were not collated either, this actually was brought to the attention of the House by the Hon Mr Azopardi in a meeting of the House answering a similar question. There is also records kept of the totals of the dispensing fees on how much was paid to pharmacies, but not in respect of the charged items.

HON J J BOSSANO:

When there was £1.20, am I right in my understanding that the dispensing fee that was paid to the pharmacists was £1.20?

HON DR B A LINARES:

Yes.

HON J J BOSSANO:

Therefore if the Health Authority has got the total number of items and has got the total amount of money, they know how much money they paid for at £1.20. Therefore the balance must be what was accounted for them by the £1.20 that the people paid? It is a simple deduction.

HON DR B A LINARES:

I suppose the officers could have made that calculation, but they have not done so.

HON J J BOSSANO:

Is it possible to obtain it?

HON DR B A LINARES:

I can see the logic of the hon Member's position, that one thing can be deduced from the other.

HON J J BOSSANO:

Will the Minister see if it can be obtained that way?

HON DR B A LINARES:

I will see that the officers do make that calculation.

DATES OF START	PERIOD	MEDICINE VALUE
W/E 9 Aug 1998	5 (2 Weeks)	£46,690.65
W/E 23 Aug 1998	6	£85,707.60
W/E 20 Sept 1998	7	£104,404.92
W/E 18 Oct 1998	8	£92,503.69
W/E 15 Nov 1998	9	£100,593.84
W/E 13 Dec 1998	10	£98,649.76
W/E 10 Jan 1999	11	£103,708.88
W/E 7 Feb 1999	12	£102,128.92
W/E 7 March 1999	13	£100,192.43
W/E 4 April 1999	1	£98,841.18
W/E 2 May 1999	2	£105,854.18
W/E 30 May 1999	3	£103,678.71
W/E 27 June 1999	4	£101,895.30
W/E 25 July 1999	5 (2 weeks)	£52,648.78
TOTAL		<u>£1,297,498.84</u>



NO. 285 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Can Government say what was the amount paid to pharmacists in the financial year 1997/98 and how much of this was due to prescriptions dispensed in that financial year and what was the breakdown of this figure as regards the yield of the 4.75 per cent of the wholesale value of medicines and how much was the result of the £1.20 per item payable by patients.

ANSWER

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

Just to avoid confusion, when the hon Member speaks of the sum of £1.20 payable by the patient and the £1.20 dispensing fee, I hope it is understood that these are separate and to some extent almost unconnected. It just so happens that £1.20 is the charge made to patients and the £1.20 happens to be the new dispensing fee. It is the Authority that derives that payment from the patients and the £1.20 fee is payable to the chemist. The charge made on the patients is not payable to the pharmacists. I hope that is clear.

SUPPEMENTARY TO QUESTION NO. 285 OF 2001

HON MISS M I MONTEGRIFFO:

It is not very clear.

HON DR B A LINARES:

Let me try to put it clear. The patients were charged £1.20 for the medicines and that was paid to the Authority. It has nothing to do with the £1.20 payable to the pharmacists in terms of dispensing fees.

HON J J BOSSANO:

The position is that the £1.20 was paid in the chemist shop with the prescription when the medicine was received and the chemist kept the money.

HON DR B A LINARES:

And the Government did not have to pay the dispensing fee...

HON J J BOSSANO:

Because he had the money already.

HON DR B A LINARES:

I thought that that would be the way of operating the system but I was still told by my officers that one payment, one sum, did not have anything to do with the other, so the Government recouped the £1.20 paid by patients and then paid the pharmacists the same amount of money which is a rather roundabout way of operating the system, but that is the way they tell me it was operated. It is incidental because it is not really the point of the question. The point of the question is the amount paid to pharmacists. The amount paid to pharmacists in 1997/1998 was £5,106,330.73 and the yield of the 4.75 per cent on the wholesale value of medicines was £223,269.00 and the £1.20 on-cost dispensing fee, which was just cleared was really the same as the money charged to patients, was £524,982.00.

HON J J BOSSANO:

Can the Government confirm what I understand to be the answer that the dispensing fee and the percentage fee of 4.75 per cent are already included in the £5 million? These are not on top of the £5 million.

HON DR B A LINARES:

Included in the £5 million. The finalised payments, and there is an explanation for that because of the retaining of 5 per cent, but the eventual finalised payments once the prescriptions are cleared came to £5,202,455.75, that is including the figures I have just quoted in relation to the 4.75 per cent on wholesale value and the £1.20 of costing. It is included in that figure.

HON J J BOSSANO:

The figure arrived at which would be of the order of £4.4 million looking at it roughly, would be the cost of the medicines?

HON DR B A LINARES:

The total is £4,454,204.75.

NO. 286 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Can Government say what was the amount paid to pharmacists in the Financial Year 1998/99 and how much of this was due to prescriptions dispensed in that financial year and can Government give a breakdown of the figure if part of it was paid under the old formula and prescription charge of 4.75 per cent on-cost plus £1.20 dispensing fee and part under the new formula of 15 per cent on-cost and £2.50 dispensing fee?

ANSWER

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

Answered together with Question No. 287 of 2001.

NO. 287 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Can Government say what was the amount paid to pharmacists in the Financial Year 1999/2000 and how much of this was due to prescriptions dispensed in that financial year and give a breakdown of the yield of 15 per cent on-cost of the basic price of medicines and of the £2.50 per item prescription charged in respect of the medicines to which the sum applied?

ANSWER

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

In this case I do know that the charge on patients of £2.50 per item up to a ceiling of three items is quite different from the dispensing fee payable to pharmacists of £2.35, so I do want to establish that because it seems to be suggested otherwise in the question by just quoting the figure of £2.50. The amount paid to pharmacists in 1998/99 and 1999/2000 was £4,264,165.55 and £4,238,831.89 respectively. It is not possible to apportion the value of prescriptions actually dispensed during the periods in question and calculate the relative on-cost at such short notice. Nevertheless I am sure that the Prescription Pricing and Advisory Unit will let us have the statistics that the hon Member requires and I shall write to the hon Member with the information.

SUPPLEMENTARY TO QUESTION NO. 287 OF 2001

HON MISS M I MONTEGRIFFO:

Am I right in saying that the Minister confirmed in an earlier question that the dispensing fee to pharmacists has now gone down to £1.80?

HON DR B A LINARES:

Yes.

HON J J BOSSANO:

Is this the amount paid in the Financial Year which does not necessarily mean that the medicines were dispensed in that time. Is that correct?

HON DR B A LINARES:

Yes. It is a problem because some of the items were dispensed the previous year and some of the items after the Financial Year, so there is always a lapse in that respect.

HON J J BOSSANO:

But it would be for a 12-month period?

HON DR B A LINARES:

It would be for a 12-month period.

HON J J BOSSANO:

Is the amount the three elements? The amount of the medicines, the dispensing fee and the 15 per cent of 4.7 per cent charge as the case may be?

HON DR B A LINARES:

It is the total value paid by Government which, if I may allow myself to say, is quite a saving on the £5,202,000 paid in previous years. This is where we boast of having made a considerable saving in these two years in question.

HON J J BOSSANO:

Is it then that there has been no savings after that? The Minister is so over the moon over the difference between the £5 million in the first year, the two years he has just given us in answer to these two questions are unchanged.

HON DR B A LINARES:

We have a figure of £4.3 million and another figure of £4.2 million. The fact is that we have retained the savings and now that we are at it, I might as well add that the £5.1 or £5.2 million that we were discussing before, if we subject that to the trend of increases over the years, we calculate would have gone up to £5.8 million in the years in question whereas the cost to Government of everything, the total cost of medicines, the dispensing fees and the 15 per cent amounted to £4.3 million in 1998/99 and £4.2 million in 1999/2000. So we have retained the savings and have stopped the trend of increases that is evident in the cost to Government in previous years.

HON J J BOSSANO:

This period 1998/99 provides for the first 12 months really, at least part of the year was the first 12 months of operation given the other table, which started on the 9<sup>th</sup> August. The introduction of the system would fall within the 1998/99 figure. Am I right?

HON DR B A LINARES:

Yes, but I do not claim that the saving which I have alluded naturally emanated from the new formula necessarily. There were other factors after the introduction of the Prescription Pricing Advisory Unit exercising greater control over the whole question of prescriptions that actually yielded the total savings in the total cost.

HON J J BOSSANO:

In the figure that we were given in the previous House in September of the amount that was paid with the introduction of the new formula, for which there is a question seeking further clarification, but nevertheless that would be indicative of the fact that on a much lower value of medicines, a much higher dispensing fee was payable and that seems to be the case of the figures that have been provided?

HON DR B A LINARES:

Yes but I do not see the relevance of that ratio, that relationship. The fact that it is obviously because the lower value of medicines carries the same dispensing fee, obviously the percentage is different but what is the point of that?

HON J J BOSSANO:

The formula was increased to take into account the lower value of medicines. That is why one increases the dispensing fee and one increases the percentage?

HON DR B A LINARES:

I will explain the whole context which motivated the change of the formula in a subsequent question, where the Chief Executive has explained what happened during the negotiations with the pharmacists and all the factors that were involved in reaching an agreement.

NO. 288 OF 2001

THE HON MISS M I MONTEGRIFFO

**PRESCRIPTION CHARGES**

Can Government state how much revenue the Gibraltar Health Authority has raised from 1 August 2000 to end of December 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

The revenue raised from prescription charges was as follows:

Periods 5 (23<sup>rd</sup> July 2000) to 10 (31<sup>st</sup> December 2000)

57,786 items @ £2.50 = £144,465.00

ORAL

NO. 289 OF 2001

THE HON MISS M I MONTEGRIFFO

**NUMBER OF 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 July 2000?

ANSWER

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

I now hand the hon Lady a table with the required information.



Answer to Question No. 289 of 2001

The breakdown of the 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 July, 2000 is as follows:

DATE	PERIOD	PRESCRIPTIONS	ITEMS	COST
23/7	5	11027	31919	£305009.59
20/8	6	11600	34441	£330948.83
17/9	7	11731	34141	£330002.42
15/10	8	12091	35944	£344875.37
12/11	9	11883	35466	£334349.76
10/12	10	10358	31707	£299085.27

I would ask the Honourable Member to note that some accounts in respect of period 10 are yet to be received.

NO. 290 OF 2001

THE HON MISS M I MONTEGRIFFO

**GPMS PRESCRIPTIONS**

Can Government confirm that the figure of 1125 items dispensed in prescriptions in the period ending 15 November 1999 given in answer to Question No. 489 of 2000 is incorrect and can they provide the correct figure?

ANSWER

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

I can confirm that the figure of 1125 items included in the table in answer to Question No. 489 of 2000 was a typing error and should have read 11285 items.

SUPPLEMENTARY TO QUESTION NO. 290 OF 2001

HON MISS M I MONTEGRIFFO:

Quite a typing error.

HON DR B A LINARES:

I do apologise for not having spotted it.

NO. 291 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - GPMS**

How many persons registered with the GPMS are entitled to free prescriptions?

ANSWER

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

Our records show that there are around 6,615 persons entitled to free prescriptions.

SUPPLEMENTARY TO QUESTION NO. 291 OF 2001

HON MISS M I MONTEGRIFFO:

Am I right in assuming that the figures relate to pensioners, the unemployed and district patients?

HON DR B A LINARES:

The figures relate to persons on the district medical service list, which is updated on a quarterly basis by the DSS and the latest list that we have is dated 12<sup>th</sup> January 2001, that is 530. Under Regulation 6A of the GPMS Regulations 1271 and on information from the DSS 4814 pensioners. Remember that now pensioners are not required to pay the 20p charge that was made previously. That adds up to 6615.

HON MISS M I MONTEGRIFFO:

When the Minister referred to the 1271, he made reference to the Regulation and then he said those were the figures applied by the DSS. Can the Minister confirm that that figure relates to the people who are unemployed?

HON DR B A LINARES:

Of course not. They are people who are under the definition of Regulation 6A of the GPMS Regulations under a certain level of income, which used to apply mostly to pensioners before under a certain income, but now we have added all pensioners.

HON J J BOSSANO:

Are the district patients the people who are on Social Assistance? I thought all persons who were on Social Assistance were entitled to the district prescription.

HON DR B A LINARES:

Yes, Mr Speaker, 513.

HON J J BOSSANO:

It is just that we are trying to identify which the second group is, the 1271, we are not very clear.

HON K AZOPARDI:

Historically when we had the 20p fee for pensioners, Regulation 6A basically says that and it links in with the other provisions of the Ordinance. It creates two categories of people that are exempt, the District Medical Scheme and those under Regulation 6A. Regulation 6A provides an income level and if one falls under the income level, one is deemed to be allowed to be exempt. It is linked to a determination made by the Government and it is scheduled to the GPMS Regulations and the Regulations provide that in the fixing of the determination, it is clear that it is cross referred to pensionable income de facto. My understanding of it was always that pensioners usually fell within that criteria Regulation 6A and once the 20p fee was removed, to a very large extent, probably it has become academic, but it may be used, because it provides a general income level, for those who may not be pensionable but fall within under that general income level, because the Regulation just specifies the fixing of a specific fee, but does not specify that the person who is entitled to apply in Regulation 6A is a pensioner.

ORAL

NO. 292 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Does the Health Authority pay a dispensing fee in respect of items on prescriptions on which no charge is made to the patient?

ANSWER

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

Answered together with Question No. 293 of 2001.

NO. 293 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Can the Minister for Health explain whether the £2.35 dispensing fee payable by the Gibraltar Health Authority to pharmacists per item dispensed, which he gave in answer to Question No. 486 of 2000, is in addition to the £2.50 prescription charge payable by patients.

ANSWER

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

Answer to Question No. 292 of 2001

The Authority pays a dispensing fee on all prescriptions, including those in respect of which no charge is paid by the patient, which is a pink prescription.

Answer to Question No. 293 of 2001

The charge of £2.35 is not in addition to the £2.50 prescription charge payable by the patient. It is evident that this charge is collected on behalf of the Authority, which is the £2.50, and is not a fee for the pharmacist, which is the £2.35.

NO. 294 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Can Government confirm that the figures for dispensing fees of £631,715.62 and £957,949.30 given in answer to Question No. 493 of 2000 is over and above the refunding of the cost of medicines with 15 per cent profit over such cost as stated in answer to Question No. 486 of 2000?

ANSWER

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

Answered together with Question No. 295 of 2001.

NO. 295 OF 2001

THE HON MISS M I MONTEGRIFFO

**GPMS PRESCRIPTIONS**

Can the Minister for Health give an explanation, as he promised in the last House of Assembly meeting, with regard to the table of figures provided in Question No. 493 of 2000?

ANSWER

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

I can confirm that the figures for the dispensing fees of £631,715.62 and £957,949.30 given in answer to Question No. 493 of 2000 were correct. The figures are additional to the 15 per cent allowed for the costs of importation to Gibraltar. I offered to give an explanation to the House because the hon Members asked about what appeared to be an exorbitant increase in dispensing fees from the old formula to the new and I did it to confirm the figures and place them into context. Having established, as I have already confirmed, that the figures were accurate, I now need to make the following observations:-

- i) The figures can not be taken in isolation and have to be placed into the context of the negotiations that were taking place at the time to reduce the level of spend. Negotiations between the Authority and the pharmacists. There can be no doubt that this has been achieved, as I gave evidence earlier.
- ii) The pharmacists were concerned that their remuneration would drop below unacceptable levels and needed reassurance against this. They were claiming £3 dispensing fee per item while the Authority considered the remuneration should be no more than £1.80. It was during the process of these negotiations that it was agreed to pay the sum of £2.35 subject to a minimum and a maximum global cost. The figure of £1.80 here is significant since it is the figure that the pharmacists have now accepted – it had to be proved to them.
- iii) The Authority agreed a minimum equivalent to 75 per cent of the remuneration paid during 1997/98 year. The maximum was pegged at the £750,000 paid during the course of that same year. In other words, the fee would be no more than what had been paid two years earlier. The position remains the same today.
- iv) I indicated in the answer that I gave in Question No. 493 of 2000 that the figure of £957,949.30 should not be used as a comparator because the remuneration would be reduced to £750,000.
- v) The package of measures introduced, of which the dispensing fee was just one element, included the elimination of a clause in the old contract which allowed the pharmacists to claim a 25 per cent over the cost of medicines under some circumstances. Circumstances I believe were that if they imported directly they would charge 25 per cent and that this actually



avowedly by the pharmacists could extend to over 70 per cent of all importations. This was highlighted in the Principal Auditor's Report based on the observations to this effect by Price Waterhouse and even according to the pharmacists themselves was claimed on approximately 70 per cent of the products. This would have accounted for approximately £560,000. This amount in effect was part of their fees and was eliminated with the revised formula.

HON J J BOSSANO:

We are being told now that the amount paid in 1997/98 was £750,000 and in answer to Question No. 285 of 2001, we were told that the dispensing fee was £524,982.

HON DR B A LINARES:

The dispensing fee includes a 15 per cent on-cost and the £1.80. I do not think I have said anything to the contrary. If I have I have made a mistake. The dispensing fee which is over and above the cost of medicine is 15 per cent on the landed costs plus £1.80, it was £2.35 before per item dispensed.

HON J J BOSSANO:

The answer then to the question as to whether the dispensing fee is separate which is what we were told in the previous House, that the dispensing fee was one thing, which was the result of the amount paid per item, here dispensing fee has got a different meaning. It means both.

HON DR B A LINARES:

I have always meant that and have the same meaning in my mind. If I gave the wrong impression, I am sorry. The dispensing fee, the amount paid to pharmacists for the service of dispensing is 15 per cent of the cost of the product and £1.80 per item dispensed whether charges are made on that item or not. The amount we gave in a financial year, which is not the 12 month calendar year, was £861,000.

ORAL

NO. 296 OF 2001

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 August 2000 to the end of December 2000?

ANSWER

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

Answered together with Question No. 297 of 2001.

NO. 297 OF 2001

THE HON MISS M I MONTEGRIFFO

## HOUSE CALLS

Can Government state how many house-calls were attended by Health Centre doctors from 1 August 2000 to the end of December 2000?

ANSWER

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

The total number of out patient attendances at the Primary Care Centre from 1 August 2000 to the end of December 2000 was 53,418. The number of housecalls, which excludes night calls, attended to by the Primary Care Centre doctors during the same period was 2572.

SUPPLEMENTARY TO QUESTION NOS. 296 AND 297 OF 2001

HON MISS M I MONTEGRIFFO:

Has the Minister received or is he aware of complaints from pensioners who constantly approach me saying that they are made to pay the house-call fee by the doctor?

HON DR B A LINARES:

They have to pay a fee but not of £10. The complaints have been about being charged £10 and not the £5 which is established by Statute. I have indeed tackled this issue with the doctors and pointed out that they are acting against the law if they do so, because it is established by law that the charge on house calls for pensioners is £5. I have discussed the matter with the Senior Citizens Association, who have actually made public statements to that effect as a result of the meeting they held with me, but certainly any occurrence of this abuse, should be brought to my attention. I have had no specific case brought to my attention. There have been a few cases brought to the attention of the Manager of the Primary Care Centre and she has actually tackled the doctors concerned and refunded the individual patient.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm what is the position of the GPs on this matter?

HON DR B A LINARES:

GPs had a meeting with me on this matter and made a case for the £10, they say that when the legislation was introduced they were not adequately consulted. I did not enter into that aspect of the situation. I just simply pointed out that whatever the background they pointed out to me was, the law is the law, and they certainly all agreed whilst the law is there by Statute they had to comply. If they have a claim against that I told them that they could make adequate representations and we could consider their thinking on the matter, but certainly while the legislation is there, I told

them in no uncertain terms, that it was illegal to charge senior citizens more than £5 for the house calls.

NO. 298 OF 2001

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 August 2000 to the end of December 2000?

ANSWER

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

Answered together with Question Nos. 299 and 300 of 2001.

NO. 299 OF 2001

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 August 2000 to the end of December 2000?

ANSWER

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

Answered together with Question Nos. 298 and 300 of 2001.

NO. 300 OF 2001

THE HON MISS M I MONTEGRIFFO

**ELDERLY CARE PATIENTS**

Can Government state how many long stay Elderly Care Patients there were at St Bernard's Hospital in August, September, October, November and December 2000?

ANSWER

TH HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH

Answer to Question 298 of 2001

The total number of out-patient attendances at St Bernard's Hospital from August 2000 to the end of December 2000 was 14,992.

Answer to Question 299 of 2001

The total number of in-patient admissions and the average number of patients per day at St Bernard's Hospital from August 2000 to the end of December 2000 were 2207 and 137 respectively.

Answer to Question 300 of 2001

The long stay elderly patients at St Bernard's during the period in question were

August	44
September	43
October	42
November	44
December	43

NO. 301 OF 2001

THE HON MISS M I MONTEGRIFFO

**PRIVATE PRACTICE**

Can the Minister for Health confirm whether he has now received the report from the monitoring committee in relation to the new arrangements for regulating private practice in the Gibraltar Health Authority which have been put in place by the Government?

ANSWER

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

Yes, Mr Speaker.

SUPPLEMENTARY TO QUESTION NO. 301 OF 2001

HON MISS M I MONTEGRIFFO:

In the last House of Assembly meeting the Minister said that he would not be able to answer my fears about the repercussions that public patients would be subjected to because of private practice until he received the report. Can the Minister confirm therefore that having read the report, Health Service patients are not adversely affected?

HON DR B A LINARES:

I can confirm that having received the report the management has very firmly and resolutely tackled the areas that were seen to be of non compliance with the private practice agreement and has received the full co-operation of the consultants in that respect, complying with all the aspects of the private practice agreement.

HON MISS M I MONTEGRIFFO:

The Minister must therefore be satisfied that waiting lists for public patients will not rise as a result?

HON DR B A LINARES:

There are many factors affecting problems of waiting lists and I am not satisfied in that context, but certainly as regards the operation for private practice agreement, in all its articles of requirements, management, I can assure the hon Member, is willing and establishing very positive co-operation from the consultants in keeping to the terms of the agreement.

HON MISS M I MONTEGRIFFO:

Does the Minister not accept that because of private practice being regulated waiting lists for public patients could rise as a consequence of that?



HON DR B A LINARES:

No. I do not accept that they could rise precisely because of that factor.

HON MISS M I MONTEGRIFFO:

We will have to wait for the waiting lists.

NO. 302 OF 2001

THE HON MISS M I MONTEGRIFFO

**PRIVATE PRACTICE**

Can Government explain the arrangements set up by the GHA regarding private work by dentists at the Primary Care Centre?

ANSWER

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

The current policy concerning the provision of private care by senior dental officers is essentially that patients can be seen privately after normal clinic hours.

The senior dental officer is responsible for all laboratory costs, provision of nursing cover and the purchasing of equipment and materials not covered by the Health Authority.

SUPPLEMENTARY TO QUESTION NO. 302 OF 2001

HON MISS M I MONTEGRIFFO:

After what hours are they being allowed to do private practice?

HON DR B A LINARES:

I am not sure of the exact hours, but the established clinic hours are there for everybody.

HON MISS M I MONTEGRIFFO:

Is the Minister aware that there are some patients seeking dental treatment or attention and that they are being dissuaded from being seen after 3 O' clock and they are being told to return the following day.

HON DR B A LINARES:

I was not aware of that, but certainly any evidence of that, I would be grateful if the hon Member could pass it on to me.

HON MISS M I MONTEGRIFFO:

Can the Minister confirm, perhaps at a later time today or in writing, exactly what are the hours the dentists are being allowed.

HON DR B A LINARES:

Yes I will, sorry I do not know myself.

NO. 303 OF 2001

THE HON MISS M I MONTEGRIFFO

**SHORTAGES OF BEDS IN ST BERNARD'S HOSPITAL**

Can Government state whether there continues to be a problem of shortages of beds in St Bernard's Hospital?

ANSWER

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

I am very pleased to say that the situation has much improved with regard to the problem of shortages of beds in St Bernard's Hospital. Much of the improvement can be attributed to the change that has been introduced in the patient admission procedure. Patients who are to undergo elective surgery are now being admitted on the day in question rather than on the previous day as had been the practice in the past.

The use of mixed wards and the application of strict management protocols have seen a reduction in the average length of overnight stay by one day. There has been no cancellation of operations recently on account of bed shortages and there is minimal disruption to the patients.

I would like to stress that the hospital in any case has always been able to cater for acute admissions.

HON MISS M I MONTEGRIFFO:

Does the Minister agree that the decision to open up the Rehabilitation Centre, was one of the factors for there being the problem of shortages of beds because the Health Authority lost a ward as a consequence of that. In effect, Louis Stagnetto, which would have been a geriatric ward, was then earmarked to be the kitchen area. As a consequence the kitchen, which was sited in Louis Stagnetto, left the Gibraltar Health Authority short of about 16 beds. Was that not a factor as well?

HON DR B A LINARES:

We lost private beds, which had been there for many years, but I am not aware that we lost any number of beds as a result of all these moves. It is an interesting analysis that the hon Member makes, that I will certainly follow up, but it has not come to my knowledge that that is the root cause and factor behind the shortages of beds at St Bernard's.

HON MISS M I MONTEGRIFFO:

I am saying that it could be one of the factors, because that is a ward and is now functioning as a kitchen.

HON DR B A LINARES:

I am assured that that is not the case.

HON MISS M I MONTEGRIFFO:

If Louis Stagnetto would have been opened to patients, as it originally was, the private wing is in the new Mackintosh Wing. Louis Stagnetto is now in the private wing, Louis Stagnetto originally was where the kitchen is. So it means that the GHA has lost a ward with 16 beds. Is that not the case?

HON K AZOPARDI:

The GHA have not lost any public beds. That is the answer to the question. Even when we were elected into Office back in 1996, the private corridor was being used for relocation of patients. The hon Member when she was Minister for Health used the private corridor for that purpose. The point is this, that if one looks at the average number of bed occupancy that the Health Authority had in the period 1995/1996/1997, one is looking at an average daily occupancy of about 100 to 102 beds. We rose last year to an average daily occupancy of about 130/140 beds. It has got nothing to do with the number of beds that one has around the hospital. We have 160 public beds. The reality was that the surge in average daily occupancy combined with the fact and the root cause of which was the long stay geriatric patients, of which I have answered questions in the House before and we said that there has been at the height of the problem about 40 or 50 long stay geriatric patients, by which we mean geriatric patients that have been in hospital for more than three months. That has been the root cause of the fact that we have had bed occupancy levels and the reason for that is that the hon Members did nothing to alleviate the situation with elderly care that we had to deal with last year.

HON MISS M I MONTEGRIFFO:

Let me tell the Minister that even though the GSLP, when we were in Government, had private corridor housing Louis Stagnetto ward we had no problems as regards shortages of beds. I will rephrase the question since I still think my analysis is correct. If the Government had not decided to open up the Rehabilitation Centre and the kitchen would have gone back to the original kitchen area, there would be an extra ward which was the old Louis Stagnetto ward. Is that not correct? The problem would not have been as acute, perhaps it could have continued to be a problem, but it would not have been as acute because of this decision that they took to open up the Rehabilitation Centre.

HON DR B A LINARES:

Within those constraints that we have all discussed here, it is good news that with good management at present, the situation has much improved.

HON MISS M I MONTEGRIFFO:

It does not leave much to say to the patients who went through the grievances and the stress.

HON J C PEREZ:

Does the Minister expect the good management to continue through the year and does the Minister not expect to have the same problem during this coming year?

HON DR B A LINARES:

I think it would be a good reason for expectation that if these months of January and February, particularly acute in terms of in-patient submissions, we have managed the situation considered unseen improvements, I think it would be reasonable to expect that as we move on during the year, the situation will be maintained and we will be able to cope.

HON J C PEREZ:

If by accident, it does not happen, can we blame bad management for it or the Minister?

HON DR B A LINARES:

I said that within the context of the constraints that we have all discussed. We have still, in spite of that and within that, managed as best we can.

HON CHIEF MINISTER:

In any case whilst Ministers do not shirk their responsibilities and since the Minister does not manage the hospital, I do not think it will ever be appropriate to blame the Minister for a bed shortage. What the Minister can do is to engage in strategic policy planning which could lead him to the conclusion that what one ought to do is be building a brand new spanking hospital to ensure that future generations do not have these problems, which of course the Minister has done, and that these problems that the hon Member is identifying in the eleventh hour of the life of St Bernard's Hospital, are very much a thing of the past as soon as the new hospital is on stream.

HON J C PEREZ:

I agree with the Chief Minister for the first time today. We ought to be building a brand new spanking hospital, not moving the same one from one building to another.

NO. 304 OF 2001

THE HON MISS M I MONTEGRIFFO

**POST OF CHIEF EXECUTIVE**

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 AND HEALTH

The position has not changed since I last answered this question in the House.

SUPPLEMENTARY TO QUESTION NO. 304 OF 2001

HON MISS M I MONTEGRIFFO:

The Chief Minister in the last House said that the question of the salary of the post of Chief Executive had not been settled, I think the Chief Minister said this, in fact I will quote, "It must be seen in the context of other similar claims by other senior officers elsewhere in the public service". Can the Minister confirm that there are senior officers that have actually put in a claim similar to that of the Chief Executive?

HON CHIEF MINISTER:

The hon Lady may be aware that following the deal that was done with the senior officer grade by the previous administration, I think it was in 1993, although the Leader of the Opposition may be able to correct me on the date, there is a view amongst many senior officers that it is not fair that all senior officer posts are graded the same. Therefore there are a number of outstanding regrading claims amongst certain senior officers, particularly the ones who believe that they do jobs which bear more responsibility than the rest of the senior officers graded jobs. There are several others, this is one of them. This one has not been sorted out because the others have not been sorted out either. In other words, it is an issue that the Government have not been able to address or have not addressed given the difficulty there has been with the pay review generally, although this is not an issue in which there is any dispute. They are just isolated claims.

HON MISS M I MONTEGRIFFO:

But it must be an issue that really has caught up with the Chief Executive's claim because he put in his claim round about 1997, so this is something that perhaps has been further caught up because of the new outstanding claims by the other senior grades in the civil service. Is that correct?

HON CHIEF MINISTER:

I would not wish to hazard a guess to who was the first. Some of them may go back even longer than that. Some of them are pretty long standing. It is an issue that the Government need to address all together and decide whether it is willing to do anything for any of the senior officers or whether it wishes to maintain the existing

structure of a single scale for senior officers without differentiation as between the various posts and grading them at different levels. Obviously it will involve grading some higher so that one would not downgrade any of the existing ones.

HON J C PEREZ:

So that I can understand it better, it is not as if the problem with different senior grades wanting different gradings has been created as a result of the post of the Head of the Medical Department.

HON CHIEF MINISTER:

It has been created and it is arguable that there always was a salary for the Chief Executive. When the job was being done by Mr Jackson, there was already a salary for the post. The problem is that because the present incumbent is a senior officer in the Government structure to deal with him in the context of the GHA is provocative to the others that are waiting with similar claims, and what needs to be done is first of all the Government need to decide whether it is willing to do something new in this area and then if the Government decide it is willing to do something new, it has to do a senior post by senior post assessment to see which should be treated differently to the others.

HON J C PEREZ:

If the Government were to move in this direction, would we see a movement in line with the UK civil service in terms of grading?

HON CHIEF MINISTER:

That is one of the factors. The fact is that in Gibraltar all senior officers are graded at the UK grade 7. Some of them aspire to be graded at 6 by way of analogue. That is the issue and raises issues of the sort that the hon Member has himself just mentioned about the transferability deal.

HON J J BOSSANO:

In the case of the position occupied by the Chief Executive now, who was already a senior officer, in his case the claim is purely because of what was being paid to the previous incumbent, is that not the case?

HON CHIEF MINISTER:

I would not wish to say whether that is the philosophical basis of his claim or not, but psychologically at least must draw a significant part of his thinking.

HON J J BOSSANO:

I seem to recollect, the Government can tell me whether I remember correctly, that at one point when the person was Acting for the UK recruit, he was actually being paid the pay of the UK?

HON CHIEF MINISTER:

Yes.

HON J J BOSSANO:

So the claim came about when his pay was reduced?

HON CHIEF MINISTER:

Yes.



NO. 305 OF 2001

THE HON MISS M I MONTEGRIFFO

**POST OF CONSULTANT GERIATRICIAN**

Will Government confirm whether the post of Consultant Geriatrician has been re-advertised as interviews for such a post were held on the 19<sup>th</sup> November 1999?

ANSWER

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

The post was re-advertised and a Consultant Geriatrician, Dr Stephen Barber, was appointed on a 3 year contract and will be taking up his post on 25<sup>th</sup> April 2001.

NO. 306 OF 2001

THE HON MISS M I MONTEGRIFFO

**POST OF CONSULTANT PATHOLOGIST**

Have Government now employed a permanent Consultant Pathologist since the previous one terminated his employment at the end of August last year?

ANSWER

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

A Consultant Pathologist, Dr Tadeusz Biedrzyski, has already been appointed on a three year contract and will be taking up his post on 1<sup>st</sup> March 2001.

ORAL

NO. 307 OF 2001

THE HON MISS M I MONTEGRIFFO

**CONSULTANT RADIOLOGIST**

Can Government confirm whether legal action is being taken against them as a result of their decision to terminate the employment contract of the last permanent Consultant Radiologist, Dr Rassa?

ANSWER

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

Dr Rassa has filed a complaint for unfair dismissal in the Industrial Tribunal.

SUPPLEMENTARY TO QUESTION NO. 307 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm when this was filed, the date?

HON DR B A LINARES:

I am sorry, I do not have the date.

NO. 308 OF 2001

THE HON MISS M I MONTEGRIFFO

**POST OF CONSULTANT RADIOLOGIST**

Can Government confirm what arrangements they have put in place in order to cover the post left vacant by the Consultant Radiologist due to their having terminated his contract?

ANSWER

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

The question of how Dr Rassa's employment came to an end is a matter to be considered by the Industrial Tribunal and it will not be appropriate for Government to comment on this.

The Authority immediately recruited two Radiologists to cover the vacancy to ensure that the service was maintained. I am glad that the hon Member has asked this question because it gives me great pleasure to say that all the comments I have heard from the management and the professional staff, and indeed from patients, have been very positive and full of praise for the doctors concerned and for the service that they have been providing.

As the hon Member is aware, I gave a commitment at the time that the vacant post would be advertised. This has been done. Management is now processing the applications.

SUPPLEMENTARY TO QUESTION NO. 308 OF 2001

**HON MISS M I MONTEGRIFFO:**

I am glad that I have put the question because I have received representations from patients that have had to wait with suspected problems related to the lung, something like five to six weeks before they have been able to have an x-ray taken. I personally rang the department in order to see whether there was delay and they said that the delay was because of the actual cover arrangements that have been put in place. Having said that, can the Minister confirm whether the actual locums that were employed were Spanish nationals whose reports were in the Spanish language and had to be translated by members of the staff?

**HON DR B A LINARES:**

Yes. The reports are in Spanish, but I have personally gone into this matter myself discussing particularly with the general practitioners who have all assured me that they have no problem whatsoever with regard to these reports. I cannot go into the details mainly because some of these reports are technical language and all doctors using different languages are familiar with the technicalities, but in any case because easy and fluid arrangements are made for translations when they are required, which in most cases they do not even think that they are necessary.

HON J J BOSSANO:

When required, who is responsible in the Health Authority for doing the translation? What category? Are we talking about somebody in the administration or in the nursing area?

HON DR B A LINARES:

Clinical staff, competent and knowledgeable in these matters.

HON J J BOSSANO:

The Minister said that they are now processing the applications, how many applications are there?

HON DR B A LINARES:

I do not know.

HON J J BOSSANO:

When did the vacancy close? By when were people required to apply?

HON DR B A LINARES:

I have not got the detailed information on that.

HON J J BOSSANO:

Will the Minister provide some additional information because we were not aware that this was happening, otherwise we would have put specific questions on it?

HON DR B A LINARES:

Yes, indeed.

NO. 309 OF 2001

THE HON MISS M I MONTEGRIFFO

**DIALYSIS UNIT**

Are Government now in a position to 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 AND HEALTH

Arrangements are currently in hand to provide dialysis equipment in case this is required by a patient in ITU at St Bernard's Hospital.

I can confirm that space has been allocated for such a unit within the plans for the new hospital to cater for four functional units and one for infective cases.

SUPPLEMENTARY TO QUESTION NO. 309 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm that these units will cater both for in-patients and out-patients?

HON DR B A LINARES:

Yes. The space and the provision can be stretched to in-patients and out-patients. In-patients for dialysis are very few and far between, therefore the intention all the time has been for out-patients on a day in and out basis.

HON MISS M I MONTEGRIFFO:

What the Minister is saying is that once the new hospital is functioning, that patients will no longer require to go to Spain, is that correct?

HON DR B A LINARES:

I cannot say that because it remains to be seen exactly what the needs are at any particular occasion.

HON J J BOSSANO:

Can the Minister say where on the basis of the need that exists today, what is being provided would enable what exists today to be done in Gibraltar?

HON CHIEF MINISTER:

The Government have not yet made a final policy decision as to whether the full range of dialysis services, serviced at the moment from the La Linea Centre, will be replicated in Gibraltar.

NO. 310 OF 2001

THE HON MISS M I MONTEGRIFFO

**BSE INFECTION**

Is it Government policy to advise hospitals to switch to disposable instruments as fears that surgical equipment might be contaminated with the human form of mad cow disease, as suggested in the United Kingdom?

ANSWER

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

Concern about the safety of medical and surgical instruments has been raised in the UK because of the possibility of wide prevalence of BSE infection in cattle there.

The actual risk – even in the UK – is considered a theoretical one, and greater with tissue grafts from infected persons such as in neurosurgery (dural grafts) and ophthalmic surgery (corneal grafts). No neurosurgery is carried out in Gibraltar, nor is corneal grafting. No case of vCJD has been reported in Gibraltar.

For these reasons, the practice used in Gibraltar follows the general advice given by the World Health Organisation, as follows:

- Disposable instruments are used whenever possible;
- A standard sterilization protocol for reusable instruments is followed that uses autoclaving at 134°C. the possible use of sodium hydroxide is being explored.
- Delicate instruments and parts that cannot withstand autoclaving have greatly been minimised; those that are still used are washed thoroughly and repeatedly as recommended, and arrangements are being made to use disposable instruments in tonsillectomies as it has been suggested, but no clear evidence given as yet, that this operation carries a slightly higher risk element than other operations.

SUPPLEMENTARY TO QUESTION NO. 310 OF 2001

HON MISS M I MONTEGRIFFO:

Is the Minister aware that the problems in the UK have not been theoretical as he has claimed since there have been 5,000 operations cancelled with regard to tonsillitis? Is the Minister aware of that?

HON DR B A LINARES:

The use of the word 'theoretical' is a scientific expression. It is not in terms of situations. It is a scientific expression meaning that looking at the fact that there have been 500 BSC, in cattle cases as huge as 200,000, whereas a few hundred human beings have been approximately 500, only four or five are still alive, if one puts these facts together then the risk element, the risk assessment is seen to be to a great extent theoretical. It is not theoretical for the particular person who dies. One

can make a joke about that, but I think that some of the hon Members will understand the logic and the scientific explanation that I am giving.

HON MISS M I MONTEGRIFFO:

Is it not more dangerous to wait for CJD to catch up with us because I can remember when the problems of HIV and the scare of the HIV started in Western Europe, everybody in Gibraltar thought that HIV would not come to Gibraltar and alas it arrived. Therefore, does the Minister not think that prevention is better than cure?

HON DR B A LINARES:

I do not think the hon Member would be justified to make a meal out of this one, because I am not saying at all that our response to the risk element is any way less than measures being taken in the UK. I have the latest information from the NHS in UK, the Health Service Circular, where they say this, and this is exactly the type of strategy and approach that they are taking. First of all they are saying, reinforcing existing safeguards, and they mention a number of things, but especially effective on thorough clearing of surgical instruments to remove as much organic debris as possible before sterilisation, and then they say new advice to meet the new risk assessment, which has come into play in UK. They say, "single used kits should always be used for all lumbar punctures, and they specify lumbar punctures only and we have ascertained that lumbar punctures here in Gibraltar use disposal instruments. It is a needle and a syringe and they are just disposed of. There is no problem there and then they say "where practical options for use in single use instruments are available, which do not compromise clinical outcome, consideration should be given to using these for surgical procedures". That is exactly the strategy within which we are operating here in Gibraltar. No way I want to. I am not saying it is done intentionally to represent that here in Gibraltar we are less concerned with the preventing, as the hon Member puts it, that they are in the UK.

HON MISS M I MONTEGRIFFO:

It is just that reacted because of the Minister using the phrase 'theoretical'.

HON DR B A LINARES:

I explained that it is purely scientific, almost abstract sort of explanation.



NO.311 OF 2001

THE HON MISS M I MONTEGRIFFO

**MMR VACCINE**

Can Government reassure parents on the safety of the MMR Vaccine given to children, despite widespread fears of its link to autism and bowel disorders including Crohn's disease?

ANSWER

THE HON THE MINISTER FOR EDUCATION TRAINING CULTURE AND HEALTH

The Government published the Gibraltar Health Authority's annual report in October 2000, which contained a detailed discussion about the safety of the MMR vaccine.

The conclusion reached was that the MMR vaccine has an excellent safety record and I will be happy to give a detailed explanation in the report, explaining the assurances which have been given in UK concerning its safety by the Joint Committee on Vaccination and Immunisation, the Committee on Safety of Medicines, the Medical Research Council and in the latest research the MMR Working Party, the Royal Free Hospital Public Health Laboratory Services, where all assure that no link between the timing of MMR and the onset of autism has been proved.

SUPPLEMENTARY TO QUESTION NO.311 OF 2001

HON MISS M I MONTEGRIFFO:

I understand what the Minister has said and I have read the Gibraltar Health Authority report. I put the question in order that the Government might decide to do something else in view of the fact that not everybody read the Gibraltar Health Authority report and because of the fact that the Government have recently published their desire to introduce a new Meningitis C vaccine, which will coincide with the MMR vaccine and there are lots of families that are seeking reassurance from doctors. I was thinking whether it was not opportune for the Government, now that they have announced the new Meningitis C vaccine, but it is going to coincide with the MMR vaccine, whether they should reassure people through a press release to allay the fears.

HON DR B A LINARES;

I am sure that the Department of Public Health who actually were responsible for publishing this more technical explanation, will now at a more layman's level, try to reassure parents because I know that there are anxieties. The main issue is that those anxieties need not be founded on the scientific evidence, but nevertheless the perception on the part of parents will have to be addressed and reassurance at that level, I agree, will be a very useful thing indeed.

NO.312 OF 2001

THE HON MISS M I MONTEGRIFFO

**MMR VACCINE**

Can Government state whether it is realistic to vaccinate children at 15 months of age with the vaccine against Meningitis C, at the same time as the MMR Vaccination, taking into account the fears about the consequences of the MMR vaccination?

ANSWER

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

It has not quite been answered. Now the hon Member is talking about the combination of the MMR vaccine with the Meningitis C vaccine, but again there I can quote from the Department of Health in UK, again at least for public reassurance, that Meningitis C, and I quote 'Vaccine can be safely given with routine childhood immunisations including Diphtheria, Tetanus, Whooping cough, Haemophilus B(Hib) and Polio vaccines and Mumps and Measles and Rubella (MMR). There is no evidence that multiple vaccines overload a child's immune system. American research suggests that immunising against up to 8 diseases at one visit is safe and effective.

The UK Government has been vaccinating children with Meningitis C vaccine at the same time as the MMR vaccine for over a year now. Experience with over a million doses or vaccine suggests that this should be entirely safe."

NO. 313 OF 200

THE HON MISS M I MONTEGRIFFO

**BCG VACCINES**

Can Government confirm when BCG vaccines are expected to arrive in Gibraltar?

ANSWER

THE HON THE MINISTER FOR EDUCATION TRAINING CULTURE AND HEALTH

The Gibraltar Health Authority has been planning the introduction of a BCG immunisation programme against tuberculosis since early 1999. However a worldwide shortage of BCG vaccine developed around that time to the extent that the UK has had to cancel its vaccination programme. Two years on, supplies are still not enough to launch and sustain a programme, but when the supply position improves, a programme will be introduced in Gibraltar.

NO. 314 OF 2001

THE HON MISS M I MONTEGRIFFO

**CONVERSION OF EUROPORT BUILDING INTO HOSPITAL**

Can Government state what works have been carried out up to date relating to the conversion of the Europort Building into a hospital?

ANSWER

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

No works have as yet been carried out for the conversion of the new hospital.

SUPPLEMENTARY TO QUESTION NO. 314 OF 2001

HON MISS M I MONTEGRIFFO:

When do the Government expect the works to commence?

HON DR B A LINARES:

Tenders for the provision of design and engineering consultants were considered last month and an appointment will be made shortly. These consultants will have to carry the existing plans through to the construction stage. The closing date for the submission of tenders for the conversion phase, was the 27th December 2000 and these tenders will be considered in consultation with whatever design team is appointed. Works are not expected to commence until after the summer this year.

HON J J BOSSANO

How many tenders have been received?

HON K AZOPARDI:

Just for clarification so that Members of the House are aware of the procedure we are following. The project consultants that we appointed advised us so that we could expedite the process, that we should in parallel to the process of appointment of the design team beyond Stage D, to invite expressions of interest, which we did, and that is the closing date that my hon Colleague referred to. We invited expressions of interest, we received seven or eight. The Tender Board will now interview those companies and they will be invited to submit a price after the design team has completed its design proposals now that they have been appointed.

NO. 315 OF 2001

THE HON MISS M I MONTEGRIFFO

**OCCUPATIONAL DISEASES**

Can Government now confirm whether the schedule of occupational diseases will be upgraded in line with the United Kingdom?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Government are not now in a position to confirm what the hon Lady requests.

SUPPLEMENTARY TO QUESTION NO. 315 OF 2001

HON MISS M I MONTEGRIFFO:

It was the request of the Director of Public Health and the Union that made representations to the Minister and they requested it not me.

HON MRS Y DEL AGUA:

We are not in a position to confirm what she is asking for.

HON MISS M I MONTEGRIFFO:

So what are the Government's intention on the matter?

HON CHIEF MINISTER:

Government's intention, as it has been said publicly before, is to review the list in the schedule. That may produce a review, an extension of the list of occupational diseases, which may or may not be the same as the list in the United Kingdom.

HON MISS M I MONTEGRIFFO:

But is it Government's intention to review the list?

HON CHIEF MINISTER:

Government intend to review the list because they have received a request from the Trade Unions to do so. The other party that the hon lady mentioned forms part of the Government and gives advice to Ministers but does not make the decisions, so the Government are looking at this on application from the Trade Unions, who claim that the list in Gibraltar has grown too short, given that there is now a recognition that there are many more industrial diseases than the original Gibraltar list gives credit for.

HON MISS M I MONTEGRIFFO:

Just to put the record straight, I mentioned the Director of Public Health because it was precisely the Minister who ventured the information in the last House of Assembly, who said that he was keen himself that the list should be reviewed.

HON DR B A LINARES:

And the Government are giving due consideration to the advise of the Director of Public Health with regard to one occupational disease.

NO. 316 OF 2001

THE HON MISS M I MONTEGRIFFO

**PSYCHO - GERIATRIC PATIENTS**

Can Government state how many psycho-geriatric patients have been admitted in KGV from 1 April 2000 to the end of January 2001?

ANSWER

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

There have been no psycho-geriatric patients admitted to KGV during the period of 1 April 2000 to 31 January 2001. One patient has been transferred within the hospital, from the acute ward to the long-stay ward.

SUPPLEMENTARY TO QUESTION NO. 316 OF 2001

HON MISS M I MONTEGRIFFO:

Therefore, the situation is that there are at present four psycho-geriatric patients in KGV, is that correct?

HON DR B A LINARES:

From 1<sup>st</sup> April 1997 to March 1998, there were seven. From 1<sup>st</sup> April 1998 to 31<sup>st</sup> March 1999, there was one. And from the 1<sup>st</sup> April 1999 to 31<sup>st</sup> March 2000, there were five, and there have been no further admissions during this April 2000 to 31<sup>st</sup> January 2001.

HON J J BOSSANO:

Of the patients that have been a long time in KGV, do they get re-classified as psycho-geriatric at a particular age? There are people who have been there for a very long time. Is that something that happens? I am not very sure whether there is an age element in psycho-geriatric. I assume that there is.

HON DR B A LINARES:

There must be a clinical criterion for that but obviously when they come to a particular age, they become geriatric.

NO. 317 OF 2001

THE HON MISS M I MONTEGRIFFO

**ENROLLED NURSES**

Can Government confirm whether enrolled nurses will be given the opportunity to train up to the level of staff nurse?

ANSWER

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

The School of Health Studies is currently in discussion with nurse management and staff side to evaluate what opportunities are available to train enrolled nurses to level of staff nurse. We have sought advice from the School of Nursing and Midwifery of Sheffield University and one avenue currently being considered is the use of a distance learning enrolled nurse conversion programme with the support of the Department of Nursing Studies from the School of Health Studies.

SUPPLEMENTARY TO QUESTION NO. 317 OF 2001

HON MISS M I MONTEGRIFFO:

Have the Government received representations from the Union on this matter?

HON DR B A LINARES:

Indeed we have and we are currently discussing with them the logistics and the limitations as well, that they well understand so that this is not just an easy passage to higher earnings, but also, a real development of professional skills.



NO. 318 OF 2001

THE HON MISS M I MONTEGRIFFO

**NUMBER OF NURSES**

Can Government state what was the number of nurses in post at the 31<sup>st</sup> December 1999 and at the 31<sup>st</sup> December 2000 with a breakdown by grade?

ANSWER

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

I hand the hon Lady a table containing the information that she requires.

SUPPLEMENTARY TO QUESTION NO. 318 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether they are actually whole time equivalence, the figures included in the table or are they bodies or are they whole time equivalence?

HON DR B A LINARES:

I think it is full time equivalence because they speak of one half nurse, so obviously that indicates that we must be speaking of full time equivalence.

Answer to Question 318 of 2001

NURSES AS AT 31-12-99		NURSES AS AT 31-12-00	
Charge Nurses	33	Charge Nurses	31
Staff Nurses	92	Staff Nurses	97
Snr Enrolled Nurses	10	Snr Enrolled Nurses	10
Enrolled Nurses	86	Enrolled Nurses	83
Nursing Assts & Auxiliaries	97½	Nursing Assts & Auxiliaries	94
	318.5		315

7.2.2000

320.5

NO. 319 OF 2001

THE HON MISS M I MONTEGRIFFO

**STUDENT NURSES**

Can Government confirm how many student nurses have failed in obtaining their nursing qualifications having been recruited under their new policy of an entry requirement of GCSE's?

ANSWER

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

There are currently two cohorts of student nurses.

The first are in their final year and will be sitting their finals in May.

The initial number for this intake was 12 but there are currently nine students. One student failed his first year exams and two students failed the second year exams.

The second group of students commenced this year. They are studying for the Diploma in Nursing Studies validated by the University of Sheffield. On all accounts they are doing very well and all the students have passed the first module.

SUPPLEMENTARY TO QUESTION NO. 319 OF 2001

HON MISS M I MONTEGRIFFO:

I thought the Minister said that there were two intakes, am I correct?

HON DR B A LINARES:

Yes.

HON MISS M I MONTEGRIFFO:

The Minister has given the figures for the first one. Originally the Minister said there were 12 and then he said that there are nine. Out of the nine, three have failed.

HON DR B A LINARES:

Not out of the nine, out of the 12, three have failed.

HON MISS M I MONTEGRIFFO:

What about the second cohort?

HON DR B A LINARES:

The second cohort of students have commenced this year. They are all doing very well, they have passed their first module and they are engaged in a course that leads to a diploma in nursing which is validated by the University of Sheffield.

HON MISS M I MONTEGRIFFO:

I am asking about the figures. How many are there?

HON DR B A LINARES:

There are 12.

NO. 320 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - RECEIPTS AND PAYMENTS**

Can Government state what is the latest estimates for the receipts and payments by the Gibraltar Health Authority in the current financial year?

ANSWER

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

These figures that I hand over to the hon Lady in a table, are tentative figures as yet because they will have to be consolidated and confirmed when we present the Estimates to the House.

Answer to Question 320/2001  
GIBRALTAR HEALTH AUTHORITY

	FORECAST OUTTURN 2000/2001
	£
<b><u>Receipts</u></b>	
Contribution from the Social Assistance Fund	3,100,000
Group Practice Medical Scheme	18,000,000
Contribution from the Consolidated Fund	6,688,000
Contribution from the Improvement & Development Fund	830,000
Other Receipts	200,000
	<b>28,818,000</b>

<b><u>Payments</u></b>	
<b><u>Personal Emoluments:</u></b>	
1 Salaries *A	9,650,000
2 Overtime	1,450,000
3 Allowances	2,000,000
4 Gratuities	282,000
	<b>13,382,000</b>
<b><u>Industrial Wages:</u></b>	
5 Basic (spend to Sept 00)	906,000
6 Overtime	434,000
7 Allowances	9,500
	<b>1,349,500</b>
<b><u>Other Personnel:</u></b>	
8 Relief Cover	480,000
9 Employer's Contributions	770,000
<b><u>Recurrent Expenditure:</u></b>	
Prescribed Drugs and Pharmaceuticals:	
10 GPMS Prescriptions	4,600,000
11 Drugs and Pharmaceuticals	780,000
	<b>5,380,000</b>
Equipment and Related Expenses:	
12 Medical and Surgical Equipment	240,000
13 Medical and Surgical Appliances	400,000
14 Hardware, Uniforms and Linen	115,000
15 Patients Appliances	50,000
	<b>805,000</b>
16 Dressings and Medical Gases	660,000
17 Provisions	235,000
Laundry and Cleaning	
18 Laundry Expenses	300,000
19 Cleaning Expenses	75,000
	<b>375,000</b>
20 ICC Health Centre	180,000
21 Visiting Consultant Expenses and Fees	50,000
carried forward	<b>23,666,500</b>

**GIBRALTAR HEALTH AUTHORITY (cont)**  
**Contd Answer to Question 320/2001**

	FORECAST OUTTURN 2000/2001
	£
<i>brought forward</i>	23,666,500
<b>Payments (cont)</b>	
<b>Recurrent Expenditure: (cont)</b>	
22 Recruitment Contractual Expenses and Accommodation	465,000
23 Motor Vehicle and Fuel Expenses	35,000
Offices Expenses:	
24 General Expenses	48,000
25 Electricity and Water	268,000
26 Telephone Service	150,000
27 Printing & Stationery	60,000
	526,000
28 Legal Fees	10,000
29 Official Travel Abroad	7,000
School of Health Studies:	
30 Running Expenses	190,000
31 Student Nurses	0
	190,000
32 Sponsored Patients	2,850,000
Miscellaneous Expenses:	
33 General	10,000
34 Contingencies	25,000
34(a) Disposal of Waste	100,000
	135,000
35 Ambulance Service	330,000
36 Registration Board	12,313
37 Repairs and Maintenance	120,000
Compensation Claims	278,000
<b>Total Recurrent</b>	<b>28,624,813</b>
<b>Capital Expenditure:</b>	
38 Equipment	530,000
39 Major Works	100,000
40 Computerization	50,000
41 ICC Health Centre Works	121,220
<b>Total Capital</b>	<b>801,220</b>

NO. 321 OF 2001

THE HON MISS M I MONTEGRIFFO

**PRIMARY CARE CENTRE**

Can Government state when the lease for the Primary Care Centre at the ICC Building will terminate?

ANSWER

THE HON MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH

The lease for the Primary Care Centre at the ICC Building will terminate on 31<sup>st</sup> October 2006.

SUPPLEMENTARY TO QUESTION NO. 321 OF 2001

Can the Government confirm whether they intend to renew the lease once it expires?

HON DR B A LINARES:

I cannot confirm that at this stage whether we intend to terminate.

HON MISS M I MONTEGRIFFO:

Is it Government's intention to re-site the Health Centre?

HON DR B A LINARES:

There are no plans at this stage.



NO. 322 OF 2001

THE HON J L BALDACHINO

**NVQ LEVEL 2 QUALIFICATIONS**

Can Government state if they now accept that a person who has an NVQ Level 2 qualification in the craft trade is able to apply for Government employment when a vacancy becomes available for the trade he/she has the qualifications considering that the City and Guilds considers it to be an apt qualification?

ANSWER

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

Yes.

SUPPLEMENTARY TO QUESTION NO. 322 OF 2001

HON J L BALDACHINO:

When was this decision taken?

HON DR B A LINARES:

That decision has been taken by the Training Advisory Council. In UK the, two year NVQ courses for trainees are accepted as equivalent of a craftsman indentured on traditional trades. It was discussed at the Training Advisory Council because there were representations made by the local industry who were not satisfied that the trainees after their two year training at the Construction Training Centre reaching a merited NVQ 2, really met the needs of the industry locally. They expected more versatility in their performance and their skills, but this has been resolved in the Training Advisory Council, where the industry is represented, including the Buildings and Works Department, by devising, as I have often explained in this House, the NVQ is a flexible programme of training, by devising a way whereby job experience within the two years will be offered to the trainees so that they will be partly in the Training Centre with the theoretical and the simulated work, but their training will not be based on simulation in the Centre, but it will also involve the hands on experience in jobs with the Industry. For instance, at present they are now working through the intervention of the Buildings and Works and in liaison with the Senior Citizens Association, refurbishing and helping, tiling and refurbishing homes for elderly people. That is the type of experience that the industry feels that they should be given even within the first two years of their training. In that context they now accept masons with an NVQ 2.

HON J L BALDACHINO:

I am grateful to the Minister for that explanation but that is not what I asked. On the 1<sup>st</sup> September 2000, the Minister said that the Government did not accept Level 2 qualifications. What I am asking is, "When did Government make a decision to accept Level 2 qualifications"?

HON DR B A LINARES:

I have not got the date. His reference to Question No.453 of 2000, which was in the Meeting of September, I did not quite say what the hon Member is representing me to have said. What I did say then in answer to a supplementary from the Leader of the Opposition, when he asked, "Once they complete Level 2, that they are now entering, they should have had sufficient training". I said that he is touching on a point which is presently being reviewed by the Training Unit locally and by the Training Advisory Council 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 locally are not quite satisfied with that and we 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. 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, that is a different matter. That is actually what I have said a moment ago, that there has been a discussion, there has been a debate in the Training Advisory Council as to whether they required Level 3 or Level 2 as the equivalent of the craftsman for employment. The matter has been resolved with the good old compromise by saying, if the trainees come to us with a Level 2 but nevertheless show evidence of on the job experience, not just simulated experience in the Centre, we will be happy to employ them. Consequently, in adverts now coming out, applications from Level 2 NVQs are accepted.

HON J L BALDACHINO:

I accept the explanation but the Minister has still not answered the question. In September, there were still discussions between the two parties.....

HON CHIEF MINISTER:

The Minister has answered the question. He says he has not got the date.

HON DR B A LINARES:

Obviously after September. There must have been a lapse of time after September when this discussion and this debate went on in the Training Advisory Council. There will be no problem to find out exactly at what meeting of the Training Advisory Council the matter was resolved, but I have not got the date with me.

HON J J BOSSANO:

When the Minister says "they have said that they will take on somebody provided" ....who exactly are they?

HON DR B A LINARES:

They are the representatives of the construction industry and Buildings and Works.

HON J J BOSSANO:

Buildings and Works itself was reluctant to take people on with NVQ before?

HON DR B A LINARES:

Yes, and there are very interesting reasons for that because obviously trainees were coming into employment with the Buildings and Works, for example, as a tiler and there were men employed by the Buildings and Works as masons, who would do tiling, brickwork, plastering et cetera and they felt that versatility was required by them, otherwise it would cause a certain dichotomy between the existing labour force and the new entrants. This has been resolved by giving the trainees that wider experience to provide the versatility so that they cannot come in and say "I am a tiler, nothing else", but the demarcation lines are wider.

HON J L BALDACHINO:

That problem that the Minister has just identified is also true if somebody has an NVQ Level 3. As the qualification stands now, one is a plasterer, a bricklayer or a tiler, so it does not make any difference whether one is on Level 2 or Level 3, the problem he has just identified is that he could equally be on Level 3, would that not be the case?

HON J J NETTO:

I understand that the actual modules between the different levels of the NVQ are going to be changed in the flexible way that my hon Colleague was referring to before, to allow for that kind of versatility. The hon Member should not be fixing his mind on thinking whether it was Level 2 or Level 3, that is irrelevant. What the hon Member should be concentrating in his mind is whether they are doing Level 2 or whether they are doing Level 3, that the module between Level 2 and Level 3 contains sufficient versatility to do the end product that the hon Member was talking about.

HON J J BOSSANO:

Surely the versatility is a matter for the people providing the training, not for the trainees. The trainees do not choose to be trained as tilers, so is it that Government have been training people as tilers and only after they have trained them, they have decided that it is not what is really required?

HON DR B A LINARES:

The training programmes have now been revised precisely to produce this wider scope of modules, more multi skilled, not quite multi skilled from one area to another, but at least within the different areas to provide modules that will enable the trainees to gain that more versatile range of skills.

HON J J BOSSANO:

It is difficult to understand why it should have taken this roundabout way to come back to something, which we have always known in Gibraltar from the beginning. That is to say, the training in Gibraltar always was on the premise that the nature of the skills required in our local industry, particularly when we are talking about modernising and refurbishment, is that it is not enough to be either a tiler.....but that has been known all along. We have had to have the scheme for so long to find this out? It is difficult to understand that.

HON DR B A LINARES:

The history behind that is that the qualifications, the NVQs now obtained, are validated by the City and Guilds Institute and they introduced modules and practices which are relevant in the UK but they have had to be adapted and tailored to our own needs. That is why there has been a time lapse in that respect.

HON J J BOSSANO:

So the modules have been amended by us and sent back for approval by them?

HON DR B A LINARES:

As it is possible with NVQs, as I have often explained before, that they are intended to be related and adapted to the needs of a particular industry.

HON J J BOSSANO:

I think an important element in seeking the date is to be able to monitor the degree to which people are going to be more successful post that date, which obviously they have not been before that date. At the moment I take it that the Government have given effect to this already. The Government are already taking people on who have got NVQ Level 2 and the training is already incorporating it?

HON DR B A LINARES:

I can see the point of the date being important in that context.

HON S E LINARES:

Have we got any accredited professionals who can accredit the NVQs locally? I know that there are subjects in which NVQs are accredited locally.

HON DR B A LINARES:

All the instructors in the Construction Training Industry have been accredited by the City and Guilds. They have been inducted, they have been trained in the UK precisely as instructors so they are no longer glorified craftsmen, but they are also being trained to develop skills as instructors and accredited as such by the City and Guilds.

HON S E LINARES:

Maybe I did not ask the question properly. What I meant is that those people, who are already accredited as instructors, can they accredit the syllabus, the work practice of the GNVQs locally, rather than sending it to the UK?

HON DR B A LINARES:

The ultimate accreditation comes from the City and Guilds who will monitor and assess finally the portfolios and the experience and the evidence which is presented by the local instructors concerning each individual trainee.

ORAL

NO. 323 OF 2001

THE HON DR J GARCIA

**COURSE IN INTERNATIONAL COMMERCE**

How many people have applied for the scholarship to the course in international commerce organised by the University of Cadiz with input from the Gibraltar College of Further Education?

ANSWER

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

Answered together with Question No. 324 of 2001.

NO. 324 OF 2001

THE HON DR J J GARCIA

**COURSE IN INTERNATIONAL COMMERCE**

How many persons have registered for the course in International Commerce organised by the University of Cadiz with input from the Gibraltar College of Further Education?

ANSWER

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

There were no applicants and hence no one registered.

SUPPLEMENTARY TO QUESTION NOS. 323 AND 324 OF 2001

HON DR J J GARCIA:

Is it the case then that the course has simply folded and will now not take place? Will the Government be asking for applications again?

HON DR B A LINARES:

The course is going on for Spanish students in Los Barrios as a subsidiary of the University of Cadiz, but there are no local entrants. There is a lecturer from the College actually lecturing on commercial English in this course paid by the University of Cadiz.

NO. 325 OF 2001

THE HON DR J J GARCIA

**SECRETARIAL AND BUSINESS ADMINISTRATION COURSE**

How many companies have expressed an interest in the course offering training places in Secretarial and Business Administration in conjunction with the Chamber of Commerce and the Federation of Small Businesses as published in an official notice in August 2000?

ANSWER

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

Twenty companies expressed an interest in the Secretarial and Business Administration course for intake 2 of 2000.

SUPPLEMENTARY TO QUESTION NO. 325 OF 2001

HON DR J J GARCIA:

Can the Minister clarify the input provided by the Chamber of Commerce and the Federation of Small Businesses, what is involved?

HON DR B A LINARES:

There is no funding from the Chamber of Commerce or from the Federation of Small Businesses. Their input is in terms of the placements of the students in particular firms and that is done through their intervention and their good offices.

NO. 326 OF 2001

THE HON DR J J GARCIA

**SECRETARIAL AND BUSINESS ADMINISTRATION COURSE**

How many persons have expressed an interest in taking the course on Secretarial and Business Administration organised in conjunction with the Chamber of Commerce and the Federation of Small Businesses as advertised in the Official Notice dated 19<sup>th</sup> September 2000?

ANSWER

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

Up to 32 people expressed an interest in the Secretarial and Business Administration Course. Twelve of these have been successful in their application and comprise the 2<sup>nd</sup> Intake for this course, the 2000 Intake. Intake one in 1999 attracted 27 applicants and 16 were selected after interviews.

SUPPLEMENTARY TO QUESTION NO. 326 OF 2001

HON S E LINARES:

Is it just through an interview that they are selected or is it by qualifications?

HON DR B A LINARES:

As far as I understand it is by interview.

HON DR J J GARCIA:

Can the Minister tell the House whether the 32 people which he referred to belong to 32 different companies or is it that some of them are from the same firm?

HON DR B A LINARES:

I have no detailed knowledge of that, but I imagine that they are from different firms. When I said, "expressed an interest", they phoned up and asked about details about the course at Bleak House. Actually 15 turned up for interview, they carried their interest through to a definite commitment in terms of an interview, and out of these 15, 12 were actually selected as having the potential to benefit from this course that is connected with business office administration.



ORAL

NO. 327 OF 2001

THE HON DR J GARCIA

**THEATRE ROYAL**

Is it still the intention of the Government to include conference facilities in the restored Theatre Royal?

ANSWER

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

Answered together with Question Nos. 272 and 328 of 2001.

NO. 328 OF 2001

THE HON DR J GARCIA

**THEATRE ROYAL**

What is the total projected cost of the Theatre Royal project and what sum will be paid for by the taxpayer and what sum will be made up of EU funding?

ANSWER

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

A full and detailed presentation will be made later this month by the multi-disciplinary team appointed for the Theatre Royal project together with the Government's consultants, Theatre Projects Consultants. The presentation will be made to the members of the Theatre Royal Steering Group under the chairmanship of (myself) and also to the Chief Minister and the Minister for Trade and Industry.

At this presentation, all aspects of the Theatre Royal, including its conservation and restoration will be considered and discussed and it is in this context that projected costs will be determined. It is the Government's intention to provide substantial conference facilities in the Theatre Royal and as I have said, all aspects of the Theatre Royal including costing for its development and restoration, will be considered and discussed at the presentation to be held on Thursday 15<sup>th</sup> February. I will inform the hon Member nevertheless that EU funds will be available on the basis of a 40 per cent EU funds and 60 per cent local funds.

SUPPLEMENTARY TO QUESTION NOS. 272, 327 AND 328 OF 2001

HON DR J GARCIA:

Is there an indication as to what the actual sums of money involved are?

HON DR B A LINARES:

As I have explained it is not until this presentation of different options available in the work to be carried out to the Theatre Royal that costings can be actually determined.

HON DR J GARCIA:

In relation to the conference centre, are the Government aware of the complaints made by the Gibraltar Hotel Association in this respect?

HON DR B A LINARES:

I have not personally heard of any complaints being addressed to me in that respect.

HON CHIEF MINISTER:

There comes a time when there is a need for us all to think a bit bigger. The sort of facilities that are going to be available in the Theatre Royal including for hotels, offers the sorts of possibilities for conferencing in Gibraltar which the current hotel facilities

do not offer. There comes a time when in Gibraltar we have to decide whether our collective interests are better served by preserving the small fishes or the big fishes in small ponds or increasing the size of the pond and the number of fishes. It is a matter of judgement because Government do not want to de-stabilise existing businesses. The Government are convinced that doing more to encourage larger conferences to come to Gibraltar with a different type of conference facilities is in the economic interests of Gibraltar, as I am sure it was in the judgement of the previous administration who no doubt for that reason encouraged or at least did not oppose the inclusion in the Europort development of a much larger conference facility that is presently available in any of the hotels in Gibraltar.

HON J J BOSSANO:

Is the EU funding part of the new funding or the old funding package? The 40 per cent EU funding is that part of the old funding package or the new one that has been agreed for the future?

HON DR B A LINARES:

Part of the old funding package.

HON J J BOSSANO:

I seem to recall that there was a problem of having to start by a certain date in order to qualify for those funds. We were told by the Hon Mr Montegriffo when he was responsible for the EU funding.

HON DR B A LINARES:

The problem of having to spend by a certain date the EU funds. Not a problem of having to start but having to finish.

HON CHIEF MINISTER:

The EU funds for this project have to be spent by the end of this year.

HON J J BOSSANO:

At the moment we do not know what the cost of the project is? Does that not suggest that it is late in the day not to even know what the cost of the project is going to be? We have got to spend it by the end of the year?

HON CHIEF MINISTER:

We do not know what the exact cost of the project is. We have an order of things from the consultants that have done the preliminary study, the consultants are confident that they can spend the 40 per cent by the end of this year. The hon Member will be glad to know that the fees do not amount to 40 per cent of the value of the project. There is an issue there, there is no doubt about that, of having to hurry.

HON J J BOSSANO:

Is it that once this work that is being done at the moment is finished, the thing will have to go to tender or do Government already know? How quickly can the work get started if there is a problem of getting it done in time?

HON DR B A LINARES:

Yes, it will have to go out to tender.

HON J J BOSSANO:

Is there a date by which Government expect to be going out to tender?

HON DR B A LINARES:

There is a date and I am feverishly trying to find it in my notes. I will give the hon Member the date as soon as I find my information.

ORAL

NO. 329 OF 2001

THE HON S E LINARES

**GARRISON LIBRARY**

Can the Minister for Education tell us whether the negotiations with the MOD have advanced in relation to the Garrison Library?

ANSWER

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

Answered together with Question No. 355 of 2001.

NO. 330 OF 2001

THE HON J C PEREZ

**E-COMMERCE**

Have Government now concluded their study into the effects of e-commerce with a view of providing new services at the Post Office?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

In discussions on the development of e-commerce in Gibraltar, issues surrounding delivery of services through the postal system have been raised. These are being considered by Government as part of the general review of the postal service.

SUPPLEMENTARY TO QUESTION NO. 330 OF 2001

HON J C PEREZ:

But it was being studied before the report was concluded. The Hon Mr Britto announced it at the time of the Budget and that is where I got it from.

HON K AZOPARDI:

I thought the hon Member was asking me about a reference that I had made some time ago, because the Think Tank that I have formed in relation to e-commerce reviewed all sorts of issues which were relevant to the field of e-commerce, and indeed some of the members of that Think Tank brought forward issues surrounding the postal service and how the delivery of the service in a particular way was crucial to the development of e-commerce. I thought that is what the hon Member had in mind. I cannot recall any other reference.

HON J C PEREZ:

Let me say that at the time of the Budget, the Hon Mr Britto, said that the department was studying the effect of e-commerce with a view of providing new services at the Post Office. If in April or May of last year, they were studying it, I am asking whether they have completed their study and they are thinking of providing new services at the Post Office. That is where the question comes from?

HON LT COL E M BRITTO:

I think there is a bit of confusion here. What I intended to say, and it should have been the thrust of what I said during the Budget speech, was that the department itself is looking at ways of improving its service and was studying the possibilities that e-commerce would open. That is not the same as the question on the Order Paper, "Have Government now concluded their study?" Government have not conducted a study. It is the department itself that was looking at its internal workings. It is a different thing.

HON J C PEREZ:

If the Minister would care to look at Hansard, the Minister said "The Government is involved in a study into e-commerce and the department has a view of providing new services in the Post Office". I do not know what the services entail or what the thinking of Ministers were and that is why I am trying to find out, because an announcement has been made by the Government at the time of the Budget and we want to know what it is about.

HON LT COL E M BRITTO:

Yes. I have just said about the confusion. E-commerce comes under my Colleague, the Minister for Trade and Industry, and it is his department that has been looking at e-commerce for some time and in that context the Post Office itself was thinking about the possibilities that e-commerce would open up and what it would need to do. They were two completely separate and distinct exercises.

HON J C PEREZ:

Have the Post Office stop thinking or are they still thinking about providing new services?

HON LT COL E M BRITTO:

The Post Office does things very slowly, so it has not completed its study yet.

ORAL

NO. 331 OF 2001

THE HON J C PEREZ

**ASC SATELLITE PROJECT**

Can Government state whether ASC continue in discussions with Government over their intended satellite project?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question No. 332 of 2001.



NO. 332 OF 2001

THE HON J C PEREZ

**ACTEL SATELLITE PROJECT**

Can Government state whether ACTEL continue in discussions with Government over their intended satellite project?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

ASC continue their discussions with the Government. In October last year, I met with ASC's Chief Executive Officer who explained the delays in generating activity on the ground in Gibraltar and attributed this, in the main, to the difficulties ASC was having in completing the financing for the Mobile Satellite Service project. I was informed that following Iridium's failure and the problems suffered by another mobile satellite operator, ICO, the financial market was very reluctant to lend money to mobile satellite systems. Because of this, ASC was now aiming to develop a satellite TV and Internet service to India in the very short term, to be followed by the mobile satellite service.

ASC are finalising an agreement to purchase a partially-built satellite to provide the TV and Internet service to India within 18 months. I was assured that ASC was continuing its commitment to Gibraltar and would construct the satellite control facility here. The Government have imposed a deadline of 1<sup>st</sup> June 2001 by which ASC has to have the project financed and agreed. A new Memorandum of Understanding to reflect this was signed last week which included the terms of the Building Licence and Lease.

As far as ACTEL is concerned, which is the other question the hon Member poses, the project is now, as far as the Government are concerned, dead. ACTEL had been in negotiation with British Telecom to enter into a partnership. Despite early indications that BT was supporting the project, late last year BT informed ACTEL that since it was reorganising it had to take a new look at Africa and its strategic imperatives. BT decided not to invest in ACTEL and as ACTEL had no other ready alternatives for possible investment the project was suspended.

ACTEL'S Teleport Facility Licence has been revoked by the Wireless Officer and the land at Lathbury Barracks earmarked for the project has been allocated to Ecom Ltd. The filings for satellite orbital locations for the ACTEL project were withdrawn earlier last year.

SUPPLEMENTARY TO QUESTION NOS. 331 AND 332 OF 2001

HON J C PEREZ:

Without breaking any kind of confidentiality, could the Minister say whether the question of the numbering plan could hinder any feature of the ASC project?

HON K AZOPARDI:

No. I am told that the ASC project does not depend on a resolution to that issue.

HON J C PEREZ:

But is it still their intention to use Gibraltar as a highway into the fixed network?

HON K AZOPARDI:

As I explained in the principal answer, they have now substantially refocused their project and are now thinking of providing a TV and Internet service and given the refocusing, I am told that that will no longer be the case for now.

NO. 333 OF 2001

THE HON DR R G VALARINO

**RESIDENTIAL PROPERTIES SOLD**

Which residential properties have been sold to sitting tenants since September 2000 to date and at what price?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Two residential properties have been sold as follows:

Mr & Mrs A Ruiz - 69A Prince Edward's Road - £22,000

Mr & Mrs C Isola - 23 South Barrack Road - £85,000

SUPPLEMENTARY TO QUESTION NO.333 OF 2001

HON J J BOSSANO:

Can the Minister say whether this ministerial committee that decides on sales, which was mentioned in the context of the 50/50 properties that were put on sale at Gib V, is also involved in the decision of selling to sitting tenants?

HON K AZOPARDI:

No. There is a formula for the sale of sitting tenants, which we have not departed from for some time. We apply the policy generally and the sales get considered by a different committee.

HON J J BOSSANO:

If they get considered by a different committee, is it a committee in which Ministers sit or a committee of officials?

HON K AZOPARDI:

Ministers sit in that committee but when I say 'considered', there is a formula. We apply the formula, the requests formally come to the committee but to a very large extent, we just sign them off, we approve them, that is all. There is not much discussion.

HON J J BOSSANO:

Is the price of the property something that LPS discusses with the prospective buyer who is the sitting tenant or does the buyer negotiate with this committee? Or is there a standard formula from which there is no departure?

HON K AZOPARDI:

There is a standard formula, 60 per cent of market value.

HON J J BOSSANO:

Sixty per cent of the market price, what is it that LPS puts a value on the property of what it considers to be the market price and then 60 per cent of that is the price at which the property is offered. Is that correct?

HON K AZOPARDI:

The procedure is, they express an interest in buying, LPS then value it and ascribe the percentage formula to them and make an offer.

ORAL

NO. 334 OF 2001

THE HON DR R G VALARINO

**PRINCE GEORGE'S BLOCK**

What is the latest position as regards the transfer of Prince George's Block at Europa Road to the Gibraltar Government?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The Ministry of Defence has identified a continuing need for the Prince George's Block site and it is therefore not available for transfer at this stage.

NO.335 OF 2001

THE HON DR R G VALARINO

**RELEASE OF MOD PROPERTIES**

Have any MOD properties been released to Government in the year 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Two MOD properties were transferred to the Government in the year 2000 as follows:

- (a) Ragged Staff Magazine and Access Tunnel
- (b) Hay's Level Tunnel

SUPPLEMENTARY TO QUESTION NO. 335 OF 2001

HON J C PEREZ:

I presume that now that Hay's Level belongs to the Government, the Government could take on the suggestion of the Opposition to open it for parking to the people of Willis's Road until the Government decide what to do with it?

HON K AZOPARDI:

The Government have not considered the final use of the latter.

NO. 336 OF 2001

THE HON DR R G VALARINO

**OLD TOWN RANGE BARRACKS**

Can Government state what is the nature of the housing development to be carried out at the old barracks at Town Range?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The residential development at the old Town Range Barracks is to consist of 15 in number of 2,3 and 4 bedroom residential units.

SUPPLEMENTARY TO QUESTION NO. 336 OF 2001

HON DR R G VALARINO:

Will the Minister say whether these are for sale or for renting and what is the likely cost of this venture?

HON K AZOPARDI:

It was tendered out as a private development. The houses will be for sale, the developer has not priced those units yet. That is my understanding.

HON J C PEREZ:

The Minister is saying that the barracks have been sold to a developer for development and it is not a Government project. It is a private development?

HON K AZOPARDI:

Yes.

HON J C PEREZ:

Can we know what was the package involved in terms of cash payment for the barracks?

HON K AZOPARDI:

The premium sum for the development is £400,000 approximately.

HON DR R G VALARINO:

As I remember, as far as the old barracks are concerned, the outer facing walls were considered a heritage structure. Will they be kept in the present condition?

HON K AZOPARDI:

Clearly as Minister for Heritage, I have an interest in safeguarding the urban degeneration of that plot and the developer is aware and indeed has submitted plans, which, in the Government's view, will be sensitive to all those heritage aspects that need to be safeguarded.

HON J J BOSSANO:

What other proposals were submitted in response to the tender? Were there different people proposing different sort of compositions or numbers of units or anything else or different prices?

HON K AZOPARDI:

From memory there were two tenders and they both wanted to re-develop the site for residential use but clearly they entailed different compositions of the site, different number of units and different sized units. This tender was selected because it was the most sensitive to the heritage aspects of it and also, I should add, that it was the highest premium offered for the site.

HON J C PEREZ:

Was consideration given to parking facilities as part of the works in this project? Does it include parking facilities for the houses that are to be sold?

HON K AZOPARDI:

The hon Member will be aware that as part of the planning process whenever there is a residential development, they have to provide a certain number of parking spaces. This indeed is the case in this development. It will surpass the numbers of parking that will be required by law.

HON DR R G VALARINO:

This is where the pavement is going on that side of the road, is it not?

HON K AZOPARDI:

Yes on that side.

HON DR R G VALARINO:

I was just thinking where the parking spaces were going to be?

HON K AZOPARDI:

If the hon Member is interested, under the new process he can have a look at the plans by turning up at the office, the plans are there for public inspection.



ORAL

NO. 337 OF 2001

THE HON DR R G VALARINO:

**GUN WHARF**

Since the Government have now formally announced the adjudication of the Gun Wharf tender for residential and commercial development, can Government state what was the cost to the successful tenderer?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question No. 354 of 2001.

NO. 338 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

Who were the 200 top financiers who were invited to attend the seminar at Lloyds of London on Gibraltar Day, how many attended and how many were from Gibraltar?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The invitees to the lunch seminar included finance centre professionals in the fields of banking, private banking, capital markets, insurance, financial advisory services and senior partners from major legal and accounting firms. There were 80 attendees, 19 from Gibraltar.

NO. 339 OF 2001

THE HON DR J J GARCIA

**HEAD 7 - SUBHEAD 6**

How much of the estimated £25,000 for the 2000/2001 Trade and Industry Administration Division budget for marketing, Head 7, Sub-head 6, has been spent to date, how much has been allocated for expenditure and how much remains unallocated?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Of the £25,000 allocated for 2000/2001, some £23,000 has been spent to date. It is expected that the figure provided for may be exceeded slightly before the end of the financial year.

ORAL

NO. 340 OF 2001

THE HON DR J J GARCIA

**HEAD 7 - SUB HEAD 10**

How much of the estimated £25,000 for 2000/2001 Trade and Industry Commercial Division Budget, for marketing Head 7, Sub-head 10 has been spent to date, how much has been allocated for expenditure, and how much remains unallocated?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

To date we have spent £25,546.06.

ORAL

NO. 341 OF 2001

THE HON DR J J GARCIA

**HEAD 7 - SUB HEAD 14**

How much of the estimated £240,000 for 2000/2001 Trade and Industry Finance Centre Division budget for Marketing Head 7, Sub-head 14 has been spent to date, how much has been allocated for expenditure, how much remains unallocated?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

To date we have spent £141,752. It is expected that the entire sum budgeted will be spent by the end of the year.

NO. 342 OF 2001

THE HON DR J J GARCIA

**CONFERENCES IN GIBRALTAR**

Can Government say how many conferences organised by the Government were attracted to Gibraltar in chronological order since 1<sup>st</sup> September 2000, giving the dates, number of participants, the venue and the subject matter of each conference?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The Government do not organise conferences in Gibraltar. As I explained in answer to Question No.537 of 2000, the Government have assisted and sponsored or co-sponsored certain conferences. Since 1<sup>st</sup> September 2000 the Calpe 2000 Conference, held in September, has been co-sponsored.

Apart from this conference, I would refer the hon Member to the answer given by 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. 343 OF 2001

THE HON DR J J GARCIA

**PROPOSED SCIENCE PARK**

Are Government now in receipt of the report by Segal Quince Wicksteed (SQW) into developing a science park in Gibraltar and what payments have been made in this respect?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The scoping study for the science park was submitted in the form of a draft final report on the 20<sup>th</sup> December 2000 by Segal Quince Wicksteed (SQW). The Department is now considering the contents of the report. To date no payment has been made.

SUPPLEMENTARY TO QUESTION NO: 343 of 2001

HON J J BOSSANO:

Do the Government have a figure of what it will cost even if they have not actually paid it?

HON K AZOPARDI:

From memory there is an item in the Estimates and it is about £20,000.

NO. 344 OF 2001

THE HON DR J J GARCIA

**INDUSTRIAL PARK - LATHBURY BARRACKS**

Who were the four companies that submitted tenders for the design and building of an industrial park at Lathbury Barracks phase 1, and what did these offers entail, financial and otherwise?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The four companies that submitted tenders for the Lathbury Barracks Phase 1 Design and Build project were as follows:

1. Profield Contractors Ltd in joint venture with AMCO (Gibraltar) Ltd
2. Cubiertas
3. Sharrock Shand Ltd
4. Fitzpatrick Contractors Ltd

An outline specification was prepared for the Department of Trade, Industry and Telecommunications and tenders were invited on a design and build basis with a maximum contract sum of £1,700,000 for the project.

SUPPLEMENTARY TO QUESTION NO. 344 OF 2001

HON S E LINARES:

How does the Minister envisage traffic to get up to Lathbury Barracks?

HON K AZOPARDI:

I envisage that it will use the infrastructure that already exists.

HON S E LINARES:

So Government have not even looked at the heavy vehicles that have to go up to Lathbury Barracks? It is an important issue. They have to cross the whole of Gibraltar to get to Lathbury Barracks, heavy vehicles, because it is an industrial park?

HON K AZOPARDI:

In the context of the industrial parks that are being built by Government with the assistance of EU funds, the hon Member should take into account that the location where the large units will be built, which will require perhaps heavy traffic flow to it is the North Mole. This is an industrial park of fairly small units. We are talking about 42 business units of 50, 60 and 120 square metres respectively. It is no bigger, to a very large extent very similar in dimensions to the Governor's Cottage development and there is no issue there of difficulty of access of the infrastructure et cetera.



HON DR J J GARCIA:

Is the Minister in a position to say what percentage of the funds for this project is expected to be EU funding?

HON K AZOPARDI:

I do not have that figure in my notes but I can get that for the hon Member.

HON DR J J GARCIA:

On an information point, this development is called Lathbury Barracks phase 1, does that mean the future of phases of land and the industrial park is going to get bigger?

HON K AZOPARDI:

The idea is that phase 2 will allow us to build a further 12 units. When I talk about the composite figure 42, 30 units in phase 1 and 12 in phase 2. We have proceeded on the assumption that we will do phase 2.

HON J J BOSSANO:

Is it then the process of selecting a tender on the basis of doing the 42 units, not on doing the 30 units?

HON K AZOPARDI:

When we have evaluated the tender, we have taken into account the collective price that all tenderers submitted. Initially, as I mentioned in my principal answer, there were tenders invited on the basis of an outline specification with a cap figure of £1,700,000 and the four companies involved submitted prices. The tender was then met and because there had been no refocusing of the proposed developer, the fact that the Government wanted to reserve out of the possible site a particular area and we wanted to decide when to do that, we split the project up into two phases. So the Tender Board then assessed who were the two companies that it felt were the ones that could most successfully conduct the project. They were both asked to submit prices and the lowest tenderer was accepted, who had submitted prices in accordance with the Government's refocused idea which is to have split prices between phase 1 and phase 2 and then a total price.

HON J J BOSSANO:

The successful tenderer will do phase 1 and then if it is decided to do phase 2 no other tender is required.

HON K AZOPARDI:

Yes. That is why we ask for split prices, so that we can take a decision on that.

NO. 345 OF 2001

THE HON DR J J GARCIA

**BANKING LICENCES**

How many applications for new banking licences have been received since the start of this financial year and how many are pending?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

None.

SUPPLEMENTARY TO QUESTION NO. 345 OF 2001

HON DR J J GARCIA:

Can the Minister say whether any licences have been handed back or not renewed?

HON K AZOPARDI:

Since the start of this financial year being from 1<sup>st</sup> April 2000, the hon Member asked me a question in the last Question and Answer session back in September 2000 about banking licences, and I think I answered that certain licences had been handed back. In particular I recall the Republic Bank of New York that had announced its decision in January, eventually got to hand them back probably in this financial year, but I think the information specifically is in the last Hansard, I remember reading it.

HON DR J J GARCIA:

There have not been any changes since the answer given to that question?

HON K AZOPARDI:

No.

HON J J BOSSANO:

When was the Newcastle Bank discontinued? I am not sure it was covered in the last House.

HON K AZOPARDI:

Again I believe it was, at least as a supplementary. We will have to check that. I do not have the dates in front of me but I remember that at the time of the last House, I did have a list of dates and I believe the Newcastle Bank was included in that. If I did give the answer in supplementaries or not, I could not say for sure, but I could give the date to the hon Member if I did not already do so in Hansard.

NO. 346 OF 2001

THE HON DR J J GARCIA

**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 AND  
TELECOMMUNICATIONS

There were no applications for EU funding since Question No. 216 of 2000.

The last batch of EU Programmes ended on 31<sup>st</sup> December 1999 and the new programmes are due to commence this year.

NO. 347 OF 2001

THE HON DR J J GARCIA

**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, since the information published in answer to Question No.538 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 AND  
TELECOMMUNICATIONS

I hand the hon Member a table with the required information.

I would say as the hon Member gets it that four applications for Government funding under the GES were submitted. Three applications are currently under consideration and the fourth one has not been progressed by the applicant.

**Gibraltar Enterprise Scheme**

**Projects Under Consideration**

<b>Project Number</b>	<b>Total Grant/ Loan</b>	<b>Sponsor</b>	<b>Purpose Of Grant</b>
046	£100,000 (Loan)	Tarik Ship Agents & Bunkering Services Ltd	Purchase of a workboat.
048	£4,307 (Grant)	Quickfit Ltd	Purchase of tyre changing equipment
049	£40,000 (Grant)	Photo Center Ltd	Purchase of photographic development equipment

**Applications Not Progressed**

<b>Project Number</b>	<b>Total Grant/ Loan</b>	<b>Sponsor</b>	<b>Purpose Of Grant</b>
047	£35,000 (Loan)	Caramelo Candy	Set up a small scheme to manufacture lollipops

NO. 348 OF 2001

THE HON DR J J GARCIA

**REPAYMENT OF LOANS TO BUSINESSES**

What general arrangements are put in place for the repayment of loans to businesses under the:

- a) Gibraltar Enterprise Scheme,
- b) From the EU,
- c) From any other source,

and what security is provided by the recipient of such loans?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The general arrangements in place for the repayment of loans to businesses are:

- a) Gibraltar Enterprise Scheme  
Once both the applicant and Government have signed the loan agreement, treasury draws up a repayment schedule and releases payment. Treasury then monitors the loan repayments and informs the applicant on the capital and interest payments due each quarter.

Where possible, Government will seek business collateral as security for the repayment of the loan. However, if the applicant has also secured a commercial loan with a bank, for example, then Government will take the second mortgage on the loan.

- b) From the EU

At present there are no loan schemes under any of the EU funded programmes applicable to Gibraltar.

- c) From any other source

Similar arrangements would be in place as apply to the Gibraltar Enterprise Scheme.

NO. 349 OF 2001

THE HON DR J J GARCIA

**E-COMMERCE**

Why was the E-Commerce Bill not introduced to the House in September 2000 as planned?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The Bill was not ready for publication at that stage.

SUPPLEMENTARY TO QUESTION NO. 349 OF 2001

HON DR J J GARCIA:

The Minister at that time mentioned that there would be a slight delay but of a delay not being something which did not require a major change. Does the Minister think that that slight delay is a wait of five months?

HON K AZOPARDI:

In any event, as the hon Member is aware, there was no meeting of the House, to which we would have brought the legislation. It was actually approved, published at the earliest possible date, but we wanted to allow some time to elapse in any event, because even though it had been consulted with the Think Tank extensively, because it is an important matter, we wanted to see if anyone was going to make any additional representations. In the event there have been none but I think it is a useful exercise for there to have been a few weeks delay, not much. In any event, I still stress, as I did at the time that we discussed last time, that because we are transposing the e-commerce directive that was adopted by the Commission in June, we will be one of the first if not the first territory within the European Union to have adopted legislation based on the European directive on e-commerce. I still maintain that that will give us a market lead.

ORAL

NO. 350 OF 2001

THE HON DR J J GARCIA

**E-COMMERCE**

What steps are being taken to increase bandwidth for e-commerce and other Internet usage?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question No. 360 of 2001.



NO. 351 OF 2001

THE HON DR J J GARCIA

## **E-COMMERCE**

With respect to the e-commerce survey conducted by the Department of Trade and Industry, can the Government say how many of the 346 responses came from each business sector, giving a list of the sectors and the responses from each?

## ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

From the 346 responses that came from the e-commerce survey, the following analysis provides a list of the sectors involved in the survey and the number of responses from each.

I can give the hon Member say for example the Sectors.

Retail Wholesale	97
Financial Services	68
Maritime	23
Tourist/Services	64
Other	94
Total	346

When the hon Member asked the question of what the correlation is between the number of responses and the percentage, I was not sure whether the hon Member was asking whether he wanted the percentage of the responses to the sectorial numbers or whether he wanted the percentage of the total response figure or he wanted the percentage of the sectors, the 1200 total. I am not sure what he wants.

## SUPPLEMENTARY TO QUESTION NO 351 OF 2001

HON DR J J GARCIA:

It was the second of the two that the Minister mentioned.

HON K AZOPARDI:

I will give all the percentages and then hon Members' can decide which one they want.

The percentage of the numbers that we sent out, which will then come out in a subsequent question, the numbers that we sent out in relation to the 1200, the Retail Wholesale is 21 per cent, the Financial Services is 29 per cent, Maritime 3 per cent, Tourist and Services 7 per cent and Other is 40 per cent. The percentage figures of the responses that we have received by sector to the total response figure which is 346 is, Retail Wholesale 28 per cent, Financial Services 19.5 per cent, Maritime 7 per cent, Tourist and Services 18.5 per cent and Other 27 per cent. The percentage of the responses that we have obtained to the sectorial numbers is Retail Wholesale

38.5 per cent, Financial Services 19.4 per cent, Maritime 71 per cent, Tourist and Services 73 per cent and Other 19 per cent.

NO. 352 OF 2001

THE HON DR J J GARCIA

**E-COMMERCE**

With respect to the e-commerce survey conducted by the Department of Trade and Industry, can the Government say how many of the 1200 questionnaires were sent out to different business sectors, giving a list of the sectors and the number sent out to each?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The e-commerce questionnaires were sent using the same sectors again to the following:

Retail and Wholesale	252
Financial Services	350
Maritime	32
Tourist Services	87
Others	479

SUPPLEMENTARY TO QUESTION NO. 352 OF 2001

HON J J BOSSANO:

I notice the response has been very high in Maritime compared to Financial Services, which was one of the lowest. Of the numbers that went out, was there a ratio of the numbers of operators in that sector to the number of questionnaires that went out?

HON K AZOPARDI:

When the hon Member says that Maritime is high and Financial Services is low, percentage wise that is true, but Financial Services did produce a bulk of answers, even though percentage wise it was lower than Maritime. The Finance Centre division who actually conducted the survey with the Commercial division obtained a list from the ETB of businesses in Gibraltar, a whole list of them and they literally went down the list correlating it to make sure that they were not leaving anyone out. That is how they did it. They effectively asked the Employment Service to give them a list of registered businesses in Gibraltar and sent questionnaires to the first 1200 that they saw on that list.

HON J J BOSSANO:

The numbers of questionnaires by sector, which he gave us in the original answer, reflects practically everybody in that particular sector. According to the list of the ETB.

HON K AZOPARDI:

According to the list of the ETB and compared to the internal list that the Finance Centre division holds as to Financial Services, so they are able to cross refer to their own list on Finance Centre businesses that operate in Gibraltar to make sure that we have left out no insurance managers, banks or companies and trust managers.

HON J J BOSSANO:

If I can explain what I am seeking in terms of information. If 252 questionnaires were sent out to the Retail and Wholesale sector, was that a decision that the survey questionnaire should go to 50 per cent of that sector or 100 per cent of that sector? If it is that there were 252 businesses in the list from the ETB, then does that imply that 252 is very close to all the companies operating in that sector?

HON K AZOPARDI:

The brief I gave to those who organised the survey was that I wanted to have an indication of the level of penetration of e-commerce and IT skills in the economy of Gibraltar, and that it should reflect the amount of questionnaires and the sectors targeted should reflect the mix of businesses in Gibraltar, broadly speaking, even if they could not exactly make the percentages equal. In accordance with that brief the methodology was to obtain lists of businesses from the Employment Service and then starting from the top of the list send out to the 1200 businesses. The mix that was produced by that is this and they made sure, they assured me also that that reflects the mix of businesses generally in the economy. How they did that I was not involved in the methodology myself but that was the brief that I gave them and they tell me that they have fulfilled that brief.

NO. 353 OF 2001

THE HON DR J J GARCIA

**ADMIRAL'S PLACE DEVELOPMENT**

Can Government say, with respect to the Admiral's Place Development at the old Naval Hospital:-

- (a) On what date was the tender for the Development awarded?
- (b) On what date was the conditional Outline Permit issued?
- (c) On what date was the Building Application submitted to the Development and Planning Commission?
- (d) Has the Development Licence been issued, and if so, when?
- (e) Has any payment been made by the tenderer, and if so, what amount and when?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

- (a) The Tender was awarded on the 9<sup>th</sup> August 1999.
- (b) The Outline Planning Permit was issued on the 30<sup>th</sup> June 2000.
- (c) The formal building application was submitted to the Development and Planning Commission on the 26<sup>th</sup> June 2000.
- (d) The development Licence has not issued to date.
- (e) £136,200.00 was paid on the 23<sup>rd</sup> August 1999 being the initial 10 per cent deposit of the tender sum.

SUPPLEMENTARY TO QUESTION NO. 353 OF 2001

HON J J GARCIA:

Is the 10 per cent which was paid on the 23<sup>rd</sup> August 1999 normal in these kind of developments? Is that what people pay and when is the balance due?

HON K AZOPARDI:

Yes. The 10 per cent is required when the tender is awarded and on signature of the Development Licence we then require the balance. The Development Licence still requires finalisation.

NO. 354 OF 2001

THE HON DR J J GARCIA

**GUN WHARF**

Why did Queensway Wharf Ltd apply to the Development and Planning Commission for planning permission for a residential and commercial development at Gun Wharf before the announcement of the tender award was made?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

If by cost the questioner means premium, this is still under negotiation. As to the other matter the Town Planning Ordinance does not prevent anyone from submitting an application at whatever time the applicant feels it appropriate. Indeed on occasions applicants submit plans to the DPC before the landlord's consent to the application has been obtained.

SUPPLEMENTARY TO QUESTION NOS. 337 AND 354 OF 2001

HON DR J J GARCIA:

Is it correct to think that because the application was published in the Gazette in November, giving so much time to people to make representations, that people are no longer able to do that?

HON K AZOPARDI:

If the hon Member is asking whether given that the application has been advertised pursuant to the public participation provisions, where the people have the right to make representations and so on, well yes, the public participation provisions imply that a certain period of time has to elapse before the Development and Planning Commission can finally issue a permit, because we are bound to consider the representations. If anyone makes representations within the time limit envisaged by the law it will be considered.

HON DR J J GARCIA:

Are the Government aware that the time limit given was before the 14<sup>th</sup> December 2000, and that once the announcement of the tender award was made a couple of weeks ago, the time limit had already expired?

HON K AZOPARDI:

They are separate processes. One is the award of a tender by the landlord of a particular site and the other is the planning process which needs to be followed either simultaneously or sequentially. It has nothing to do with the award of the tender. Whenever the tender is awarded the applicant still has to submit himself to the planning process to see if the Planning Commission will agree for the development to

proceed and the Planning Commission will consider any representations made to it under the process that the law envisages.

HON DR J J GARCIA:

I understand what the Minister has said but by way of clarification then, is it the case that people who wanted to make representations in relation to this development are now no longer able to do so and could only do so up to Thursday 14<sup>th</sup> December 2000?

HON K AZOPARDI:

I do not know the date that the planning application has been advertised. Time runs from the advertisement, whenever it was advertised. I think there is a period of time, something like 21 days or a month, for people to submit representations. That is what the law allows.

HON DR J J GARCIA:

People who wanted to make representations should have done so before Thursday 14<sup>th</sup> December? Is that the situation?

HON CHIEF MINISTER:

People who wanted to make representations on the question, "Should planning permission be granted or not?", should have done so within the deadline established by law. The hon Member's linking of the grant of the tender to the question of the planning process is completely irrelevant.

HON DR J J GARCIA:

I am grateful to the Chief Minister for confirming that that is the position, that people can no longer make representations, but there is scope for confusion in the minds of many people in the sense that the tender had not been awarded to anyone at the time that the request of planning permission came out, and that therefore people can no longer make representations or could not make representations at the time the tender award was announced, even though the award of the tender and the issue of planning are two separate things.

HON CHIEF MINISTER:

There is no scope for confusion in anyone's mind except that which the hon Member may sow in it or in them. The fact of the matter is that it is perfectly clear, there is a legal process, which for the first time ever gives members of the public the opportunity to comment on proposed building applications. That is a facility which the good citizen of Gibraltar has never enjoyed before and which is not something that the hon Members proposed to give them in their manifesto. That process is triggered by the appearance of a public advertisement that the application has been submitted. Anyone concerned for a development on that site would then have decided whether he wanted to avail himself of his rights. No scope for confusion arises given that ordinary members of the public do not know whether the tender has been adjudicated or not. Nor do they therefore say "I am not going to do it because the tender has not been adjudicated". They do not know whether the tender has been adjudicated or not. Therefore presumably proceed on the basis that it has been adjudicated to the extent that that question is relevant which is to no extent.

HON J J BOSSANO:

Can the Chief Minister explain how it is that the payment by the successful tenderer is still under negotiation? Was that not something they had to put down when they submitted the tender, what they were offering?

HON CHIEF MINISTER:

Yes and it does indeed but the original tender envisaged included the building of a jetty. That is no longer required. What is now being negotiated is the extent to which that affects the amount of premium. There are also issues of the exact dimensions of the land being made available and that is also impacting on the amount of the premium. The hon Member is correct. The bids as submitted do contain a financial element apart from a design element. In addition there is the fact that the Government have imposed post tender dimensional restrictions on the development that they are willing to allow on that site. In other words, lower buildings and this also affects the amount of the premium that can be extracted for that site. All these issues are under re-negotiation.

HON J J BOSSANO:

Was this in the original invitation to tender? People must have tendered on the basis that they could do certain things or that they would have to do certain things.

HON CHIEF MINISTER:

No, it was not that sort of tender. Hon Members may remember that this was a tender where people were invited to submit concepts. There was no specification on what was allowed. The only parameter set was commercial and residential or a mixture of the two and people were free to submit their own design concepts. It was that sort of tender.



NO. 355 OF 2001

THE HON DR J J GARCIA

**GARRISON LIBRARY**

Have the Government made their counter proposals to the Ministry of Defence in the on-going discussions over the transfer of the Garrison Library following the answer given to Question No. 518 of 2000?

ANSWER

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

Yes.

SUPPLEMENTARY TO QUESTION NOS. 329 AND 355 OF 2001

HON DR J J GARCIA:

Can the Minister tell the House what the Government's reply was?

HON DR B A LINARES:

The detailed proposals, which have been made to the MOD, are obviously the subject of discussions and negotiations with the MOD and it will not be appropriate to give details here. I can tell the hon Member that the Library Committee is now presently considering the Government's proposals and the Government are expecting a reply in the near future.

HON S E LINARES:

In the near future can be in two years, one year, can the Minister give us an indication.

HON DR B A LINARES:

That will depend to some extent on the Library Committee and how expeditious they are in their considerations. We will certainly be demanding them to be expeditious in that respect.

HON DR J J GARCIA:

Can the Government say at this stage, what possible uses they will intend to put the Garrison Library to?

HON DR B A LINARES:

I cannot go into those details at this stage.

NO. 356 OF 2001

THE HON DR J J GARCIA

**GE CAPITAL SATELLITES (GIBRALTAR) LTD**

How many jobs have been created by the GE Americom satellite project and how many of these have gone to:

- (a) Gibraltarians
- (b) Others?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Eight, five of whom are Gibraltarian.

SUPPLEMENTARY TO QUESTION NO. 356 OF 2001

HON DR J J GARCIA:

Can the Minister elaborate on the nationality of the three who are not?

HON K AZOPARDI:

No.

HON DR J J GARCIA:

Could the Minister find out and revert to me on that point?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

Is there any indication of what further growth in employment can be expected and is the figure of eight the likely number of jobs we are seeing in this project? Is it eight because it is only just starting or is there an expectation that there will be more taken on?

HON K AZOPARDI:

The Heads of Agreement with GE that were signed in March 1997, by that Head of Agreement, GE undertook to employ at least 10 people from the Gibraltar labour market. It also provided that if the required skills and expertise were not available in the Gibraltar market, GE could employ personnel other than from the Gibraltar labour market. At the moment GE in meetings that we have held are trying to find the adequate personnel even if they did not have the level of training to take particular jobs, they are sending them for training as long as they have a certain basic level of

formal qualifications. For example, most of the Gibraltarians that have been taken on have been sent for training, both in Gibraltar and in Princeton in the US. In close co-operation with the Government because they are interested in seeing if they can secure EU funding for further training, I think GE will meet the original objective of at least having a certain minimum level of people being taken from the Gibraltar labour market. I cannot say to what extent further growth is envisaged, clearly if further satellites are launched which are going to be controlled through the Gibraltar Satellite Control Centre, which is the original plan, the filings are going to plan at the moment, they will require to take on further posts, but at the moment, they have taken on a core group with a view to further expansion if the project profile actually materialises.

NO. 357 OF 2001

THE HON DR J J GARCIA

**EUROPA BUSINESS CENTRE**

Who has been allocated the four commercial units F1, F2, F10A and F11 at the Europa Business Centre and for what purposes?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The tender for the units was advertised on 18<sup>th</sup> October 2000 and no interest was received for F1.

Unit F2 was awarded to Micro Business Systems Ltd. This interest has now been exchanged for Unit F3 that became vacant, is the same size but better situated since it is adjoining their existing premises. Unit F2 is therefore currently vacant.

Unit 10A was allocated to Mr A Clancy, Trading as The Cleaning Centre to carry out the business of rug cleaning and as an office ancillary thereto and for the wholesale and retail of cleaning products and equipment.

Unit 11 was allocated to Mr D Armitage trading as Advance Fabrics to carry out the business of contract material distribution. These include textile, synthetic, nylon, leather and other materials.

SUPPLEMENTARY TO QUESTION NO. 357 OF 2001

HON J J BOSSANO:

Is it that there were more applicants for this and these were the selected ones or they were the only people who applied for those units?

HON K AZOPARDI:

The only people who applied were those three that I have mentioned. My understanding is that three of them applied for Units 10A and 11 and we offered 10A to Mr Clancy and Unit 11 to Mr Armitage and F2 to Micro Business. They all accepted but then because one of the units became vacant next to the Micro Business place, they said could I have that one in exchange for the one allocated, and we agreed. We will re tender F1 and 2 because they are currently vacant.

NO. 358 OF 2001

THE HON DR J J GARCIA

**DPC - NEW OFFICE SPACE**

Can Government say whether the Development and Planning Commission has any application before it to create new office space and where such space would be created if pending applications are approved?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The Development and Planning Commission is considering 18 applications in respect of new office space. These fall into two broad categories as follows:-

A. NEW BUILD

17/21 Cannon Lane – Additional storey  
Garrison House, 5 Library Ramp – Additional storey  
Lathbury Barracks – ex junior rates mess site – ECOM  
Queen's Cinema – New offices  
235 Main Street – Additional storey and conversion of ex-residential unit  
218 Main Street – Change of use residential to offices  
33 Main Street – Change of use residential to offices  
Unit 20/21 Queensway Quay

B. USE OF VACANT BUILDINGS

Gibnet Office – Eurotowers  
Suite 735 – Europort  
Suite 611 – Europort  
Suite 912B – Europort  
Suite 913 – Europort  
Suite 961 – Europort  
Unit 7436 – Europort  
Jyske House – Extension of bank premises  
Unit 97 New Harbours – Agricole Indosuez

SUPPLEMENTARY TO QUESTION NO. 358 OF 2001

HON J J BOSSANO:

The B category do not add any space I take it because they are all existing buildings?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

Can the Minister say what is the space involved in the other list, in particular can the Minister distinguish where there is a change of use from residential, what is a residential property that will be lost if it was approved?

HON K AZOPARDI:

I do not have the areas and the dimensions. There are two, which would fall into the category of change of use. There are three additional storeys. If the hon Member is seeking information of total surface area that will be transformed into office space, I do not have those details in front of me but he is certainly correct in saying that category A is about providing new space for office and the other is really about refurbishing what is existing commercial space into office premises.

HON DR J J GARCIA:

Do we take it then that in terms of new offices or office blocks, there is nothing in the pipeline in the sense of any application being pending?

HON K AZOPARDI:

There are the ones that I have read out. Apart from those historic applications and I cannot give the hon Member the dates of those, but there are three, which also have been approved, which would fall, broadly speaking, into category A, which are the Hassans Unit 5 and 6 Gibraltar Heights. At 59/63 Line Wall Road, there is a proposal also for an additional storey to the Natwest House and at 55 Line Wall Road, which is the vacant plot that has planning permission for an office block.

HON J C PEREZ:

The Minister mentioned offices at the Queen's Cinema. Is that application a change of use from cinema to offices or a building on top of the cinema or adjacent to it of new offices?

HON K AZOPARDI:

I do not have that information but it was put under category A, I will have to revert to the hon Member with those details. It is not clear from the notes that I have as to whether it is simply a change of use. It just says new offices for the cinema.

HON J J BOSSANO:

Do Government have any policy on change of use from residential to commercial, in terms of wanting to encourage it or wanting to discourage it?

HON K AZOPARDI:

The hon Member will remember that the 1991 Development Plan, which the DPC has to take into account in making its deliberations, suggests that as a policy objective, it will be useful for there to be for residential use in the town

area, for example. We think that that objective is fine except that we also consider that there are circumstances when we should encourage the change of use from residential to office, if for example, sufficient evidence can be produced to the Planning Commission that the particular dwelling has been empty for substantial time, that there is difficulty in finding a tenant, that it possibly falls within the bracket of undesirable accommodation for which it would be difficult to find tenants and given that we also want to revitalise the centre of town, we are being more flexible with the change of use applications. We consider them against that background. When we do get evidence of that, of the difficulty of allocating particular premises for residential use, we then consider whether we should grant an application for a change of use to office use. We have done so on a number of occasions. We do not do so frequently but we do so because our policy view is that while it is desirable to have residence breathing life into the upper town and into the town area, we are also aware that if we do not allow any change of use and we are completely inflexible with that policy, it may have the reverse effect and we may find ourselves in a situation where the city centre has no life at all, whether it be residential or commercial. Valetta is a good example of that where they have huge problems because they are very inflexible with the policy of refusing to change use from residential to commercial.

HON J J BOSSANO:

As regards the height of buildings, is there a particular policy within the City Walls given that a number of the applications mentioned by the Minister are requesting an additional floor being added to a building?

HON K AZOPARDI:

Yes. Clearly while we do consider applications for additional storeys, when we have granted them, usually we have granted an application for an additional storey but also refused simultaneously the original application which was perhaps to have two or three additional storeys. When we take decisions of that type we consider the overall density of the area, the effect it will have on the density and take decisions taking that into account.

ORAL

NO. 359 OF 2001

THE HON DR J J GARCIA

**EUROPORT**

Can Government say how many square feet of office space remain unsold or unlet in Europort?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The owners of Europort are not willing to provide this information to the House.



NO. 360 OF 2001

THE HON DR J J GARCIA

**CABLE LINK - GIBRALTAR/MOROCCO**

How many persons, companies or organisations have expressed an interest in providing a cable link between Gibraltar and Morocco, or to participate in a venture of this type in response to the Official Notice published by the Government in August 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The Government's role in increasing bandwidth for e-commerce and other Internet usage is to encourage and facilitate provision of the infrastructure required by businesses in Gibraltar. The liberalisation of telecommunications is expected to assist in that regard. As part of that general role, the Government have also invited expressions of interest from commercial operators on a possible cable link to Morocco from Gibraltar. Six companies replied expressing an interest in forming part of a consortium put together by the Government, some also offered to take on the project individually.

A meeting of interested parties to progress the matter and agree the best way forward will be held soon.

SUPPLEMENTARY TO QUESTION NOS. 350 AND 360 OF 2001

HON DR J J GARCIA:

Can the Minister give the House an indication as to when these meetings will take place, given that they were referred to in the original tender Official Notice which appeared in August?

HON K AZOPARDI:

The hon Member will recall as well that we re-advertised the matter. I think it was to coincide with the Financial Times excerpt on Gibraltar in October and we gave a closing date of mid to late November. That is really the time scale we are talking about. Beyond that we have had to take a view of the matter. I suspect the meeting will be held soon. The reason for the slight delay now is because we have received separate expressions of interest, I asked all companies whether they would be willing to agree for their respective names to be disclosed to each other, for the purposes of a joint meeting and we have had replies from all of them accepting that except one. We are trying to elicit whether they would be willing to form part of a joint meeting, if not we will proceed on the basis of two individual meetings. We expect to schedule those as soon as possible because it involves parties from overseas coming to Gibraltar. It is complicated in that sense as to diary management.

HON DR J J GARCIA:

Is it possible for the Minister to tell the House how many of these six entities are local and how many would come from abroad?

HON K AZOPARDI:

It depends what the hon Member means by local. If he means are they companies that have had or have got contracts in Gibraltar or some presence in Gibraltar, then I suppose from memory, most of them have a link with Gibraltar, not all of them. If he means by local are they owned by local people, then I would have thought that most of them do not fall into that category.

HON DR J J GARCIA:

Can the Minister confirm that this cable link to Morocco is the only avenue or are there other avenues being explored at the same time?

HON K AZOPARDI:

That is the avenue that the Government itself are taking forward, but the hon Member may be aware that for example, GibTel is increasing the amount of bandwidth available between Gibraltar and Morocco by installing a microwave link to Morocco, which I understand should be completed in September and will start in six week's time.

HON J C PEREZ:

I presume that if the project takes off, we are thinking about linking up to the land station in Tetuan. Is that so?

HON K AZOPARDI:

To the SEMEWE 3 whatever it is called.

HON J C PEREZ:

The link with Morocco would be to the land station in Tetuan which is where the SEMEWE 3 links to?

HON K AZOPARDI:

Yes.

HON J C PEREZ:

Does the Minister envisage any political problems in terms of what our neighbours decide to be their waters and so on in respect of this project?

HON K AZOPARDI:

For the cable link to occur, for it to be laid, it has to go through our territorial waters and then into international waters. I therefore do not envisage that there should be any issue but I suppose given the stance of Spain generally on any matter, anything is possible.

HON J C PEREZ:

Would we be building a cable station of our own or is it envisaged that we would be entering into negotiations with the MOD for the use of their existing cable station?

HON K AZOPARDI:

That is a matter of detail that has not emerged from the discussions. We have not held the first preliminary meeting to really flash out what are the issues that need to be discussed. Once we do that, that sort of detail will emerge.

HON LT COL E M BRITTO:

I would like to add, especially in the first question being answered, in Question No. 350 of 2001, there is implicit in the form of the question that there is no sufficient bandwidth at the moment and unless the Government do something to improve the bandwidth or unless the cable link to Morocco is established, there will not be sufficient bandwidth. Just for clarification, especially for anybody who is listening in on the radio, let me make quite clear, that there is sufficient bandwidth at this moment provided both by GibTel and by Gibraltar Nynex. Whatever is done in the future is in view to providing air resilience as well as a different route and extra bandwidth, but the bandwidth is available now to anyone who might require it.

NO. 361 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR/MOROCCO FORUM**

What was the cost of holding the first meeting of the Gibraltar/Morocco Forum at the DTI on Thursday the 26<sup>th</sup> October 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The princely sum of £83.75.

SUPPLEMENTARY TO QUESTION NO. 361 OF 2001

HON DR J J GARCIA:

An issue that was touched on earlier in the House yesterday, that is the question of links with Morocco, particularly the air links, is this a disruptive problem when we are trying to organise events of this nature?

HON K AZOPARDI:

Not to my knowledge.

HON DR J J GARCIA:

I ask that because the Minister for Tourism indicated to the House that it was of particular concern when they were trying to organise these kind of events. Can the Minister say whether the people who came actually came from Tangier or from other parts of the country?

HON K AZOPARDI:

I would say firstly that given that my Colleague who is not in the Chamber now, has responsibility for Transport, I am sure he is much more sensitive to whether it is difficult for people to arrive at meetings or not. I myself was not at the meeting. To my knowledge, as I say, they did not have difficulty in arriving there, but it may not be the case. They may have encountered difficulties. As to the composition of the meeting itself, my understanding is that they all came from Tangier unless I stand to be corrected about that.

NO. 362 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

Who were the 11 journalists who attended the press conference given by the Minister for Trade and Industry during Gibraltar Day in London, what media did they represent, and how many articles appeared as a result, listing the articles, the media and the date of publication?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question Nos. 364 and 365 of 2001.

NO. 363 OF 2001

THE HON DR J J GARCIA

**EUROMONEY TRUSTS 2000 CONFERENCE**

What was the cost of attending the Euromoney Trusts 2000 Conference in London on Wednesday 29<sup>th</sup> and Thursday 30<sup>th</sup> November 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The cost was £3,280.

SUPPLEMENTARY TO QUESTION NO. 363 OF 2001

HON DR J J GARCIA:

It seems a strangely high sum for two days. Were there many people who went from Gibraltar as part of that delegation?

HON K AZOPARDI:

Not at all. Half of that sum is the flight cost, unfortunately.

HON DR J J GARCIA:

Does the Minister have a breakdown of that sum to hand?

HON K AZOPARDI:

Yes. Flights were £1600, Hotels £890, Expenses £198 and the Conference was about £600.

HON DR J J GARCIA:

Was this in respect of two persons who attended?

HON K AZOPARDI:

I think so. What happened there was and this is why sometimes the cost is a bit high when the hon Member asked for the cost on attending the Euromoney Trusts Conference, I remember that I was a speaker in that conference because I was invited to speak. I flew over on the evening to speak in the morning and come back that next day, so I stayed in London one day. The Finance Centre Director accompanied me, this is why I am not sure if it was two or three of us, as to whether he was already in London with someone else, but he had been in London for three or four days at other meetings, so this is why the hotel cost is much more. That is because the Finance Centre Director has been London for a few days in relation to other meetings, but we have put it in as if it were all part of the same cost, but it is not clearly.

ORAL

NO. 364 OF 2001

THE HON DR J J GARCIA

**VISIT BY FINANCIAL JOURNALISTS**

What was the cost of bringing a group of Financial Journalists to Gibraltar on a three day visit on or around 14<sup>th</sup> September 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question Nos. 362 and 365 of 2001.

NO. 365 OF 2001

THE HON DR J J GARCIA

**VISIT BY FINANCIAL JOURNALISTS**

How many articles were published and in what publications as a result of the visit by financial journalists to Gibraltar on or around 14<sup>th</sup> September 2000, listing the publication in question and the date that the articles appeared?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The total cost of bringing 11 financial journalists to Gibraltar was £4,621.75.

The 11 financial journalists who attended the press briefing at Lloyd's on Tuesday 17<sup>th</sup> October were the following:-

Stuart Collins -	Insurance Day
Richard Banks-	Insurance Day
James Brewer-	Lloyd's List
Mike Goodman-	Weekly Telegraph
Sarah Brown -	International Money Marketing
Alison Ebbage-	Portfolio International
Jacqui Canham-	The International
Jason Groves -	World Insurance Report
Joanne Frearson-	International Investment
Francis Higney-	Offshore Business
Stuart Fieldhouse-	FundXchange.com

All of them have subsequently written articles on Gibraltar in their respective publications. However, it must be emphasised that the press briefing at Lloyd's was one of a series of briefings that have been held both in London and Gibraltar, and forms part of continuous engagement of the financial press by the Finance Centre Division of the DTI&T.

The articles that have appeared can be divided into two categories. Those based on specific press releases, such as the recent establishment of the Insurance company ACE, or the use of Gibraltar by UBS Warburg for a 15 billion euro repackaging programme, or secondly, those that were spurred by the regular stream of news updates and other information supplied to journalists by the Finance Centre Division of the Ministry.

SUPPLEMENTARY TO QUESTION NOS. 362, 364 AND 365 OF 2001

HON DR J J GARCIA:

In relation to the articles that appeared as a result of the press conference in London, did they appear immediately afterwards as a direct result of the conference or are these things to do with press releases and updates which appeared later?



HON K AZOPARDI:

The same answer applies, namely that some of them appear immediately after and some of them are monthly magazines. Perhaps there is a lead-time and they find a good time to put them in, so it is maybe a month or two after. All the dates are different. We could give hon Members copies of all the articles if they are interested. It will take a bit of time but we could extract those articles for them.

HON DR J J GARCIA:

Does the Minister have the dates immediately available?

HON K AZOPARDI:

No.

HON DR J J GARCIA:

Perhaps the Minister might be able to supply them at a future date given that it is in the original question. In relation to the group of financial journalists who came to Gibraltar on the 14<sup>th</sup> September 2000, for a three-day visit, can the Minister say what countries they came from. Were they mainly from Britain or were they from other parts of the world?

HON K AZOPARDI:

I think they were all from the UK.

HON DR J J GARCIA:

Was this specialist media or was it more general financial media, like the Financial Times or the Wall Street Journal?

HON K AZOPARDI:

I will just run down the list if the hon Member wants. The International, Residents Abroad International, World Portfolio International, International Money Marketing, Offshore Business and Investments, some of the ones that went to the Lloyds Day in October are different ones, but most of the journalists were different. The problem here is that there is high turnover of journalists and they get either shifted around desks often or they move from magazine to magazine quickly. So it is important just to keep the effort going and invite them on a regular basis. Indeed we are organising another visit for April.

HON DR J J GARCIA:

I stand to be corrected but I do not think the Minister has answered in relation to Question No. 365, "which of those published the articles and when did those appear?".

HON K AZOPARDI:

The same applies. They have all to my knowledge written articles. The dates are all different and we can extract them for the hon Member if he wishes.

HON DR J J GARCIA:

I would be grateful for that.

ORAL

NO. 366 OF 2001

THE HON DR J J GARCIA

**FINANCIAL SERVICES SEMINAR**

What was the cost of attending the financial services seminar held at the offices of the city law firm Denton Wilde Sapte on Wednesday 11<sup>th</sup> October 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The seminar was postponed.

NO. 367 OF 2001

THE HON DR J J GARCIA

**INVESTMENT INTERNATIONAL**

What was the cost to the Government, directly or indirectly, of the three-page feature in Investment International in August 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Nothing.

SUPPLEMENTARY TO QUESTION NO. 367 OF 2001

HON DR J J GARCIA:

Does that mean that there was no advertising support paid for by the Government?

HON K AZOPARDI:

Is there advertising in the article? I am not aware that there is. We have a list of journalists we update by e-mail with Government press releases of a financial nature and as a result of that and the journalist asking for specific information, he wrote an article. I am not told that we actually advertised anything.

NO. 368 OF 2001

THE HON DR J J GARCIA

**VISIT TO LISBON**

What was the cost of the three-day visit to Lisbon in December 2000 to market the Finance Centre and what were the results?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The same point will arise here that I raised in supplementaries to the hon Member as to Euro Money. The total cost of the three-day visit to Lisbon was £4,374.99. This incorporates the cost of travelling to London for a meeting with the Crown Dependencies the day before the Lisbon meetings. The major item of cost here was the flight cost. A total of 17 financial institutions were visited, principally banks and also accountancy and legal firms.

This is the first in a series of targeted visits to Portugal to market Gibraltar's full range of financial services and products. The immediate results naturally are to raise Gibraltar's financial services profile among senior businessmen that matter. More concrete results in the form of new business activity will flow in due course.

SUPPLEMENTARY TO QUESTION NO. 368 OF 2001

HON DR J J GARCIA:

There was a visit to Portugal, a Road Show, I think it was called at the time, which was not that successful in terms of attendance by people from Portugal where the bulk of them, certainly at one function, were people who came from Gibraltar. Can the Minister say whether in terms of attendance, how many went from Gibraltar and how many actually attended the various events that were organised?

HON K AZOPARDI:

I do not subscribe for the Road Show philosophy of marketing. The answer is no one from Gibraltar went with us. We believe that if we are going to try to attract financial institutions of a very conservative nature, for example, like banks, to Gibraltar, we need to have one to one meetings with senior representatives to explain to them what Gibraltar is about, where we are going and where we stand in respect of international initiatives. In respect of other financial institutions it may be that a wider audience is possible, but I do not believe that institutions of that nature like to be huddled into one room to be talked to on a global basis, unless it is purely to increase the profile of Gibraltar. If it is to attract them to Gibraltar, I think one needs to do more vigorous one to one marketing. That is not to say that I discard the idea of speaking at conferences whenever conferences are organised, either to raise Gibraltar's profile or because generally we have been invited and because our competitors go on to the lecture circuit, clearly we accept the invitations but our mainstay of our marketing policy is the one to one meetings with financial institutions. That is the way we are going to focus marketing in Gibraltar, as far as I am

concerned, while I am Minister for Trade and Industry. We did also tell the Finance Centre players in Gibraltar that we were going to go to Portugal and indeed we told them we were going to go to Switzerland, in case they wanted to organise something for their clients or their contacts. So, for example, one of the accountancy firms in Gibraltar went of their own volition to Portugal because they wanted to meet their correspondent firm in Lisbon and organised a seminar for us to give mini lectures on aspects of financial services to 50 or 60 accountants, happy to do that, if that is going to create inroads for finance centre players in Gibraltar. That needs to stand together and that cannot be the sole live blood of marketing in Gibraltar and has to stand together with a more vigorous policy of one to one meetings with financial institutions. The only other person from Gibraltar who happened to be in Lisbon was a Gibraltar lawyer who acts for one of the Portuguese banks. When we turned up at the meeting with the Portuguese bank the Gibraltar lawyer was there but we did not take him with us.

ORAL

NO. 369 OF 2001

THE HON DR J J GARCIA

**ECOM LIMITED**

How much did Ecom Limited pay for the site at Lathbury Barracks, what is the area of the land in question and does it include any buildings?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question No. 370 of 2001.

NO. 370 OF 2001

THE HON DR J J GARCIA

**ECOM LIMITED**

When did Ecom Limited submit planning applications for the proposed new development at Lathbury Barracks?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The real estate documentation in relation to the Ecom project has not yet been finalised. In line with other satellite projects, Ecom Limited will pay a premium of one year's rent plus the first year's rent in advance.

The rental for land at Lathbury Barracks/Windmill Hill Flats was set by Land Property Services, in consultation with the Government, as follows:

£2.00 per sq ft per annum for undeveloped land,  
£1.00 per sq ft per annum for steep sloping land and  
£4.00 per sq ft per annum for built up areas.

This rental is the initial rental that will apply to each satellite operator for a lease over such land. The rent will be subject to change in accordance with the index and/or market forces. The term of the lease will be 30 years.

The total area of the land is around 8,480 square metres and includes two buildings, the former junior rates mess, which will be refurbished, and the cookhouse, which will be demolished.

Ecom Limited submitted its first planning application on 7<sup>th</sup> November 2000, which application has been the subject of several amendments.

SUPPLEMENTARY TO QUESTION NOS.369 AND 370 OF 2001

HON DR J J GARCIA:

Can the Minister repeat when the planning application was submitted?

HON K AZOPARDI:

The 7<sup>th</sup> November 2000.

HON DR J J GARCIA:

Can the Minister say whether that has now been approved or is it still the subject of negotiations?



HON K AZOPARDI:

It has not been approved yet. What we have issued two days ago is the demolition permit but the demolition will not happen until they have possession of the site. We are hoping to expedite that as soon as possible. The development licence is still not being finalised. When we are able to hand them possession of the site they will do the demolition and then that may or may not be before the outline actually goes through the Planning Commission.

HON J J BOSSANO:

Can the Minister say what is the actual rental of the 8,480 square metres that is produced by the rates that he told us, that is, the one year rental they have to pay in advance and the one year premium they have to pay. Presumably, they have to pay that to take possession of the site?

HON K AZOPARDI:

Yes. They have to pay the one year's premium of rent in advance and clearly we would expect that when they take possession, which really means when they sign the development licence we would expect the payment of the premium of one year's rent plus the first year's rent in advance. They would then do the demolition. As to how much the 8,480 square metres translates into real rent given the different permutations that I have mentioned to the hon Member, the answer is I do not know that, because I do not know how much of it is steep sloping land. If the hon Member is interested, I can certainly write to him with the information.

HON J J BOSSANO:

Presumably the company has been told how much they have to pay. They are not expected to go round with a tape measure measuring what is the slope?

HON K AZOPARDI:

No. The company is well aware of what it has to pay and it is not the subject of any debate or dilemma.

NO. 371 OF 2001

THE HON DR J J GARCIA

**EUROPA BUSINESS CENTRE - ARREARS**

What is the total amount of rent arrears owed by Government tenants at the Europa Business Centre as at 31<sup>st</sup> December 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The total amount of rent arrears is £107,428 and also an additional sum of £29,254 owing by past tenants.

SUPPLEMENTARY TO QUESTION NO. 371 OF 2001

HON DR J J GARCIA:

In relation to the two sums the Minister has just quoted is he in a position to say to what number of tenants it relates to? In other words, is it just one tenant or is it 50 or 30, what does it relate to?

HON K AZOPARDI:

There is a whole list. I have not counted them. If the hon Member will bear with me. For the £107,428, there is about 28 tenants, and in respect of the past tenants, we are looking at about 13 or 14.

HON DR J J GARCIA:

Could the Minister give an indication as to the time scale that we are talking about? Are these arrears due for one year or six months, in general terms?

HON K AZOPARDI:

Yes. It really depends on each specific tenant. The Government will have to analyse what the arrears situation is in respect of each of the 28. Some of them are months and some of them are not. The general position is that whenever a company falls into arrears, Land Property Services sends them demands for reminders. If nothing happens, if they do not enter into an arrears agreement or response to the reminder, the matter is then referred to the Treasury Central Arrears Unit, which issues a 21 day notice and initiates proceedings to wind up the company, if no agreement is entered into.

HON J J BOSSANO:

The move to the Arrears Unit and the possible initiation of winding up procedures, is this dependent on them responding straightaway or is there a time limit? Is there a mechanism which says after one month or two months, something happens or is

there no system or it is just a matter of LPS deciding when they refer it to the Treasury?

HON K AZOPARDI:

What happens usually is because there is such a number of tenants that LPS obviously has to monitor on a monthly basis, the general decision is that once they have been in arrears for a bit of time, a few months, it then clicks that someone should send them a reminder and the whole process starts from that basis. I do not think that they start sending them immediate threats of winding up after the first month, but just looking at the list, there are some on this list, just a handful which clearly have been in arrears for many many months. For example, the Europa Business Centre, one of the tenants owes £22,000.

HON J J BOSSANO:

One of the 28?

HON K AZOPARDI:

Yes. There is another one that owes £27,000, so if one takes those two out, it is half, so 26 tenants owe £50,000 and the rest is owed by two.

HON J J BOSSANO:

Are the people on the list, including those two people who have not yet been referred to the Treasury?

HON K AZOPARDI:

They have all been referred to the Treasury.

HON J J BOSSANO:

All the 28 on the list are people who have gone past the warning stage and are now being referred to the Treasury?

HON K AZOPARDI:

All of them are in arrears, all of them to my knowledge, have been referred but some of them have entered into arrears agreements. For example, of the 28, there are four that have entered into arrears agreements and no action has been taken, the biggest ones except for the one that owes £22,000. The one that owes £27,000, for example, has an arrears agreement.

HON J J BOSSANO:

I understood the Minister to say that the arrears agreement was with LPS and preceded reference to the Treasury. If they did not get into an agreement with LPS, then they were passed on to the Treasury?

HON K AZOPARDI:

It is both. LPS can sort out an arrears agreement with them. Sometimes people respond to a letter from LPS and say, "Can I enter into an arrears agreement?". It is

entered into at that stage. If LPS get no joy, it gets referred to the Treasury Central Arrears Unit that send out reminders and then a 21-day notice to wind up the company. People react at different stages. Some people only react when they get the notice to wind up their company and then they enter into an arrears agreement with Treasury. It can happen at both stages.

HON J J BOSSANO:

Is the position then that other than the four arrears agreements, the remaining 24 are with the Treasury or some with the Treasury and some with LPS at this moment?

HON K AZOPARDI:

I do not have that information, but I would suspect that some are with the Treasury and some are with LPS because some of them are significant and others are a few hundred pounds. I would have thought that those are not with Treasury yet.

HON J J BOSSANO:

The second group, which was the past tenants, I take it that if they were with anybody it would be with the Treasury, if they were still in existence? The former tenants, presumably those are with the Treasury?

HON K AZOPARDI:

Yes. I will agree with that.

HON J J BOSSANO:

Does the Minister know of that list, some of them are agreements or is it that they are either not trading or in the process of being wound up?

HON K AZOPARDI:

Of the £29,254? None of them are marked as having arrears agreements. Just looking down the list, some of them are not trading. A lot of them are not companies, some of them are people in their own personal name. I do not think many of them are trading, but I would not be able to say that for sure.

HON J J BOSSANO:

This money technically is owed to whom? The Gibraltar Europa Business Centre is held by the Commercial Property Company, is it not? Or is it directly held by the Government?

HON K AZOPARDI:

While I am clear that the Gibraltar Commercial Property Company hold New Harbours, I am less clear that that is the case with the Europa Business Centre. I believe it may be direct arrangements with the Government.

NO. 372 OF 2001

THE HON DR J J GARCIA

**NEW HARBOURS - ARREARS**

What is the total amount of rent arrears owed by Government tenants in New Harbours as at 31<sup>st</sup> December 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The total amount of rent arrears is £437,438 and £146,106 by past tenants.

SUPPLEMENTARY TO QUESTION NO.372 OF 2001

HON DR J J GARCIA:

In relation to both those figures could the Minister indicate the number of tenants and former tenants that it concerns?

HON K AZOPARDI:

I have the list of all the tenants. I suspect they have given me the list of all the tenants. When the hon Member asks arrears, some of the ones clearly on this list are in technical arrears in the sense that they owe a month's rent or two month's rent, but they have even put on this list people who owe the current month that have not yet paid that month. The total must be about 80 that have some element of arrears, but again it oscillates between significant arrears and non-significant arrears. Just to give the hon Member an idea, I will just mention the higher ones. One of the companies owes £88,000, another one owes £20,000, others owe £42,000, £40,000, £35,000, £50,000 and £30,000. With a handful there that sounded to me like about half, probably more, about £250,000 with about seven or eight tenants.

HON DR J J GARCIA:

The figure in relation to former tenants, was that when he said 80 and 30, or has the Minister not given that figure yet?

HON K AZOPARDI:

The 80 and 30 divided is in relation to current tenants. I believe about 30 are in arrears and of the people who are in past arrears, as it were, is about 20 and again of those between four companies they owe about £90,000. The other £50,000 is the other 15.

HON J J BOSSANO:

In this case where the Minister confirmed in answer to the previous question that it is the Commercial Property Company that is the landlord, does the Treasury Arrears Unit also get involved or not?

HON KAZOPARDI:

Yes, it is the same procedure.

ORAL

NO. 373 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR IN EUROPA**

What was the cost of producing issue 3 of the newsletter Gibraltar in Europa?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The total cost was £1,120.

ORAL

NO. 374 OF 2001

THE HON J J BOSSANO

**CATEGORY 2 QUALIFYING INDIVIDUALS**

How many High Net Worth Individuals have transferred to Category 2 Qualifying Individuals since 1<sup>st</sup> September 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question Nos. 375 to 377 of 2001.



ORAL

NO. 375 OF 2001

THE HON J J BOSSANO

**CATEGORY 2 QUALIFYING INDIVIDUALS**

How many applications have been received for the Status of Category 2 Qualifying Individuals since 1<sup>st</sup> September 2000 and how many of these have been approved or rejected?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question Nos. 374, 376 and 377 of 2001.

ORAL

NO. 376 OF 2001

THE HON J J BOSSANO

**CATEGORY 3 QUALIFYING INDIVIDUALS**

Have Government received any further applications for Category 3 Qualifying Individuals Status since 1<sup>st</sup> September 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question Nos. 374, 375 and 377 of 2001.

NO. 377 OF 2001

THE HON J J BOSSANO

**CATEGORY 4 INDIVIDUALS**

How many applications have Government received and approved or rejected for Category 4 Individuals since 1<sup>st</sup> September 2000 and in respect of which occupations have these applications been made?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Since the 1<sup>st</sup> September 2000 Government have received a total of nine applications for Category 4 Status, eight of which were approved, one is pending and none were rejected. Most of the occupations are in respect of the gaming industry.

Since 1<sup>st</sup> September there has not been any transfer of High Net Worth Individuals to Category 2 Status.

Since the same date we have received 24 Category 2 applications. Of these 19 had been approved and five are pending, and since the same date we have received 16 applications for Category 3 Status, nine of which have been approved and seven are pending.

SUPPLEMENTARY TO QUESTION NOS.374 TO 377 OF 2001

HON J J BOSSANO:

Can the Minister confirm that it is still the case that nothing that is being suggested by the OECD will affect our ability to continue with taxation of individuals in special categories as this provides?

HON K AZOPARDI:

For the moment, the OECD initiative is purely as is indeed the EU tax code about Corporate Tax and not about individual tax. Therefore, there is nothing to suggest that the ambit of the OECD initiative will affect these measures. Nothing has been suggested in our discussions with the OECD that they are looking to target anything within these categories. Whether the OECD or any other international initiative focus their guns once these initiatives are over on other matters, who is to say.

ORAL

NO. 378 OF 2001

THE HON J J BOSSANO

**NUMBER OF COMPANIES REGISTERED**

Can Government say how many companies have been registered in Gibraltar since 31st July 2000 and how many have been removed from the register?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question Nos. 379 and 380 of 2001.

ORAL

NO. 379 OF 2001

THE HON J J BOSSANO

**EXEMPT COMPANIES**

How many applications for exempt companies have been received since 31<sup>st</sup> July 2000 and How many have ceased to be exempt since that date?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Answered together with Question Nos. 378 and 380 of 2001.

NO. 380 OF 2001

THE HON J J BOSSANO

**QUALIFYING COMPANIES**

How many applications for qualifying companies have there been since 31<sup>st</sup> July 2000 and how many ceased to exist since then?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Since 31<sup>st</sup> July 2000 we have received seven applications for qualifying status and during that period no qualifying company has ceased.

From the 31<sup>st</sup> July 2000 up to 31<sup>st</sup> January 2001, 2778 companies were registered. During the same period 848 companies were either struck off or wound up. There are also another 1098 companies pending striking off or liquidation.

Since the 31<sup>st</sup> July 2000 we have received 605 applications for exempt company status and during this same period 90 companies have ceased to be exempt.

SUPPLEMENTARY TO QUESTION NOS. 378 TO 380 OF 2001

HON J J BOSSANO:

Is the number that has been given applications for exempt and qualifying companies, the numbers that are being approved or are these companies that may not get the status that they are seeking?

HON K AZOPARDI:

While there is no specific note in the papers in front of me, I have to assume that when I say that seven applications for qualifying status have been received and that we have received 605 applications for exempt company status, these also mean that we have granted those. If not, my note would have said that some had been refused. It is possible but rare for applications for effectively physical status to be denied at the level of the official determination. It has happened before but it is rare, so I would have thought that that would come up in the information in front of me.

HON J J BOSSANO:

Are the seven qualifying companies actually companies that have a physical presence and an activity in Gibraltar employing people, unlike the exempt companies which are not?

HON K AZOPARDI:

The policy that we are following when the private sector firms and finance centre intermediaries raise these matters with us, is that we create a distinction between

what loosely could be called a physical presence and we advise people that if they want to structure their business in a way that really means that they have some form of physical presence in Gibraltar, whether they are permanently established or not in accordance with the EU laws, that is another matter. The tax exempt vehicle that we see as not having any presence in Gibraltar really is an investment holding vehicle. The answer to that is that generally speaking all qualifying company applications that are granted from now on or from the foreseeable past, has been in the context of that policy and so there is some presence of the seven specifically that we have talked about today, they are varied, if the hon Member is interested they range from a private holding company to a trust and company manager, to the provision of internet services, to the import and export of motor vehicles for some reason, investment managers, investment dealers and a tax and pension consultancy. There is quite a mix there.

HON J J BOSSANO:

The gaming companies that have come in recently were they qualifying companies or not?

HON K AZOPARDI:

I think so.

HON J J BOSSANO:

So none have come in since July?

HON K AZOPARDI:

Unless the one that is described as providing Internet services is also a gaming company, which is possible. I am not sure I should mention the name of the company now. I am certainly happy to tell the hon Member in the anteroom. If that company does gaming it is possible. Of the other six, it is certainly quite clear that they are not involved in gaming. The other one might be but the name does not ring a bell as a gaming company anyway.

HON J J BOSSANO:

Are these companies being charged a standard percentage rate of tax or have they individually reached agreements with the Government?

HON K AZOPARDI:

They have individually reached agreements in accordance with general policy. The hon Member will be aware that that is one of the complaints of the OECD, that people should not be allowed to reach agreements with the Government as to fiscal rates. That there should be, in their view, a transparent criteria for the organisation of fiscal business. The answer is we have reached agreements with each and everyone of them in accordance with the general policy that governs these matters, but I could not tell him whether they are all the same.

HON J J BOSSANO:

Does the Minister know whether any of these companies were in a position where unless it was possible to reach agreement on a particular rate, they would not have

wanted to be here, which I happen to know has been the case in the past with some particular businesses that the possibility of being in Gibraltar was determined effectively by what was being offered somewhere else.

HON K AZOPARDI:

The answer is no. I do not think that that is the case with any of the seven. I have not involved myself. Indeed I do not involve myself in the setting of these rates in the normal course of things. I have involved myself when it is a big player that wants to come to Gibraltar, like in the case of ACE, because ACE went to meetings with me and raised the issue of tax with me. So if it is a big player that the Government want to come to Gibraltar, generally speaking it is done with the department's officials directly and I am not involved, and in respect of the players in front of me, quite clearly they are not the type of operation that I would involve myself in with, because they are not significant large players to Gibraltar's economy. Clearly they are valuable to have in Gibraltar but they would undertake their discussions directly with the Finance Centre officials. I suspect that because they have not raised the issues of tax in any of those seven companies with me, they have not reached the stage where they thought I should be aware or take a policy decision to review the rates of tax that they have been discussing, because they thought it was crucial or attractive to Gibraltar's economy to convince them to come to Gibraltar by setting a particular fiscal rate beyond the general policy.

HON J J BOSSANO:

On the companies registered, presumably that would include the 605 and the seven, the 2778. It would appear that this shows that there is no reduction in the level of company registration. Does this indicate that the OECD programme so far is not having any deterrent effect in keeping people away from using Gibraltar to register companies?

HON K AZOPARDI:

Certainly the trend of incorporations is on the up. It has been for several years and it continues to be on the up since 1995/1996. The hon Member has made two observations in the way that he has framed the question, perhaps if he permits me I will make some remarks in relation to them. First to say that the hon Member assumes that the 605 are in the 2778. The answer to that is probably yes but not to the 100 per cent extent. For example the 2778 are companies that have been incorporated between 31<sup>st</sup> July and 31<sup>st</sup> January. The 605 are tax exempt applications that we have received from the 31<sup>st</sup> July. It is possible that there are applications for tax-exempt status received on the 1<sup>st</sup> August in respect of companies incorporated in June. It is not likely, but it is possible. I would say probably the hon Member is right but there may be a handful that does not fall into that category. As to whether the OECD is having an affect, to a very large extent it is subjective speculation. The trend certainly is that it carries on going up. That is good but I am not sure whether that has anything to do with the OECD or not.

HON J J BOSSANO:

Certainly the OECD is not making it come down?



HON K AZOPARDI:

No, to the extent that we are all in the same boat. Apart from the eight territories that have given commitments to the OECD, the other 33 are still being talked to by the OECD and so I imagine that it is possible that it might have impact on Gibraltar's Finance Centre only if we were being singled out ourselves, but given that we are all in the same boat, business goes on until such time the business environment is changed.

NO. 381 OF 2001

THE HON J J BOSSANO

**COMMERCIAL BANKS - TOTAL ASSETS**

What was the level of Total Assets of Commercial Banks as at 30<sup>th</sup> September 2000 and 31<sup>st</sup> December 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 AND  
TELECOMMUNICATIONS

The information is as follows:

30<sup>th</sup> SEPT 2000

Cash	£6,246,000
Balances due by other banks	3,223,820,000
Loans and Advances	1,127,085,000
Investments	6,868,000
Other Assets	<u>124,440,000</u>
<u>Total</u>	<u>£4,488,459,000</u>

31<sup>st</sup> DEC 2000

Cash	£7,045,000
Balances due by other banks	4,102,032,000
Loans and Advances	1,223,932,000
Investments	7,213,000
Other Assets	<u>123,872,000</u>
<u>Total</u>	<u>£5,464,094,000</u>

NO. 382 OF 2001

THE HON J J BOSSANO

**COMMERCIAL BANKS - TOTAL LIABILITIES**

What was the level of Total Liability of Commercial Banks as at 30<sup>th</sup> September 2000 and 31<sup>st</sup> December 2000 giving a breakdown of Total deposits, Balances due to other Banks and Other Liabilities?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

As I did before I will give the 30<sup>th</sup> September 2000 first.

30<sup>th</sup> SEPT 2000

Total Deposits	£2,244,262,000
Balance due to other banks	1,317,326,000
Other Liabilities	<u>926,961,000</u>
<u>Total</u>	<u>£4,488,549,000</u>

31<sup>st</sup> DEC 2000

Total Deposits	£2,379,662,000
Balance due to other banks	2,166,941,000
Other Liabilities	<u>917,491,000</u>
<u>Total</u>	<u>£5,464,094,000</u>

NO. 383 OF 2001

THE HON J J BOSSANO

**BANKS OPERATING IN Gibraltar**

Will Government list the banks operating in Gibraltar, in January this year, which are entitled to exercise EU passporting rights?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The list of banks is as follows:

Banco Atlantico (Gibraltar) Ltd  
Barclays Bank Offshore Financial Services (Gibraltar) Limited  
BBVA Privanza (Gibraltar) Limited  
Credit Suisse (Gibraltar) Limited  
Hispano Commerzbank (Gibraltar) Limited  
Jyske Bank (Gibraltar) Limited  
SG Hambros Bank & Trust (Gibraltar) Limited  
The Gibraltar Private Bank Limited  
The royal Bank of Scotland (Gibraltar) Limited  
Turicum Private Bank Limited

SUPPLEMENTARY TO QUESTION NO. 383 OF 2001

HON J J BOSSANO:

Other than Turicum Bank, which is a one branch bank operation, are the others Gibraltar subsidiaries of parents?

HON K AZOPARDI:

All the others are separate Gibraltar Incorporated subsidiaries.

HON J J BOSSANO:

For example, somebody like Jyske Bank can in fact passport with a Gibraltar licence rather than its Danish licence, can it in terms of being able to move into the rest of the EU?

HON K AZOPARDI:

Jyske Bank Gibraltar Limited passports on the back of its Gibraltar licence. Indeed the hon Member will be aware that Royal Bank of Scotland announced their decision to passport into Spain and Portugal, Jyske has now given notice that they are going to exercise their passporting rights in respect of the UK, through their Gibraltar licence.

NO. 384 OF 2001

THE HON J J BOSSANO

Can Government state how many Gibraltar licensed insurance companies are now exercising the right to passport into the United Kingdom since the answer to Question No.550 of 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

Nine insurers have given notice that they are exercising their right to passport into the UK. Eight of these through the 'freedom of services' provisions and one under the 'freedom of establishment' provisions.

SUPPLEMENTARY TO QUESTION NO. 384 OF 2001

HON J J BOSSANO:

Am I right in understanding that to mean that the freedom of services is selling for Gibraltar into the UK and the establishment is actually setting up a branch in the UK?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

This has been submitted post the answer to the question in September. Is that right?

HON K AZOPARDI:

To the extent that I said in September that there were eight companies that were providing services. The only change is that one of the nine is doing so in the "freedom of establishment". If he means that the "freedom of establishment" point has happened post September, the answer is yes, to my knowledge, that is the case.

HON J J BOSSANO:

No. I am asking whether these are in addition to the answer that I got. That was the way the question was raised. It says, "are now exercising the right since the answer". I take it that this is not in addition to those?

HON K AZOPARDI:

Yes. As far as I am aware, it is not in addition to those. It has been answered on the basis that this is the total.

HON J J BOSSANO:

What is the change since last September, that one has now moved from providing services to seeking to establish, I thought that was already there?

HON K AZOPARDI:

The change, as far as I can see, is that we now have eight providing services. When I answered in September, I had said that there were eight that had submitted the desire to do so, but one of them had surrendered the licence, so in net terms it must be one additional one, and that we now have one pursuing its business through the establishment part of the directive.

HON J J BOSSANO:

I was told that the last time.

HON K AZOPARDI:

That was not in last time's answer. I am looking at last time's answer and I did not include that.

HON J J BOSSANO:

If the Minister looks at page 430 of Hansard, there was an intervention by the Chief Minister saying that 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 through a branch. The Chief Minister was talking about insurance. Is the answer then that there is no change since Question No.550 of 2000?

HON K AZOPARDI:

With respect to the Chief Minister, I think that that may have been said in the context of other questions and in the context of the debate on the issue, and possibly not in relation to a list that he had in front of him. I am quite clear that there are eight insurers that are providing services in the UK and only one of them is establishing a branch.

HON J J BOSSANO:

I was told that in answer to Question No. 551 of 2000, on page 49 of Hansard, I said "In relation to the licence insurance company, the notification is to provide services from Gibraltar as opposed to having a presence in UK?", and the answer was 'no'. In answer to that specific question, the answer is 'no'. It is in the sense of being established in the UK through a branch. Since my original question asks what happens since that answer, the answer is, the position is as in that answer.

HON K AZOPARDI:

What I am saying is without being too blunt about it, the answer the hon Member got is not strictly accurate.

If the hon Member wants to have updated information, the distinction between companies that are establishing themselves with branches and those that are purely

providing services, is provided on the FSC website. It is very clear what the information is, so it will help the hon Member if he would check from time to time and they update the lists, as they do with banking. There the hon Member will see that it is plain what falls into what category.

NO. 385 OF 2001

THE HON J J BOSSANO

**OBJECTIVE 2 PROGRAMME**

Can Government state what is the balance of unused Objective 2, 1997/1999 Programme funds, as at the 31<sup>st</sup> December 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The balance of unused Objective 2 1997 to 1999 Programme funds as at 31<sup>st</sup> December 2000 was £2,323,598 (ERDF only).

SUPPLEMENTARY TO QUESTION NO. 385 OF 2001

HON J J BOSSANO:

Is there a deadline by which this money has to be spent?

HON K AZOPARDI:

Yes indeed. As has been indicated in debate earlier today, the 1997/1999 programme needs to be spent by 31<sup>st</sup> December 2001.

HON J J BOSSANO:

I take it that the area relating to the Theatre Royal is included in this matter?

HON K AZOPARDI:

Absolutely.



NO. 386 OF 2001

THE HON J J BOSSANO

**KONVER PROGRAMME**

Can Government state what is the balance of unused Konver 1995/1999 Programme funds as at the 31<sup>st</sup> December 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY AND  
TELECOMMUNICATIONS

The balance is £1,314,345.

SUPPLEMENTARY TO QUESTION NO. 386 of 2001

HON J J BOSSANO:

In the September meeting of the House when I asked similar questions, I was given also two sums relating to ESF, is it that those are no longer showing outstanding balances?

HON K AZOPARDI:

There is nothing that shows that there is any outstanding balance in relation to the ESF. Can I reverse the procedure and ask the hon Member, is it in relation to any specific ESF funds?

HON J J BOSSANO:

In particular in relation to the Konver fund, the amount of ESF funds outstanding, there was an exchange as to the possibility of using that money in the light of the constraint that it had to be for redundant MOD workers. I am surprised that it has not been mentioned because only a few months ago we were being told there was a problem of being able to spend it.

HON K AZOPARDI:

In relation to that specific question, I recall writing to the hon Member about that and after having investigated the matter, the Government were able to rule out that it was not possible to use that in that way, but, as I say, the entire Konver outstanding matter seems to relate to ERDF and not ESF money. I suspect all of it has been committed and spent, given that the ESF primarily is used for training and so on.

HON J J BOSSANO:

In Question No. 557 of 2000, the balance unspent was given as £1,349,147 as at the 31<sup>st</sup> July 2000 of the ERDF and £173,200 of ESF. Is the amount that we have been given now as at the 31<sup>st</sup> December 2000, six months later, in relation to both of those sums or to the ERDF sum only? It is slightly below the two together, but higher than the ERDF alone.

HON K AZOPARDI:

The amount that I have given is only in relation to ERDF. I am not told that there is anything left outstanding for ESF, but I will check the matter and revert to the hon Member.

HON J J BOSSANO:

In respect of the previous question, the Objective 2, there was £193,727 of unspent ESF in July 2000, so could the Minister check that as well?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

In terms of the outstanding amounts, the figure of unspent ERDF money, in the case of Konver, this is above the level in July, so nothing has been spent in the last six months?

HON K AZOPARDI:

I do not have a breakdown of the expenditure of the last few months.

HON J J BOSSANO:

Perhaps I can remind the Minister that the amounts spent up to July 2000, were £1,378,852, is that still the level?

HON K AZOPARDI:

Can I say that the bulk of the unspent projects are the World War II tunnels project, which has gone out to tender, so we expect the expenditure to go quickly there. EU funding there is £400,000. The Lathbury Barracks Business Park, which started about one month or six weeks ago, there it is £800,000. St Michael's Cave, where there was a previous question in the Order Paper, where my hon Colleague said that the lighting project has now been awarded, EU funding there is £300,000 odd. All of those projects which substantially make the expenditure have had to go through the tendering stages. Now that they have been awarded, I expect that the expenditure will move very quickly, so that we spend the money by the 31<sup>st</sup> December.

NO. 387 OF 2001THE HON S E LINARES**GOVERNMENT DOCUMENTS**

Can the Minister state what he understands a document to be in the public domain means?

ANSWERTHE HON THE CHIEF MINISTER

As far as Government documents are concerned the Government consider a document to be in the public domain when it has been published by the Government for perusal and use by any member of the public.

SUPPLEMENTARY TO QUESTION NO. 387 OF 2001

HON S E LINARES:

I ask this question because I had a little bit of a problem, and I brought it up in the two previous meetings of the House, the problem that I had in getting one report of which the Government, when I asked the question, said it was in the public domain. I went through to get one and there were loads of obstacles in order to get that report. Eventually I did get the report, which I appreciate the fact that I did get it, but also with a proviso that certain parts of the report should be kept confidential. Therefore, if it is in the public domain, it should not be confidential because if I may indulge in a dictionary definition of what public domain means, "it is the status of published words which is not and is no longer subject to copyright". It is not even subject to copyright. One can photocopy any part of it, use it or whatever. I have not used the report that I was given confidentially, which if that is the case I will keep it confidential. To say that it is in the public domain and then tell me that it is confidential is another matter.

HON DR B A LINARES:

There are two parts to the supplementary question by the hon Member. The first part relates to the difficulties the hon Member had in obtaining the report. I want to assure the hon Member that the difficulties were due to a certain degree of wire crossing and the method that he adopted for obtaining it and it is certainly not intentional to keep the report away from him. The second part of the question is with regard to this dilemma and conflict between the definition of the document as being in the public domain, which I confess I did state in answer to Question No.180 of 2000. What I meant by that then was that the document had been printed and published with an ISBN number and in that sense it was in the public domain. The document was then distributed to all the relevant practitioners, heads of departments in different schools, headteachers of course. Then after that the auditors themselves actually pleaded to some extent that although the recommendations in general terms were obviously there for public consumption and public debate, nevertheless some of the content which was guiding lines to practitioners in respect of more sensitive areas within the school processes, should be treated with certain discretion. In that sense, I then when I delivered the document to other parties such as the disability society and the hon Member, I wrote saying "please understand that although the report was printed and published, the OFSTED auditors pointed out that apart from the specific

recommendations, their findings are intended as working guidelines and I am sure you will respect this element of confidentiality as requested by the auditors". I agree that there is a certain dichotomy here between a playing definition of being in the public domain and discretion in the use of it for public debate and public consumption. I hope this explanation, which is given in good faith, is at least partially acceptable by the hon Member.

HON S E LINARES:

I appreciate the correction made to this specific document we are speaking about and I can assure the Minister that I am not going to go and publish the document. I wanted it for my own use. It is just that it was a matter of the way he presented it at the time and that is why I brought it up. I can assure the House that I am also going to use it professionally, rather than to make political capital out of anything that the report has.

NO. 388 OF 2001

THE HON J C PEREZ

**THE MERCHANT SHIPPING (CARRIAGE OF DANGEROUS OR POLLUTING GOODS) ORDINANCE 2000**

Can Government state whether the United Kingdom has now informed the European Commission that the Captain of the Port is the competent Authority in Gibraltar for the purposes of applying Council Directives 93/75 EEC and 98/55 EEC, and if so, whether this now appears in the list of competent authorities published by the Commission?

ANSWER

THE HON THE CHIEF MINISTER

The Merchant Shipping (Carriage of Dangerous or Polluting Goods) Ordinance 2000 which transposes directives 93/75 and 98/55 was passed by the House on 12<sup>th</sup> September and received its assent on 28<sup>th</sup> September 2000.

Due to an administrative error, the Legislation Support Unit of the Government of Gibraltar has not asked the Foreign and Commonwealth Office to transmit a copy of the Ordinance to the European Commission, as actually the directive requires. This has since happened.

SUPPLEMENTARY TO QUESTION NO.388 OF 2001

HON J C PEREZ:

Would the Chief Minister know more or less how long the process takes? I know that we have initiated it now instead of September, so as not to burden him in two or three months time with it if it takes longer?

HON CHIEF MINISTER:

I cannot. It is purely an administrative thing. The issue of competent authorities has become much less controversial since the Excellent Competent Authorities agreements that were entered into in April. We are not expecting any problems with this, but should we encounter them, I would certainly let the hon Member know.

HON J J BOSSANO:

Would that agreement cover this competent authority?

HON CHIEF MINISTER:

The agreement covers all competent authorities arising out of EU measures and related instruments.

HON J J BOSSANO:

It does not just cover the ones that were in existence at the time of the negotiation of the agreement. It is an automatic thing?

HON CHIEF MINISTER:

The agreement specifically says "All current, past and future competent authorities" and it secures the recognition of our competent authorities in future measures as well as in past measures. An audit has been done about past measures to see what administrative action may need to be taken just to do all that and that is a lengthy process. In the meantime, yes the agreement specifically says future as well.

ORAL

NO. 389 OF 2001

THE HON J C PEREZ

**TELEPHONE NUMBERING**

Will Government explain what breakthrough over the telephone numbering problem it was expecting last November, which has evidently not materialised?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 390 and 391 of 2001.

ORAL

NO. 390 OF 2001

THE HON J C PEREZ

**INTERNATIONAL TELEPHONE CODE 350**

Can Government state, what, if anything, is the United Kingdom Government doing over the non-recognition of the 350 international telephone code by Spain?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 389 and 391 of 2001.



NO. 391 OF 2001

THE HON J C PEREZ

GIBTEL/NYNEX

Can Government state whether there are any new developments from the EU Commission over the cases put to it by Gibtel and Nynex some five years ago?

ANSWER

THE HON THE CHIEF MINISTER

I am sure the hon Member will recognise that earlier on we covered some of this ground. But in any event, in November last year, I said that I was hopeful that the EU Commission would take action on the telephone issues. I remain hopeful. My hope is based on statements made by the Commission in its correspondence with the UK and Spain, some of which I alluded to earlier.

In June last year the Commission wrote to both the United Kingdom and Spain, urging them to seek a solution as rapidly as possible and recognised, in very clear terms, the need for solutions.

By early November 2000 the Commission had received responses from both the UK and Spain. In their own reply to those responses the Commission recognised that their attempt to broker a friendly settlement appeared to have failed and that their concerns remained unchanged. The Commission stated that it was considering their position in this light. Their decision is awaited.

As to what the British Government are doing, the Gibraltar Government believe that they are engaged in bilateral dialogue with the Spanish Government in an attempt to find an acceptable solution. In addition, in a letter dated 22<sup>nd</sup> November 2000, the Foreign Office Minister, baroness Scotland told Lord Merivale that HMG have stayed in close contact with the Commission on these issues stressing that Her Majesty's Government look to the Commission to uphold Gibraltar's rights within the EU. She also expresses the hope that the Commission will be able shortly to take action on this dossier.

There are no other developments in relation to these complaints.

SUPPLEMENTARY TO QUESTION NOS. 389 TO 391 OF 2001

HON J J BOSSANO:

Did not the Chief Minister indicate at the time that an announcement was imminent from the UK Government showing that they were moving on this issue?

HON CHIEF MINISTER:

No. That is, if the hon Member does not mind my saying so, public misinterpretation of comments that I made at a dinner at which we were both present.

HON J J BOSSANO:

Does the Chief Minister suggest I should take a tape recorder with me on the next occasion when he next delivers a speech so that he is satisfied that I am not misrepresenting him?

HON CHIEF MINISTER:

It is certainly preferable to misrepresenting me. But by far, the better solution would be that the hon Member does not use private dinner parties, albeit, attended by large numbers of people, as a source of material for subsequent use in public.

HON J J BOSSANO:

So the Chief Minister thinks it is quite all right to tell an audience of 100 people that there is an imminent announcement from the UK, which was very good news, welcomed, for which he was warmly applauded, as is only natural, but that that should not be repeated outside that dinner. The Chief Minister either sticks to things that he is capable of repeating outside or he should not say them. If these things are going to be confidential, it seems very odd that he should make such an important announcement there and then not want to be questioned on it subsequently.

HON CHIEF MINISTER:

The hon Member asks a series of questions ignoring the answers that he has received to the previous ones. I have said to the hon Member that I did not say that an announcement was imminent from the United Kingdom. Everything that the hon Member has just said is based on the premise that I said that an announcement was imminent from the United Kingdom and that I was warmly applauded for that. I do indeed recall being warmly applauded, it is not an infrequent event at those clubs. But it was not for that. I did not say that. There was a time I remember when the hon Member used to take tape recorders when he was making speeches, I have never felt the need to do that, but certainly I would regard it very much better that he takes the tape recorder rather than misquote me.

HON J C PEREZ:

Given that one of the questions is specific as to what the United Kingdom Government are doing over the non-recognition of the 350-telephone code, other than what the Minister has explained earlier this morning on the bilateral dialogue of the possible interim solutions, are the United Kingdom supporting the 350-code recognition as well?

HON CHIEF MINISTER:

If one asks the United Kingdom, "Do you think that Gibraltar is entitled to have its 350 code recognised by Spain?" the answer would be yes. If one asks "Do they support the Gibraltar Government's position in holding out to such recognition in the current circumstances of these complaints?" The hon Member knows that what the United Kingdom wants is the problem solved as easily as possible. I think I can also say to the hon Member that except within those very narrow parameters securing recognition of 350 for the purposes that he and I would value it, is not an issue upon which the United Kingdom is fighting great battles or taking up the cudgels. The United Kingdom are grappling with the consequence, the manifestations of the non

recognition, which is the lack of numbers, the lack of roaming agreement, rather than for reasons of political entitlement securing recognition of 350 as he and I would both value.

NO. 392 OF 2001

THE HON J C PEREZ

**GIBRALTAR REGULATORY AUTHORITY**

Can Government state whether the post of Personal Secretary to the Chief Executive of the Gibraltar Regulatory Authority is a public service post?

ANSWER

THE HON THE CHIEF MINISTER

The post of Personal Secretary to the Chief Executive of the Gibraltar Regulatory Authority is not a public service post.

SUPPLEMENTARY TO QUESTION NO. 392 OF 2001

HON J C PEREZ:

Who would be employing that person in the circumstances?

HON CHIEF MINISTER:

I always enjoy debating with the hon Member and therefore I do not wish to deprive myself of any opportunity to do so. On the other hand it is not for me to advise the hon Member on matters which are provided for in the published laws of Gibraltar, especially not when it was a law that the hon Member debated in this House as recently as the autumn of last year. The Gibraltar Regulatory Authority Ordinance, which we passed in this House after some debate, says that subject to this or any other Ordinance the Gibraltar Regulatory Authority shall have power within the limits of allowances and expenses set by the Assembly to do all the things necessary for or ancillary or reasonably incidental to the carrying out of its functions referred to in Section 32. In the specific list in Section 32, it says, "To employ or take on secondment any person as the Gibraltar Regulatory Authority may, with the consent of the Chief Secretary, determine as necessary or convenient". The procedure is that employment by the Gibraltar Regulatory Authority has to be cleared by the Chief Secretary, not least because of the financial implications. Employment that is to take place is then done by the Gibraltar Regulatory Authority as the employer for which they have specific statutory entitlement.

HON J C PEREZ:

When I said who employed, I was trying to find out whether the person was on secondment or employed. Is the only person responsible for the employment the Chief Executive? Does he carry out the interviews and do everything else, or is there a Board for selection, does the Chief Minister know?

HON CHIEF MINISTER:

I cannot say that I know the answer to that question in detail. I seem to recall from the debate of the Bill that the executive powers of the Authority are vested in the Chief Executive, so that theoretically it is open to the Chief Executive after he has

obtained the Chief Secretary's consent to do the employing by himself. In practice a lot of these agencies avail themselves of the administrative support of the Personnel Department for the purposes of organising advertisements, conducting selection panels or things of that sort. I think that the position in law strictly speaking is that once he has obtained consent for the recruitment, that the Chief Executive theoretically employs whoever he likes.

HON J J BOSSANO:

What about the pay and the conditions? Is that a matter for the Chief Executive?

HON CHIEF MINISTER:

No. Those have to be approved by the Chief Secretary and also be within the constraints of the funding provided by this House. The Regulatory Authority has a budget provided for by this House and therefore the number of people that it can employ, the pension terms et cetera, are as approved.

HON J J BOSSANO:

But is there a benchmark other than the fact that money has got to be provided which is obvious, otherwise one cannot pay them. Is there supposed to be any correlation between the position here and the position of a Personal Secretary in some other agency or in the Government or somewhere else?

HON CHIEF MINISTER:

Such a correlation would only be deployed in practical terms through the exercise by the Chief Secretary of his rights to withhold his consent to the terms of a particular employment. The Government's view on the matter would be that whereas the highly technical aspects of the Gibraltar Regulatory Authority's work, for example, in the telecommunications and technical things, it may be necessary to pay what is required to recruit people with the necessary expertise, than for the administrative functions, I think that they should be guided by, for example, the Gibraltar Development Corporation's terms of conditions which provide. I think a good model which are good employer practices without necessarily being in parity with the Civil Service as such.

HON J C PEREZ:

Is the Chief Minister aware whether there is a requirement for the people that employ themselves there to sign the Official Secrets Acts, as is the case in the Civil Service?

HON CHIEF MINISTER:

No. Again I am speaking from memory, but I seem to recall that there is a statutory duty of confidentiality imposed on the employees by this Ordinance, The Gibraltar Regulatory Authority Ordinance, but that they are not required to sign the Official Secrets Acts because they are not dealing with Official Secrets. 'Official' meaning Government. This is not a Government department.

NO. 393 OF 2001

THE HON J C PEREZ

**PERSONAL EMOLUMENTS - PROJECTED EXPENDITURE**

Can Government state what is the projected expenditure in Personal Emoluments, by Heads of Expenditure, for this financial year?

ANSWER

THE HON THE CHIEF MINISTER

It is expected that the projected expenditure for Personal Emoluments for the current financial year will be in the region of £39.5 million to £40 million, compared to the provision of £37.3 million in the Approved Estimates. A breakdown by Head of Expenditure is not available at this point in time. Government Departments are in the process of preparing their Estimates for the next financial year (2001-2002), which includes their projection of the forecast outturn for Personal Emoluments for the current financial year.

SUPPLEMENTARY TO QUESTION NO. 393 OF 2001

HON J J BOSSANO:

What is the position as regards the available funds in the block vote for pay reviews? It would seem from the figures that we have been given that this has taken up all of it, or perhaps even more.

HON CHIEF MINISTER:

The hon Member will remember that we provided £1.5 million for pay settlements. It has proved insufficient, mainly because in effect two years pay reviews have been paid out in one financial year and there is almost certainly a need for a substantial supplementary. On Monday or Tuesday I said that there may be, and it has since been confirmed to me, that there will be a need for a significant Appropriation Bill and one of the main elements of it is to provide further funds for the pay settlements head.

NO. 394 OF 2001

THE HON J C PEREZ

**COST OF STUDIES BY CONSULTANTS**

Can Government state what is the cost of each of the studies by consultants into the Port Department, the Post Office, the Electricity Department and the Buildings and Works Department.

ANSWER

THE HON THE CHIEF MINISTER

The costs are as follows:

The Port Study	£20,393
The Electricity Department Study	£38,900
The Buildings and Works Study	£55,700
The Postal Review Study	£22,000

NO. 395 OF 2001

THE HON J C PEREZ

**ADMINISTRATIVE ASSISTANTS**

Can Government state how many AA posts have been created within the Civil Service and under which Heads of Expenditure will they appear in the Estimates?

ANSWER

THE HON THE CHIEF MINISTER

The Government are in the process of identifying these posts and they will be shown under the different Heads of Expenditure when the Estimates of Expenditure are tabled.

SUPPLEMENTARY TO QUESTION NO. 395 of 2001

HON J C PEREZ:

When the Chief Minister says identify them, is it that he does not know how many have been employed or how many vacancies have been opened at AA level?

HON CHIEF MINISTER:

The answer has been given on the assumption that the hon Member is talking about now that we have decided to restore the AA grade. The answer is that the posts are being identified because what has happened is that AOs have moved around. There have been promotions and now there is a net exercise taking place to see where are the departments that need AAs. The posts are being identified.

HON J C PEREZ:

There has since been no one employed?

HON CHIEF MINISTER:

Not since we abolished the scale and then re-introduced it.

HON J J BOSSANO:

So as yet there is no total figure even? Has any of this been related back to what was there before it was abolished?

HON CHIEF MINISTER:

No. We are not replicating the old requirements, increase in one department and decrease in another. What is being done is an assessment of, now that all the rest of the musical chairs above it has taken place, there are a certain number of vacancies resulting from retirements, promotions. When the AA grade did not exist those vacancies would all have been at AO level. Now that the policy decision has been made to reverse the abolition of the AA grade, it is now necessary to see in respect



of the vacancies which are which, which are necessarily AO posts and which are AA posts.

HON J J BOSSANO:

If we look at the complements by department that we have from last year's budget, the position then is not that the AA posts will be in addition but in substitution of AO posts in there, is it?

HON CHIEF MINISTER:

On the whole they would relate to the filling of vacancies that have arisen during the year because people may have left the department on transfer or on promotion. I cannot say to the hon Gentleman here and now today with certainty whether there is not going to be some growth. I am not aware of any such instances, but until I see the bids I could not tell the hon Member whether any department is aspiring to increase the total number.

HON J C PEREZ:

Given that the process of identification of which vacancy is AA and which vacancy could be construed as continuing to be AO is taking place now and that there have only been vacancies opened for AAs, we could see a situation where there might be some direct recruitment from outside at an AO level to fill in the AO vacancies identified in the existing vacancies than there is today?

HON CHIEF MINISTER:

It is a possibility but it is much more likely that there would be a further round of musical chairs, because if AA posts are identified in departments where the work is presently being done by an AO, and another department is identified as needing AOs, rather than recruit AOs directly they could be transferred and then the AA inducted into the department where they are usable.

NO. 396 OF 2001

THE HON J C PEREZ

**BACKLOG OF MAIL**

Can Government state how many Public Servants took up the offer of engaging themselves in postal delivery duties, and of those that did, how many days did each deliver mail?

ANSWER

THE HON THE CHIEF MINISTER

On 13<sup>th</sup> January 49 public servants from the executive/administrative/secretarial grades volunteered to help with the backlog of mail at the Post Office. On that day, they sorted and delivered the equivalent of 5 days mail mainly to housing estates. A small balance of mail addressed to commercial entities which had closed their premises during the weekend was delivered by six administrative officers on Monday 15<sup>th</sup> January between 2.30 pm and 4.30 pm.

On Monday 22<sup>nd</sup> January 4.30pm to 9.30 pm, 9 executive/administrative/secretarial grades delivered to housing estates the equivalent of seven days mail, which they, together with 11 other public servants, had sorted during the weekend. I want to take this opportunity to record in this House my thanks, not only to those public officers who volunteered for that work, but also indeed to the staff of the Post Services Department for co-operating with that necessary exercise.

SUPPLEMENTARY TO QUESTION NO. 396 OF 2001

HON J C PEREZ:

Of the 49 that volunteered initially, is it that there was no need for them immediately afterwards or that only six of those 49 wanted to continue to deliver mail after having tried it once.

HON CHIEF MINISTER:

There was just no need. All that was left was deliveries in basically the town area to businesses, which had been closed during the weekend, and mail could not be stuffed under their door. Indeed the number of volunteers was much higher than 49, but I think that for logistical reasons, only 50 were used. I think there were nearly 100 volunteers. It was not that the interest dwindled but that all that was left was the tail end of the exercise, for which only a small number of officers were needed.

HON J C PEREZ:

Yet it seemed to those of us receiving mail that the backlog was being received in households over a 10 or 12 days period of time, which is what it took to clear the backlog. The impact of the backlog on the general public was not as the figure suggests of one or two days but over a period of some 12 days with mail coming in every day and sometimes twice a day.

HON CHIEF MINISTER:

That is not correct. There were two separate exercises. One was on the 13<sup>th</sup> January over the weekend, for the delivery of sorted mail. In other words, mail that had already been sorted. That was on the 13<sup>th</sup> January, it was five officers during the weekend except that six of them did a little bit of delivery on the Monday to businesses that had been closed during the weekend. Earlier today I referred the hon Member to the fact that in addition to that, there was a backlog of unsorted mail caused for the reasons that we debated this morning. That is the exercise that was taken on board over the weekend 21<sup>st</sup> and 22<sup>nd</sup> and that involved the civil servants actually sorting the mail. During both exercises the postal service staff both sorters and postmen, they were carrying on as well with their work, so there was one extraordinary delivery effort, weekend of the 13<sup>th</sup>, another extraordinary delivery effort weekend 20<sup>th</sup>, 21<sup>st</sup>, Monday 22<sup>nd</sup>. In the meantime, the postmen were also delivering backlog. This is how the hon Member might have got the impression that it was a one continuous exercise over, but there was only two non postal service staff exercises and they were subject to what I had explained over the weekend.

NO. 397 OF 2001

THE HON J C PEREZ

**INDUSTRIAL WORKERS - VACANCIES**

Can Government state how many vacancies for Industrial workers have been opened within Government during this Financial Year, in what skills and for which departments?

ANSWER

THE HON THE CHIEF MINISTER

Eleven Industrial vacancies have been advertised during the course of this financial year. I am sorry this information is wrong because to my knowledge it excludes people recruited into the Buildings and Works Department, which do not feature on this list. If the hon Member will bear with me I will have this information corrected and provided to him properly.

SUPPLEMENTARY TO QUESTION NO. 397 OF 2001

HON J C PEREZ:

Could the Chief Minister also find out if possible of the number employed how many were Gibraltarian and how many were Moroccan or others?

HON CHIEF MINISTER:

Yes certainly.

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HON CHIEF MINISTER:

Thirty-five industrial vacancies have been advertised during the course of this financial year.

I hand the hon Member a list giving the information requested, including the information requested in the supplementary as to the nationalities.

Answer to Question 397/2001

<u>Post</u>	<u>Dept</u>	<u>Nos</u>	<u>Nationality</u>
Electrical Fitter (TEMP)	ELECTRICITY	1	Gibraltarian
Mason (May 2000)	BLDS & WORKS	2	Gibraltarian
M.T Fitter (Electrical)	TECHNICAL SERV.	- (No applicants met qual. requirements)	
Panel Beater	TECHNICAL SERV.	-	(1 Vacancy not yet filled Selection Board to be held on 21 -2- 2001)
Mason (December 2000)	BLDS & WORKS	13	( 7 Gibraltarian 6 Moroccan)
Electrician	TECHNICAL SERV.	-	(3 Vacancies not yet Filled. Selection Board to be held on 21-2-2001)
Electrical Fitter	TECHNICAL SERV.	-	(2 Vacancies not yet Filled. Selection Board to be held on 21-2-2001)
Part Time Cleaner (20Hrs) G.H.A		7 1	Gibraltarian British
Senior Cook	G.H.A	1	Gibraltarian
Cook (Full Time)	G.H.A	2	Gibraltarian
Cook (Part Time)	G.H.A	1	Gibraltarian

NO. 398 OF 2001

THE HON J C PEREZ

**POST OF PERSONNEL MANAGER**

When do Government intend to fill in the Post of Personnel Manager?

ANSWER

THE HON THE CHIEF MINISTER

The post is currently filled, albeit on an acting basis.

The Government hope to fill the post with a substantive appointment during the course of this year.

SUPPLEMENTARY TO QUESTION NO. 398 OF 2001

HON J C PEREZ:

Is it not the case that the vacancy was actually opened and that there were no applicants? Is that the position?

HON CHIEF MINISTER:

Not quite the position. The position was that there was only one applicant but he did not meet the experience requirements specified in the job advertisement. I suppose he is an applicant albeit that he is a non-complying applicant.

HON J C PEREZ:

As the grade of Senior Officer now stands, the vacancy would be for a Senior Officer given that the post at present is transferable and there could be a choice of a particular person for Personnel Manager, which is a more sensitive area and another less sensitive post opened within the Service as Senior Officer? Is that the position?

HON CHIEF MINISTER:

The hon Member seems to be confusing the question of grades and posts. The post of Personnel Manager is currently graded at a Senior Officer level and the post of Personnel Manager presently contains both the old Personnel Establishment function and the old Industrial Relations function, all rolled up into one. The Government could without a recruitment process transfer an existing Senior Officer to that post. It is not a post to which the Government think it is appropriate to force somebody to go. By the very nature of its functions, I think it requires that the holder of it should at least be content to be there, rather than be there by compulsion.

HON J C PEREZ:

So the position is that the vacancy is to be opened again within the Service and hopefully more people will apply.

HON CHIEF MINISTER:

Not necessarily. As the hon Member knows the arrangements that exists are that posts within the public service are advertised first within the Service, but if within the Service there are no suitable officers to take up the post, the Government are theoretically at liberty to recruit outside for the post. It would be almost unprecedented at that level of seniority but that possibility exists at least theoretically and that is precisely the issue that the Government are grappling with and why it has taken so long. Do we do another trawl? Do we force somebody to go there, and I have already expressed my personal view on that. Do we restructure the whole thing to separate the personnel function from the industrial relations function and create an additional post and see on the basis that they are split, people can be encouraged to apply for them both, or do we just go outside the Service to bring somebody in on a contract basis? Those are the various possibilities that are thrown up in a somewhat unusual situation. There is another job in Government that does not have a lot of volunteers and the hon Members know that.

HON J J BOSSANO:

How long has the post been occupied on an acting basis?

HON CHIEF MINISTER:

I cannot tell the hon Member, but for quite a considerable period of time, for which the Government are grateful to the Acting Officer, who is acting notwithstanding the fact that it would be his preference not to be.

HON J J BOSSANO:

Is there not something in the Civil Service rules that after a period of acting the person is confirmed?

HON CHIEF MINISTER:

No. After a certain period of acting, one is given the substantive terms of that post, but I do not think one is confirmed in the Post. It is quite unusual for somebody to be acting if he is of the grade of the post. If the Government send a Senior Officer to do the job, he would not be regarded as being acting. Acting means, acting up, because he does not enjoy the grade. I cannot exactly remember what it is, but after a certain amount of acting, one gets for pension purposes or for salary purposes, one gets the rights attached to the post, but only whilst one continues to be acting. The Government cannot in effect promote civil servants without reference to the PSC, simply by sending somebody to act and then say, "you have now been acting for six months, now you are confirmed in the new grade".

NO. 399 OF 2001

THE HON J C PEREZ

**HARBOUR VIEWS PROMENADE**

Can Government state whether they still intend to provide cafeteria services at the Harbour Views Promenade via tendering procedures?

ANSWER

THE HON THE CHIEF MINISTER

There is a certain amount of confusion related to this issue, which Government are currently engaged in meetings to try and clarify. This concession for a cafeteria was awarded on tender to a family that also had another issue with Government relating to another business, which was also relocated. Confusion appears to have developed in certain Government departments as to whether the new site for the second business was instead of this tender. There is no connection between the two as far as the Government are concerned. One of them was a water sports depot and this is the quite unrelated business of a cafeteria, there is no connection but the matter appears to have got buried in the sand and is being clarified in order to be revived. But it is still the Government's intention. The Government have not made a policy decision to withdraw from the idea of a cafeteria facility in the Westside Promenade.



NO. 400 OF 2001

THE HON J C PEREZ

**LAND PROPERTY SERVICES**

Can Government state whether Land Property Services have now relinquished their involvement in the collection of arrears for Government?

ANSWER

THE HON THE CHIEF MINISTER

Land Property Services is still involved in the collection of rates arrears. As regards the involvement of LPS in the collection of electricity arrears, this is currently being looked into in the context of an overall review of the LPS contracts. However, there have been no changes as yet to their existing contractual duties, which include the collection of electricity arrears.

SUPPLEMENTARY TO QUESTION NO.400 OF 2001

HON J C PEREZ:

So they are still getting paid for that part of the contract, which they are not implementing as we saw in the Estimates last year and the year before last?

HON CHIEF MINISTER:

Yes.

ORAL

NO. 401 OF 2001

THE HON J C PEREZ

**GIBRALTAR ISSUED DRIVING LICENCES**

Can Government state whether the British Government have received any official response from the Spanish Government to the repeated complaints over the non-recognition of Gibraltar issued Driving Licences by Spanish policemen?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 402 of 2001.

NO. 402 OF 2001

THE HON J C PEREZ

**GIBRALTAR ISSUED DRIVING LICENCES**

Can Government state how many recorded cases there have been, since January 2000, of incidents in which Gibraltar issued driving licences have not been accepted as valid by Spanish policemen, and of those, how many were GBZ licences and how many were UK format licences.

ANSWER

THE HON THE CHIEF MINISTER

We understand that the British Government have raised this issue with the Spanish authorities on several occasions, most recently in January this year. The UK Government do not yet appear to have obtained a satisfactory response from the Spanish Government. I have again raised this issue with Mr John Macgregor, Director, Wider Europe and Mr Jeremy Hill, Head of the Southern European Department during our meeting in Gibraltar last week.

Since January 2000, there has been a total of three cases of incidents which have been brought to the attention of the Ministry for Tourism and Transport in which Gibraltar issued licences have not been accepted as valid by Spanish policemen. In all cases the licences involved were the GBZ format licences.

SUPPLEMENTARY TO QUESTION NOS. 401 and 402 OF 2001

HON J C PEREZ:

Can the Chief Minister state whether the Government are aware that on the three occasions a fine had to be paid and whether these fines have been given back to the people or they are still awaiting the return of that money?

HON CHIEF MINISTER:

The Government's understanding is that fines, and hefty fines at that, were imposed in all three cases. They have not yet been recovered. The Gibraltar Government have asked the British Government to recover those fines through the Spanish Government on the basis that they are literally highway robbery.

HON J C PEREZ:

I hear that the Chief Minister has taken the matter up with Mr Macgregor during his visit here last week. Has the Chief Minister been given to understand that this matter will now be prioritised by the Foreign and Commonwealth Office, given that everytime that an incident occurs we get the same repeated noises from the British Ambassador in Madrid saying that a complaint has been made, where nothing happens and then the whole thing is left dead until another policeman decides to bother a Gibraltarian with a valid driving licence whilst driving in Spain?

HON CHIEF MINISTER:

The question of prioritisation is a relative thing. The British Government inform me that they attach importance to the matter and they regard it as a serious issue. It has got to be remembered that it is not the Spanish Government's position that GBZ licences are invalid. If it were the Spanish Government's position that GBZ licences were invalid, then we would not be allowed to use them habitually when we cross the border into Spain. The problem here is the unilateral, unlawful actions of individual police officers on the Spanish highway, who regardless of their Government's position on the validity of these documents nevertheless subject Gibraltar drivers on those occasions. There may have been more, these are three that the Government have been officially notified about. There may have been more. I doubt that there have not been more than these three. Therefore a distinction has to be drawn between dealing with the issue, which means returning the fines and providing evidence that a crystal clear operational instruction has been passed down to the lowest echelons of the Spanish police force, that they must not engage in this form of highway robbery, as opposed to dealing with it, by which the hon Member might be that the Spanish Government accept the validity of GBZ licences, which it does, and have never claimed that they are not valid.

HON J C PEREZ:

At the end of the day, does the Chief Minister not agree that by Spain not replying to the complaints of the British Ambassador or of the Foreign Office, that they are perpetuating a situation and allowing the situation of highway robbery to continue even if it is restricted to a few people. Given that the situation is that they do not reply to the British Government to their complaints, does the Chief Minister not think that the Spanish Government are dragging their feet on the basis that although they cannot say that they are against it, they do not mind the inconvenience caused?

HON CHIEF MINISTER:

That might be the position. I would have expected a law abiding Government to have no difficulty in rushing to issue the necessary clarification to their operational officers. Certainly the delay on the part of the Spanish Government in doing that is open to all manner of interpretations and not just the one that the hon Member has been driven to. It is also true to say that it is sometime since there has been such incidents.

HON J C PEREZ:

Turning to another point, will the Chief Minister consider taking up, if the judgement can be found, an alleged judgement of an individual that took the case to Spain to the Spanish Court and where the Spanish Court was said to uphold the illegality of a GBZ licence, if that verdict can be found and brought to the attention of the Chief Minister, would he take the matter up as well?

HON CHIEF MINISTER:

Yes, of course, but I would urge the hon Member to focus on the real nature of this problem. Even if we had a judgement of the court, which the hon Member suggests exists, I was not aware of that. Even if the Spanish Government say "Of course GBZ licences are valid and how naughty our policemen are to engage in highway robbery on this matter". That does not physically prevent rogue Spanish policemen stopping somebody at 3 O'clock on a Sunday afternoon and saying "give me 15,000 pesetas

or set off on foot with your family back to Gibraltar". The issue here is that the Spanish Government have got to eliminate the rogue behaviour of their police officers as opposed to Gibraltar establishing in some legalistic way or even in some political way, the validity of GBZ licences which the Spanish State do not challenge and accept that they are valid.

HON J J BOSSANO:

I think the Chief Minister has misunderstood my Colleague's question. The judgement to which my Colleague was referring is the judgement in which the Court ruled that the rogue policeman was not a rogue policeman, that this was not highway robbery. I would have thought that that needed to be overturned.

HON CHIEF MINISTER:

Absolutely. If that is the position that exists, the Government will certainly provide financial support to secure the reversal of that rogue judicial ruling.

NO. 403 OF 2001

THE HON MISS M I MONTEGRIFFO

**TRANSFER OF BOATS AT WESTERN BEACH TO COALING ISLAND**

Can Government give an up-to-date account on how the discussions are progressing with the MOD so as to be able to transfer boats at Western Beach to the area of Coaling Island?

ANSWER

THE HON THE CHIEF MINISTER

The discussions with MOD have progressed very well and there is the outline of an agreement in principle. Implementation requires discussion with a third party and these are now also progressing well.

SUPPLEMENTARY TO QUESTION NO. 403 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Chief Minister confirm who in actual fact is the third party involved?

HON CHIEF MINISTER:

I am not sure it is appropriate. It does not take an enormous amount of imagination on the part of the hon Lady to deduce it for herself. There is only, to my knowledge, one well established property Development Company with activities in that area.

NO. 404 OF 2001

THE HON DR J J GARCIA

**CIVIC RIGHTS AGENCY**

At what stage are plans to set up a Consumer Protection Unit and an Office of Fair Trading?

ANSWER

THE HON THE CHIEF MINISTER

The Government hope to complete the remaining elements of the Civic Rights Agency later this year.

SUPPLEMENTARY TO QUESTION NO.404 OF 2001

HON DR J J GARCIA:

Will this new body incorporate the present Community Advisory Service?

HON CHIEF MINISTER:

I am not sure if incorporate is the right word. It will probably replace it, but yes that function amongst many others.

HON DR J J GARCIA:

Is it possible for the Chief Minister to explain or to elaborate on the functions of the Office of Fair Trading and what exactly that is supposed to do?

HON CHIEF MINISTER:

It is pretty self evident what an Office of Fair Trading does. It provides an entity with statutory powers to ensure that there is fair trading in our market place. There is an element of overlap between the Consumer Protection Unit and the Office of Fair Trading, which is one of the reasons for putting them together, but only an overlap, because the Consumer Protection Office is somewhere where a consumer goes to complain that he bought a fridge here or there and then it broke down and then the wretched shopkeeper would not replace it for him or fix it for him, as opposed to an Office of Fair Trading, which is much more concerned with the systematic terms upon which business is done in Gibraltar, contract terms and things of that sort. Indeed there is a lot of European Union legislation that Gibraltar has not adopted because it is not required to adopt. Fair Trading falls under the Head of Single Market, which we are not required to comply, but from which we will be drawing by way of domestic legislation by way of guidance.

HON J J BOSSANO:

In the original answer, I think the Minister said 'Civic Rights Agency'. Is civic rights not something to do with the Government rather than between a shopkeeper and a customer?

HON CHIEF MINISTER:

No. Civic Rights Agency is just an umbrella title to cover all sorts of functions which are funded by the State, but which necessarily should not be provided by the Government as a public service, designed to enable the citizen to enjoy the benefit of the rights that the law gives him. It includes such things as fair trading functions, consumer protection functions, citizen's advice bureau facilities, the Ombudsman. We have also put into the building the Secretary of the Police Complaints Board. All those bodies which ought to operate at arms length from the Government and which exists really for the protection or for assisting the citizens. Usually, in many of them, in dealings with the Government, which is the case of the Ombudsman, but not necessarily, also in dealings with the private sector, as is much more likely to be the case of the Consumer Protection Unit and the Fair Trading Unit. On the other hand, the Citizens Advice Bureau could well end up working both in respect of the private sector and the public sector problems that citizens may have.



NO. 405 OF 2001

THE HON DR J J GARCIA

**GOVERNMENT NOTICE 985/2000**

Why were Prospective Tenderers in relation to Government Notice 985 dated Thursday 2<sup>nd</sup> November 2000 only given eight days in which to submit a tender?

ANSWER

THE HON THE CHIEF MINISTER

The hon Member should rest assured that it was not because the Government had already decided to whom to give the contract to and this was just going through the motions.

The Tender Notices for publication in the Gibraltar Gazette and the press are submitted by the Procurement Unit simultaneously. Given the Gazette is published only weekly, it was not possible to include the Notice in the Gazette before the 2<sup>nd</sup> November.

The Government are not required to give notice of tenders in the Gazette, but do so to give an opportunity to those persons who may have missed it in the press. This notice was published in the press on 24<sup>th</sup> October 2000 giving the prospective tenderers 18 days in which to submit their bids.

SUPPLEMENTARY TO QUESTION NO. 405 OF 2001

HON DR J J GARCIA:

As a general rule, can the Minister tell the House what is the length of time given to prospective tenderers depends on? Is it on the urgency with which the goods of the works are required?

HON CHIEF MINISTER:

That is one factor. Obviously if the tender requires a massive amount of quantity surveying in a complicated construction contract, one would have to need more time. The amount of time that is left is a combination of factors. One is the urgency of the procurement, the urgency with which the Government need what is being sought. Secondly, the amount of work that the tenderer has to do in order to compile his tender and submit it. Thirdly, also the sort of company that one is addressing and that I suppose is also a product of the nature of the tender. If one is dealing with a tender for construction companies where one knows that the construction companies have a machinery to look at tenders and turn them round, then one can get away with less time than if it is a tender that may be providing an opportunity for small businesses who may not have the capacity of reaction to a tender that a larger established business in certain industries might have. It is a combination of factors. There is actually a standard. I cannot tell the hon Member what it is, but there is a standard norm period of time that is either increased or decreased depending upon special factors.

HON DR J J GARCIA:

I understand what the Chief Minister says and obviously it makes sense depending the intensity of the works where there is detailed construction, but looking through the tenders, one of the five tenders was actually for the provision of the lifts at No.6 Convent Place, which seemed to be quite a more complex development of construction, which required more than eight or even 18 days.

HON CHIEF MINISTER:

Not at all. This is a tender for the provision of the lift, not for the construction works relating to the lift. I can assure the hon Member that of the three companies who actually tendered, none of them would take 18 days to put together a quotation for a lift covering three floors in a straight line with no complication of any sort, actually was probably a very generous period of time. These decisions are taken very much at an administrative level and it may be that there are occasions, I do not think this is one of them, but I am not trying to suggest that there may not be circumstances in which the judgement is wrong and some people are caught out. Normally that becomes clear. When a Government tender is advertised and too little time has been allowed, normally there is a clamour, lots of people ring up the Procurement Unit and say this is not long enough and then normally what they do is allow an extension, but the extensions have to be to everybody, not just to whoever has complained.

ORAL

NO. 406 OF 2001

THE HON DR J J GARCIA

**SHIPPING SEMINAR AT THE BALTIC EXCHANGE**

What was the total cost of the shipping seminar at the Baltic Exchange which took place in October including a detailed breakdown of the figure?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 407, 422, 424 and 425 of 2001.

ORAL

NO. 407 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

What was the cost of the seminar held at Lloyds to mark Gibraltar Day in London?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 406, 422, 424 and 425 of 2001.

NO. 408 OF 2001

THE HON DR J J GARCIA

**OFFSHORE BETTING**

What is the position on the applications for licences to conduct offshore betting from Gibraltar that were listed as pending in answer to Question No.580 of 2000 and have any new applications been made since?

ANSWER

THE HON THE CHIEF MINISTER

Of the five applications that the Government classified as pending in answer to Question No.580 of 2000, two have been withdrawn and three rejected.

Of about 30 enquiries received since 1<sup>st</sup> September 2000, only one has been taken forward by the Government to the application stage and another one is pending consideration.

SUPPLEMENTARY TO QUESTION NO. 408 OF 2001

HON DR J J GARCIA:

In terms of the three that were rejected, can the Chief Minister elaborate on the reasons why?

HON CHIEF MINISTER:

Not very much. For new arrivals in the market, there are pretty strict criteria against which the Financial and Development Secretary and his staff make the initial assessment. These rejections fall out of the system before they come up for ministerial consideration and none of these three fell into the category that meet the criteria that exists by way of established guidelines to the Financial and Development Secretary. Just by looking at the names, none of them are names that either he or I would have heard before.

HON J J BOSSANO:

Are applicants made aware of the criteria that is expected of them when they submit their application?

HON CHIEF MINISTER:

Yes indeed. It is generally made known immediately to applicants that there is no open door policy. This is not an open market. It is a restricted market. The Government are after quality and not quantity. It is made very clear to people that there are some very high hoops to jump over or through. Some of them show the stamina to subject themselves to those processes and still get rejected. Others do not bother to subject themselves to those processes and drop away and their interest wanes almost immediately.

HON J J BOSSANO:

What do people have to pay Government to get a licence?

HON CHIEF MINISTER:

I believe that it is not a question of what they pay for the licence. It is a question of the tax regime to which they agree to submit. There is a formula, from memory I think it is one per cent up to a maximum cap of £250,000 per year with a minimum of £25,000. It is a formula of that sort. They then pay a licence fee but it is not a large premium. There is a fee of some sort, £5,000 or something like that.

HON J J BOSSANO:

Is this formula then negotiated on an individual basis or is it the same for all the applicants?

HON CHIEF MINISTER:

No. That is precisely the innovation and that is that the Government worked up this formula and in order to ensure level playing fields, imposes it on everybody as a standard formula. There is one operator that is already here and had their own arrangements. I understand that discussions are at an advanced stage to alter that variation, that formula, voluntarily on their part. I do not know if that is affected by recent news that they are considering their options.

HON J J BOSSANO:

Are applicants free to buying into an existing business? Can they circumvent the system that way?

HON CHIEF MINISTER:

They cannot circumvent that system. There are cases, for example, Victor Chandler came into Gibraltar originally by buying an existing bookmakers permit. There is the case that has recently been abused in one publication of a local company that had enjoyed a bookmaking permit for very many years and, I cannot understand how, also tax exempt status for very very many years, and I say all those verys to make it clear that it pre-dates our arrival in office, and they are the latest ones, they did this deal, they sold the company, and on the basis of the existing bookmakers licence, they then talk to the Government that then says "fine but you can only use it if you submit to this tax regime." Even the existing bookmakers licences, if they are going to be used for international telephone betting need to fall into line with the standard taxation model. If all they want to do is carry on doing the domestic bookmaking, then they carry on with the one per cent or whatever the long established formula in the Ordinance.

NO. 409 OF 2001

THE HON DR J J GARCIA

**OFFSHORE BETTING**

Do the Government have any projections of the effect to the betting industry in Gibraltar in view of the statement by HM Treasury indicating that there will be changes to the way betting is taxed in Britain?

ANSWER

THE HON THE CHIEF MINISTER

The answer to this question changes almost daily if one reads the newspapers. The formal answer is no, although the Government are monitoring the situation in the light of the review being carried out by HM Customs and Excise and recent press reports speculating on the outcome.

SUPPLEMENTARY TO QUESTION NO. 409 OF 2001

HON DR J GARCIA:

In terms of the impact or any projections of the impact on the employment sector, can the Chief Minister say how many jobs the betting industry in Gibraltar accounts for?

HON CHIEF MINISTER:

I would need notice of the breakdown in employment between the various licensees because they are all in a slightly different position as to their attitude. Those companies that had chains of bookmaker shops in the UK are much more likely to be interested or to be lured back to the UK by taxation changes on the industry, than those companies that have no chains of bookmakers in the UK and for which Gibraltar is just a base no different to the UK, from which to do international business. The likes of Victor Chandler and Simon Bold, indeed Simon Bold's manager said so on television recently, that they were unlikely to be lured back because they had no UK business, they had no UK brick and mortar business. On the other hand, the likes of Ladbrokes appear to blow hot and cold. The local chap was saying on television the other day "Do not worry chaps", and I read an article in the weekend press in which the UK international Chief Executive was singing the praises of the proposed changes and saying that this would make it very interesting for them to go back. The situation is very much in a state of flux. I imagine that we will lose some of it.

NO. 410 OF 2001

THE HON DR J J GARCIA

**NORTH MOLE**

Are there any plans to develop the area in North Mole formerly known as Atlantic Village?

ANSWER

THE HON THE CHIEF MINISTER

The future use of this site is currently under consideration.

SUPPLEMENTARY TO QUESTION NO. 410 OF 2001

HON DR J J GARCIA:

Could the Chief Minister elaborate on what type of development or use for the site is being considered?

HON CHIEF MINISTER:

One could but one would prefer not to on the basis that to air the possibilities before a decision is made simply raises expectations. When the Government have made the necessary decisions they will then make a statement as to what they propose to do on that site.



ORAL

NO. 411 OF 2001

THE HON DR J J GARCIA

**CHAMBER OF COMMERCE - PREMISES**

What rent is the Chamber of Commerce being charged for new premises at 2/6 Casemates Square and what is the area of the premises in question?

ANSWER

THE HON THE CHIEF MINISTER

Does the hon Member wish to declare an interest on this question? A total area of 1130 square feet has been allocated to the Chamber of Commerce on the first floor of the ex Health Centre Building at a rent of £470 per month, which I think is £4 or £5 per square foot per annum.

SUPPLEMENTARY TO QUESTION NO. 411 OF 2001

HON DR J J GARCIA:

No longer being a member of the Chamber I would not like to declare an interest, although I am a Member of the FSB, if that is of any interest.

HON CHIEF MINISTER:

The Chamber of Commerce is only one of the things mentioned in the question. Casemates Square and the renting of premises in them is another issue. His interest may arise from that rather than from the Chamber of Commerce.

ORAL

NO. 412 OF 2001

THE HON DR J J GARCIA

**BAR COUNCIL - PREMISES**

What rent is the Bar Council being charged for its new premises in the Old Health Centre Building and what is the size of the area in question?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 413 of 2001.

ORAL

NO. 413 OF 2001

THE HON DR J J GARCIA

**BAR COUNCIL - PREMISES**

What rent is the Bar Council being charged for its new premises in the Old Health Centre Building and what is the size of the area in question?

ANSWER

THE HON THE CHIEF MINISTER

An area of 320 square feet has been allocated to the Bar Council on the first floor of the ex Health Centre Building at a rent of £133 per month, which ought to work out at the same rate.

NO. 414 OF 2001

THE HON DR J J GARCIA

**CASEMATES DEVELOPMENT**

Who, if anyone, has been allocated Unit 13B/14B, Unit 15B and Unit 18B in the first floor level of the Casemates Development, and why was this not shown in the list of tender awards published in Press Release 37 of 2000 dated 14<sup>th</sup> April 2000?

ANSWER

THE HON THE CHIEF MINISTER

Units 13B and 14B are on offer to the Fine Arts Society and Units 15B to the Arts & Crafts Association, Unit 18B was offered and rejected by Louise & Fabiola Limited.

As explained in the Government Press Release of 14<sup>th</sup> April 2000, the allocation to the Fine Arts Society and to the Arts & Crafts Association has been made outside the tender process.

SUPPLEMENTARY TO QUESTION NO.414 OF 2001

HON DR J J GARCIA:

Can the Chief Minister say what is going to be done with the Unit that was offered to somebody and rejected?

HON CHIEF MINISTER:

I suppose it will be put out to tender again. This is one of the ordinary commercial units on the top floor.

NO. 415 OF 2001

THE HON DR J J GARCIA

**NO.6 CONVENT PLACE - INSTALLATION OF LIFT**

How many companies or individuals have expressed an interest in the construction of a passenger lift at No.6 Convent Place? Will the lift be internal or external, and when are works expected to commence?

ANSWER

THE HON THE CHIEF MINISTER

Three companies expressed an interest. The lift will be internal. I suppose that the hon Member means will the lift shaft be covered, as opposed to exposed. If the hon Member means will the lift shaft be situated within the existing building, the answer is no. There is a lift shaft being built. The lift shaft is being built outside the current southerly wall that overlooks the Education Department car park. That will arrive at each floor of the building. The lift shaft is internal once it is built, but it is being built externally to the present wall of the building. I am very happy to tell the hon Member that work on the lift shaft is expected to commence in two or three weeks time and installation of the lift is scheduled for mid May.

SUPPLEMENTARY TO QUESTION NO. 415 OF 2001

HON DR J J GARCIA:

Can the Chief Minister say, given that Convent Place obviously used to be a convent, whether the Heritage Trust was consulted over this project and whether heritage considerations are being borne in mind in installing it?

HON CHIEF MINISTER:

I am not sure that the Heritage Trust needs to be consulted just because it was a convent. The Heritage Trust is consulted on buildings whether or not they used to be convents. Heritage considerations were taken into account but the Heritage Trust I understand was not consulted.

HON J J BOSSANO:

Were there any changes introduced to the proposals as a result of those heritage considerations?

HON CHIEF MINISTER:

Yes, a proposal to alter the façade of the building by building a protrusion at the southern end of the building from east to west, rather as there is outside the Chief Minister's office, the top of which is the veranda. There was a proposal to replicate that structure to create more office space on the other side of the palm tree patio and that was declined on consideration because it would have radically altered the external façade of the building.

HON DR J J GARCIA:

I understand that three companies submitted a tender and since the question was tabled the tender has been awarded. Were the three companies from Gibraltar or Gibraltar agents?

HON CHIEF MINISTER:

All the companies in question had Gibraltar agents. One of them indeed is a Gibraltar company, but I understand acting as agent for a foreign lift manufacturer.

HON DR J J GARCIA:

Can the Chief Minister clarify why it was that the announcement of the tender award had a Spanish company as a beneficiary, as having been awarded the tender?

HON CHIEF MINISTER:

Because that must have been the company that won the tender.

NO. 416 OF 2001

THE HON DR J J GARCIA

**FINANCIAL TIMES COUNTRY SURVEY**

What was the total cost, direct and indirect, of the Gibraltar feature that appeared in "The Financial Times" on Wednesday 18<sup>th</sup> October 2000 including a detailed breakdown of the figure?

ANSWER

THE HON THE CHIEF MINISTER

The total cost of the Financial Times Country Survey on Gibraltar was £24,927. This figure is broken down as follows:

¼ page advert on the Finance Centre	£11,200
¼ page advert on Tourism	£11,200
production of 2,500 extra promotional copies, for display and distribution at Gibraltar Offices in London, Washington, Brussels and Madrid, and also for Distribution at the Gibraltar Day Guildhall Dinner amounted to an additional	<u>£ 2,527</u>
Total	<u>£24,927</u>

NO. 417 OF 2001

THE HON DR J J GARCIA

**OECD TAX INITIATIVES**

What measures do Government intend to take that will require altering the system of taxation in Gibraltar altogether, so that we can treat domestic and offshore alike and still be able to offer a competitive product to our international clients?

ANSWER

THE HON THE CHIEF MINISTER

It is not appropriate at this stage for Government to indicate what action they will take to protect Gibraltar from the OECD tax initiatives and other applicable international measures. In any case, Government's plans in this respect are not completed. Government will make announcements in this respect at the appropriate points in time.

SUPPLEMENTARY TO QUESTION NO. 417 OF 2001

HON DR J J GARCIA:

Is it possible for the Chief Minister to give a broad outline of the various options which are being examined?

HON CHIEF MINISTER:

I think it would be helpful to nobody to do that, either to the Finance Centre or indeed to those that may be looking on. This is a major policy challenge and initiative to the Government and the Government will make public statements only as and when they are ready.

HON DR J J GARCIA:

Can the Chief Minister say whether some form of projections that the Government have commissioned, some form of study which involves obtaining projections as to both the effects on Government's revenue that this may have and how that shortfall might be met.

HON CHIEF MINISTER:

The hon Member's public statements recently in this regard suggest that he has recently alighted on the existence of these issues. Some of us in Gibraltar, not least the Government and the Finance Centre professionals, have been engaged on working up towards addressing these challenges for 18 months. The hon Member asks questions which suggest that he has only just discovered the existence of these measures and that indeed he may not have read them, because had he read them, he would know that amendments to the taxation system are absolutely of the essence of addressing them, or otherwise choosing not to address them and shutting down the Finance Centre. I am not going to make statements prematurely which would operate to the prejudice of the Finance Centre in Gibraltar simply in order to



give the hon Member a crash course in these highly complicated and international initiatives.

HON J J BOSSANO:

Does the Chief Minister intend to give the House any opportunity to discuss this issue when the Government are ready with their policy on it, or does he consider that that is giving all of us a crash course?

HON CHIEF MINISTER:

It is not the Government's business to give crash courses, that is for sure. What the Government have already said it will do is publish a detailed consultation paper, so presumably the hon Members will take a greater interest in reading that detailed consultation paper than they appear to have taken in reading the OECD's material itself. There are two aspects of this matter. One is to make sure that everybody understands the detail of the threats and the challenges. In other words, how each of the international initiatives impacts Gibraltar's Finance Centre and a different phase of the exercise is how Gibraltar needs to alter its legislation and its administrative practices in order to comply with what is not just one international initiative but a variety of international initiatives, some of which requires action of a different type to the other. It would be simplistic for the hon Member just to have in mind the OECD Report on Harmful Tax Practices, when he considers the exact breadth and depth of the challenge the Finance Centre faces.

HON J J BOSSANO:

Irrespective of what we consider it or he considers it, we are trying to seek information. Can the Chief Minister tell us whether the answer that he has given to the original question means that now a policy decision has been taken that Gibraltar will take whatever steps the OECD says are needed to meet each requirement and be taken off the list?

HON CHIEF MINISTER:

The Government have already said publicly on numerous occasions some of which the hon Member has been present, that the Government envisage complying with the OECD Report.

HON J J BOSSANO:

Has this been communicated to the OECD by the Government?

HON CHIEF MINISTER:

The statements have been made publicly and in any event the Government are engaged in bilateral discussions with the OECD at which the Government put to the OECD their position on this matter. Therefore the OECD is fully aware of the Gibraltar Government's position of our continuing reservations and we await developments in that discussion in relation to some of those. The way that compliance is signalled officially for OECD purposes is not that the Chief Minister says we envisage compliance, or even that we send that message privately, but that there is a public subscription in the form of a letter of commitment which relates particularly and specifically to the issue set out in the OECD Report, so that there is a distinction between the Government's signalling of their position informally, but

publicly and privately on the one hand and actual formal commitment to comply, which comes in the form of letter of commitment. The text of that letter of commitment has not yet been decided by Government.

HON J J BOSSANO:

Is the intention then to publish such a letter of commitment? As I understand it publication is enough.

HON CHIEF MINISTER:

No. That is no longer the position. It used to be the position. It now requires a letter of commitment, which has to be itself made public and which the OECD publishes.

HON J J BOSSANO:

Is the position now that the Government are able to do that or is it something that will still require more work on the part of the Government before they are able to do that?

HON CHIEF MINISTER:

I do not know what the hon Member means by able. The Government continue to believe that to issue at this stage is premature. There are still discussions going on with the OECD, not just by Gibraltar, but by other European territories and indeed by territories from other regions and there is no virtue in issuing it now as opposed to later before the July deadline. The Government want to be sure that when they issue the letter of commitment, they are issuing it against the backdrop of certainty, rather than issuing a letter of opinion in respect of a process that may continue to shift the sands, so to speak, in these regional discussions that are taking place. Government envisage issuing this commitment in mid-May. That is the timescale that we have pencilled in, by which time we would have completed our bilateral discussions with the OECD or the Regional Consultation processes by the OECD will have taken place and more work will have been done by the OECD on the model for exchange of information, which is an essential ingredient of this and we just simply believe that the advantages of waiting to see exactly what one is signing up to greatly outweighs whatever advantage may attach to simply being seen to be good boys a couple of months sooner, which have brought no benefit to any of the territories that have done that. Indeed they have brought a considerable amount of difficulties in the sense that their indigenous industries of these territories get very nervous in the knowledge that their Government have made the commitment everytime they read an article in the Financial Times that says that the OECD discussions with this or with that has shifted its position, the Government come under intense pressure for having signed up too soon. There is no advantage in doing it before the deadline. There is no downside in not doing it before the deadline and I think it is prudent to take full advantage of the continuing discussions and consultation processes rather than jumping in feet first in a way which risks sending out a signal to the international market place ahead of ones competitors.

ORAL

NO. 418 OF 2001

THE HON DR J J GARCIA

**GIBNET LEGAL CASE**

Following the answer to Question No.575 of 2000 in relation to the Gibnet case, is the Government now in a position to give a full picture of the total cost of the legal action?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No.419 of 2001.

NO. 419 OF 2001

THE HON DR J J GARCIA

**GIBNET LEGAL CASE**

Further to Question No. 575 of 2000 has the Gibnet claim for costs of £117,000 now gone before a Costs Judge and the matter been settled?

ANSWER

THE HON THE CHIEF MINISTER

The final cost of the legal action is not known.

To date, the Government have received bills from their legal advisers totalling £176,649.54 for work carried out in relation to this case.

The decision from the Costs Judge on Gibnet's costs in the Supreme Court and Court of Appeal were received on 1<sup>st</sup> February. The Costs Judge disallowed around 25 per cent of Gibnet's claim. Gibnet were claiming approximately £118,000 plus taxing fees of £5,890 and have instead been awarded £89,132 plus taxing fees of £4,456, making a total of £93,588.

ORAL

NO. 420 OF 2001

THE HON DR J J GARCIA

**VISAS FOR NON-EU NATIONALS**

How many visas for non-EU Nationals wishing to travel to Gibraltar have been issued at the British Consulate in:-

- (a) Casablanca;
- (b) Tangier

On a monthly basis since September 2000 inclusive?

ANSWER

THE HON THE CHIEF MINISTER

I hand the hon Member a list setting out the details requested.

The number of visas issued to Non-EU Nationals by the British Consulate General in Casablanca and the British Consulate in Tangier since September 2000 is as follows:-

**CASABLANCA**

September	2000	3
October	2000	3
November	2000	4
December	2000	5
January	2001	4
February	2001	-
(up to and including 6 February 2001)		

**TANGIER**

September	2000	55
October	2000	53
November	2000	76
December	2000	67
January	2001	102
February	2001	9
(up to and including 6 February 2001)		

ORAL

NO. 421 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

How many Gibraltarians and Gibraltarian expatriates were invited to attend the different Gibraltar Day events in London, and how many attended the different events?

ANSWER

THE HON THE CHIEF MINISTER

Lloyds Seminar

Eighty persons attended of which nineteen were Gibraltarians.

Baltic Seminar

One hundred and forty-seven accepted of which nine were Gibraltarians.

Reception Guildhall

Five hundred persons were invited and accepted. Ninety-eight were Gibraltarian expatriates and 26 were Gibraltarians living locally.

Chief Minister's Dinner, Guildhall

Out of the 100 persons who were invited and attended, 15 were Gibraltarians.

ORAL

NO. 422 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

Can Government supply a list of the 100 VIP guests who attended the dinner in the old library of Guildhall in the evening of Gibraltar Day that was held in London, and what was the total cost of the dinner providing a breakdown of the sum involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 406, 407, 424 and 425 of 2001.



ORAL

NO. 423 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

How many British Government Ministers attended any of the Gibraltar Day events in London, who were they and what events did they attend?

ANSWER

THE HON THE CHIEF MINISTER

No British Government Ministers attended any of the events of Gibraltar Day.

Acceptances were received from Mr John Reid MP, Secretary of State for Scotland, Mr Keith Vaz, Minister of State for Europe and Baroness Symons, Minister of State for the Armed Forces. However, due to the funeral of Donald Dewar, First Minister for Scotland, which took place in Scotland on the same day as Gibraltar Day, Minister Reid and Baroness Symons were unable to attend.

Minister Vaz was ordered, at the last moment, to Rome to accompany Her Majesty the Queen due to unavailability of the Foreign Secretary who had been called to the Middle East to a crisis meeting.

ORAL

NO. 424 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

What was the cost of the Guildhall Art Gallery reception held to mark Gibraltar Day in London?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 406, 407, 422 and 425 of 2001.

ORAL

NO. 425 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR DAY IN LONDON**

What was the combined total cost of staging all the Gibraltar Day events in London in October?

ANSWER

THE HON THE CHIEF MINISTER

Th cost of each event was as follows:-

	£
Baltic Exchange Shipping Seminar	14,566.63
Lloyds Building Finance Centre Seminar	21,445.24
The Guildhall Dinner	14,025.01
Guildhall Reception	27,997.04
Guildhall Art Exhibition	5,962.09
Public Relations/Events Organisation	25,000.00
Travel/Accommodation Costs	<u>4,599.10</u>
Grand Total	<u>£113,595.11</u>

The breakdown of each figure is contained in the table of figures that I now hand to the hon Member.

I also hand the hon Member a list of all the guests for him to entertain himself reading.

SUPPLEMENTARY TO QUESTION NOS. 406, 407, 422, 424 AND 425 OF 2001

HON DR J J GARCIA:

I thank the Chief Minister for the list, which I assure him I will entertain myself reading at my own expense.

HON CHIEF MINISTER:

Not at his own expense, at public expense, given that the public pays him a substantial salary to occupy the seat that he sits there.

Answer to Questions 406, 407, 422, 424 and 425 of 2001 (First Handout)

**Answer to Question 406 of 2001**

£

Exhibition Expenses	2,905.19
Refreshments and lunch	6,312.00
Advertising	340.37
Printing, stationery & photocopying	5,009.37
	<hr/>
	14,566.63
	<hr/>

**Answer to Question 407 of 2001**

£

Exhibition Expenses	10,620.07
Refreshments and lunch	5,475.73
Advertising	340.37
Printing Stationery & photocopy	5,009.07
	<hr/>
	21,445.24
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**Answer to Question 422 of 2001**

£

Catering	10,738.86
Crystal gifts	1,231.00
Toastmaster	250.00
Printing costs	1,805.15
	<hr/>
	14,025.01
	<hr/>

Cont.....

Cont'd answer to Questions 406, 407, 422, 424 and 425 of 2001 (First Handout)

**Answer to Question 424 of 2001**

£

Canapes and drinks	10,201.93
HOC Dinner – Royal Gibraltar Regiment	560.00
2,500 copies of Financial Times	2,436.00
Floodlighting, red carpet, PA system	2,449.87
Camcorder, lights, etc.	1,063.38
Hire of costumes for "Ceremony of the Keys"	2,260.13
Printing costs	9,025.73
	<hr/>
	27,997.04
	<hr/>

NO.426 OF 2001

THE HON DR J J GARCIA

**INTERNET CAMERAS AT THE FRONTIER**

Have any of the Internet cameras at the frontier been removed?

ANSWER

THE HON THE CHIEF MINISTER

No.

SUPPLEMENTARY TO QUESTION NO. 426 OF 2001

HON DR J J GARCIA:

For what reasons was the removal of cameras at the frontier linked by the Government to the European Commission's case against Spain over the border queues, in answer to Question No.572 of 2000?

HON CHIEF MINISTER:

The answer is as I gave then, that the Government were aware that these cameras were being monitored by the European Commission in their pursuit of frontier delays. Frankly, I think they are of limited usefulness in that respect because they do not really show real time, the nature of the delay being suffered but whilst there was a chance that they might be useful to the Commission, it was not appropriate to remove them. Certainly, once the Commission has made a decision on the matter of frontier delays, the Government will probably remove them.

HON DR J J GARCIA:

Does maintaining or having the cameras at the frontier actually cost the Government anything?

HON CHIEF MINISTER:

In financial terms I do not know whether the providers of the service are doing it or not, whether or not it is costing the Government, there are those at the Tourism Industry who believe that it is costing them because the danger is, so the hoteliers and some of the business representatives tell me, that people who might otherwise venture forth to Gibraltar by way of a visit, log into the Internet, see large queues and get turned off from coming.

HON J J BOSSANO:

The figures of people coming do not actually reflect that, they are still going up?

HON CHIEF MINISTER:

That is a very welcome final recognition by the hon Members of the continuing success of the Government's tourism policies, but of course we do not know they could be even higher but for the Internet cameras, and in any case all I was reporting to the House was the views put to the Government by several sectors of the Tourism Industry. The Government do not see any value in leaving them up unless there is a good reason to do so. The Government believe that once the Commission has taken action in relation to the border, that there will be no continuing need for these cameras to be there.

HON J J BOSSANO:

My question was based on the premise that the published figures have shown the number of people crossing the frontier is higher. Do Government have a view of whether the level of increase is something that suggests that even more people would be crossing, the last figure showed quite a big increase?

HON CHIEF MINISTER:

Probably any view that significantly greater numbers might come would be purely speculative. The concern amongst those who put these views to the Government is that the people that are turned off are not the volume visitor that comes over in a coach or regularly to buy his provisions, but rather the high spending Costa Del Sol resident who is much more sensitive to personal inconvenience such as delays, and that they are the people who shop in Main Street in the sort of higher value added sense. They are the people who are most likely to have Internet at home and to view the frontier queues through them and more likely to desist from what some business representatives consider to be valuable economic visits to Gibraltar.

HON J J BOSSANO:

I thought the original answer referred to hoteliers. Is there any evidence of people staying in hotels who cross the frontier being affected?

HON CHIEF MINISTER:

I said hoteliers and others. This is not a question of evidence. This is a question of the perceptions of particular sectors in the economy that pass on their views to Government in the form of representations. The Government put those views in the balance with other issues that the Government think are important in the public interest of Gibraltar and the weighting of these different factors alters depending upon the circumstances. At the moment the political value of having the cameras in the context of the Commission's inquiry into what is going on at the border outweighs any of the possible adverse factors. Once that political objective is achieved, then the political objective may well give way to some of the other factors. There is no political virtue at having the cameras up there other than as a guide for the Commission. Remember the cameras were put up at a time when the frontier queues were much worse than they are now. They were put up at the time when there were three and four hour queues, whereas what we have got now is a level of queues, which is much closer to what people regard as normal albeit unacceptably so, and certainly much less than they used to be, for example, whilst the hon Member was Chief Minister, at which time no one thought there was a need to erect cameras.

NO. 427 OF 2001

THE HON DR J J GARCIA

**TOURISM MARKETING**

Why do the Government want to market Gibraltar touristically jointly with La Linea?

ANSWER

THE HON THE CHIEF MINISTER

Gibraltar does not have very much to either gain or lose by co-operation with La Linea in matters of tourism marketing, except that Gibraltar stands to potentially gain from any tourism that can be jointly attracted to this geographical region. The Government nevertheless value and welcome such opportunities as present themselves to co-operate with our neighbouring town.

SUPPLEMENTARY TO QUESTION NO. 427 OF 2001

HON DR J J GARCIA:

Has concern been expressed to the Government already by the representatives of the Traders Organisations in this respect, in the sense that they fear that tourism, which La Linea gains, is tourism that Gibraltar loses?

HON CHIEF MINISTER:

I have not yet come across anyone in Gibraltar, except the hon Member by the implication of his question that thinks that La Linea is capable of competing touristically with Gibraltar. I know of no one who understands Gibraltar's tourism potential, tourism products and the desires of those that visit this area, who thinks that their needs for tourism attraction are satisfied by visiting La Linea, so that they no longer need to visit Gibraltar. That said, I suspect that the hon Member asks the question in the knowledge that the Federation of Small Businesses or this new Tourism Committee has written to the Government asking for details of the co-operation agreement and they will get very much the same answer as the hon Member himself has just had.

HON DR J J GARCIA:

I am grateful to the Chief Minister for that information, but that actually was not the premise of the question. If I am not mistaken the Chamber of Commerce expressed concern to the Government on the question of people coming in coaches with a limited period of time, eating in restaurants in Spain and then crossing over to Gibraltar, in which case the premise of the answer would be wrong.

HON CHIEF MINISTER:

The issues that the hon Member alludes to in a supplementary, is not the subject matter of the co-operation agreement with La Linea.



HON J J BOSSANO:

The co-operation is not in respect of visitors from Spain then? Is it in respect of visitors from somewhere else?

HON CHIEF MINISTER:

I do not know what the Hon Member means by adding the word 'then' onto the end of the supplementary, as if it somehow followed from what I had just said. What I have just said is that the Hon Dr Garcia was concerned about people eating in La Linea, instead of eating in Gibraltar. I told him that that was not the subject matter of the co-operation agreement with La Linea. If he was concerned about people eating in La Linea, as opposed to eating in Gibraltar, he should not become more concerned as a result of this co-operation agreement because the co-operation agreement does not cover such gastronomic issues as that.

HON J J BOSSANO:

I know that the Chief Minister cannot help answering questions as if one was committing some mortal sin by simply asking him the question in the first instance. I know that he resents being asked. What we are trying to establish is what is the nature of this. Is it intended to market Gibraltar and La Linea to people who are coming to Gibraltar from Spain or not? If it is, what is it that the La Linea element is going to provide, if it is not food and drink?

HON CHIEF MINISTER:

The hon Member also has an extraordinary knack and that is to pursue a line of questioning and then when the line of questioning does not succeed for the purposes that he intended, then he pretends that the line of questioning was for a much simple and obvious purpose. If the hon Member wanted to know, as he has just claimed was the purpose of the question, what was the nature of the agreement, it would have been perfectly simple for him to say, "Will the Government make a statement about the contents of the agreement?", instead of making all sorts of suggestive questions about what terrible damage this is going to do to Gibraltar and whether anybody has complained about it or not complained. If, as he claims, which I do not accept for one moment, the real purpose of his question, was to find out the content of the agreement, he could have formulated a question to that effect in no more than seven words, but he chose not to do so and therefore he cannot now claim that that is the purpose of his question. Actually, no agreement has been signed yet. But if it is signed, which I think is more likely to be when rather than if, it will be in exactly the same general terms as was signed with Los Barrios quite a long time ago.

HON J J BOSSANO:

We get more time spent by the Chief Minister in criticising our methodology, our questions and our intentions than in getting information or a yes or a no to a simple question. The original says, "Why do the Government want to market Gibraltar touristically jointly with La Linea?". My later supplementary is "If the marketing for people to visit La Linea and Gibraltar is going to be undertaken jointly by the two Governments, the Government of La Linea and the Government of Gibraltar in Spain....."

HON CHIEF MINISTER:

But who has said that?

HON J J BOSSANO:

We do not know what it is that they are proposing? We are trying to establish what is the nature of the co-operation in this area between Gibraltar and La Linea?

HON CHIEF MINISTER:

The problem with the hon Member is that he pays far too much attention to stuff that is invented for the purposes of being printed in 'The New People' newspaper. They are the only people that have said anything of what the hon Member has just said, the Government have not said that, he has made no attempt to establish from the Government what the agreement actually says. Instead he launches a series of leading supplementaries designed to suggest what the agreement says and then he says that the Government do not answer his questions. The Government answer his questions in a way which he sometimes criticises for giving more information than has been sought. The problem is that he does not ask the right questions as to the extent to which we do not let them get away with misrepresentations. The hon Member must be aware that question time in this House is not some process of cross-examination by which he simply elicits information. It is also a political process and if the hon Member asks simple questions, capable of being given simple factual answers, then that is the nature of the answer that he will get. When the Government are asked supplementary questions based on false premises, which is habitual in the case of the Leader of the Opposition, he implies in the formulation of his questions attributing things to the Government, which the Government have not said, then they are not capable of a simple yes or no answer and the Government have to straighten out the question first. I do not see why the hon Member should think that political process worthy of criticism.

HON J J BOSSANO:

He has just proved it. After all that he has not answered the supplementary which I have asked him. He has gone through all that and he has still given me no answer, either yes or no, maybe, nor perhaps. He has ignored my supplementary totally.

HON CHIEF MINISTER:

I have answered the question. The answer is that no agreement has been signed.

HON J J BOSSANO:

The Chief Minister has just finished saying why do I not ask him what the agreement contains. He tells me that there is no agreement, so I cannot ask him that question. Therefore, if I ask him what the agreement contains, which does not exist, presumably he would then accuse me of wrongly formulating the question because it was a hypothetical agreement, which may never materialise. It might be helpful for the business of the House, if I got him to write the questions as well as providing the answers and then he will be totally satisfied with that formulation. Can he tell me if there is going to be co-operation between La Linea and Gibraltar addressed to tourists who are visiting currently Gibraltar from other parts of Spain, what is the element of the La Linea part of the package for the visitor? He says it is not a question about gastronomic, what is it that La Linea is going to provide in that

equation, other than presumably people stopping there to eat and drink. Surely the shopping will still be done here. It is just a question of whether their purchasing power is affected too much. It might not be. We are trying to establish what is the nature of the thing that could possibly be put together. I can tell the Chief Minister that for many many years, to my knowledge, La Linea has tried to hitch their band wagon onto Gibraltar's tourism with a very cool reaction from this side from the professionals in the business.

HON CHIEF MINISTER:

I did not detect a question.

HON J J BOSSANO:

I must be getting worse all the time at formulating questions. My question was, if there is going to be co-operation between Gibraltar and La Linea, addressed as I assume but I may be wrong, to visitors from other parts of Spain who currently come into Gibraltar and bypass La Linea, which is La Linea's concern, as I understand it, I stand to be corrected on all these things, and I have not read it all in 'The New People', although it seems to be a very well informed newspaper, my question is "What would be the La Linea contribution to that package that would be marketed, other than presumably people stopping there on the way in to use their less expensive facilities for providing food and drink?" Is there anything else that they can contribute?

HON CHIEF MINISTER:

I have already said to the hon Member that the agreement is in general terms as per Los Barrios, if it emerges, and that it does not deal with specific things. What La Linea can get from any joint tourism marketing is a matter for La Linea. Certainly the Gibraltar Government are not going to deliver any specific value to La Linea, just as La Linea is not going to deliver any specific value to Gibraltar. It is joint marketing for the purposes of encouraging people to visit this region and the Government of Gibraltar have sufficient confidence in the greater attraction of Gibraltar over anything else in this immediate vicinity to be certain that any additional person attracted to this region is very much more likely to be an additional visitor to Gibraltar, than not be an additional visitor to Gibraltar. This is not a question, whatever the concerns might be of one or two members of the Licensed Victuallers Association. This is not just about the number of people that go to eat in their restaurants, an issue to which the Government attach importance, but the hon Member must already be aware that the difficulty with the feeding of coach visitors to Gibraltar, is that the Spanish restaurants are already providing incentives to the tour companies and the coach drivers to get them to take them there to be fed. That has nothing to do with co-operation or non co-operation with La Linea. It is already happening. Those that stay in Gibraltar to eat, stay because they want to and certainly not because they have not been tempted not to, and the Government are not going to do anything to worsen that equation in Gibraltar.

HON DR J J GARCIA:

Can the Chief Minister say whether the agreement will envisage attending FITUR and the World Travel Market as one destination jointly?

HON CHIEF MINISTER:

That is not possible, even if it were desirable because Gibraltar participates in FITUR in the international section and La Linea is not international as far as a Spanish organised Trade Fair is concerned. La Linea, in any case, does not have their own stand, as does Gibraltar. La Linea, like all the other municipalities in the area, have a small part of the Provincia De Cadiz stand, which in turn is a part of the Junta De Andalucia stand. This year La Linea had their own section in the Andalucia section of the Spanish national section in the FITUR stand, whereas Gibraltar participates in the international section.

HON DR J J GARCIA:

In relation to the World Travel Market?

HON CHIEF MINISTER:

I think the hon Member takes more than a little bit too seriously the extent to which La Linea poses a threat to Gibraltar touristically. I should encourage him to rest assured that nothing will happen at the World Travel Market, which will propel La Linea to tourism prominence at the expense of Gibraltar. However, if we can assist them in propelling themselves to tourism prominence without being at the expense of Gibraltar, we would consider it valuable to help our neighbours develop themselves economically.

HON J C PEREZ:

Given the limited time that coach passengers in Gibraltar have to use Gibraltar, if there is a joint marketing process between La Linea and Gibraltar, would any success from the La Linea side to attract tourists to La Linea, cut short the time that those tourists spend in Gibraltar, given that it would be a joint marketing exercise to people coming to one destination and not two?

HON CHIEF MINISTER:

The Government of Gibraltar are not going to agree to anything in whichever way it may manifest itself which detracts from the value to Gibraltar of their tourism clientele. The hon Members can ask as many hypothetical questions as they please, that is the position. We can spend all morning discussing its various manifestations, in my opinion, it is a complete waste of time.

HON DR J J GARCIA:

Finally, for the purposes of clarification, can the Chief Minister say whether it is the policy of the Government not to have visitors who come to Gibraltar indulged in joint visits to the museums of La Linea, to offer joint historical and military packages with La Linea? If that is the case, he should really correct the impression of the municipal authorities across the border.

HON CHIEF MINISTER:

I think it is probably the first time in the few years that I have been in the House that a Member stands up holding a Spanish newspaper in his hands, reading from it, therefore giving factual credence to everything that it contains, and asking the Government to do or not to do anything on the back of it. I certainly desist from so

doing. I doubt very much whether what the hon Member has just done is in compliance with Standing Orders. The Government will clarify no ones impression. The Government enter into agreements on terms that the Government find acceptable and then implements them in a way which is called for and the Government do not consider it their obligation to clarify anybody's misguided impressions or worse still, what is reported in the Spanish press are peoples impressions.

HON DR J J GARCIA:

Just to correct what the Chief Minister has said. It was a Gibraltar newspaper, not a Spanish newspaper, which I was reading from.

HON CHIEF MINISTER:

It was the Gibraltar Chronicle quoting Europa Sur. It is still the Spanish press reports. The hon Member can draw as many distinctions without a difference as he pleases, it does not alter the fact that he reads from newspapers in this House and then asks the Government to take action on the basis of newspaper reports.

HON J J BOSSANO:

Since this newspaper report may have been read by people who do not normally read Europa Sur, since it is in the Gibraltar Chronicle, there is nothing to have stopped the Government from telling the Gibraltar Chronicle, after all there is always Government's spokesmen appearing almost on a daily basis in the Gibraltar Chronicle. A Government spokesman would have said, "This is not the understanding of the Government in terms of what is being discussed with La Linea". It would have been a very simple thing to do.

HON CHIEF MINISTER:

The Government do not clarify mis-impressions created by press reporting of that sort. If we were to engage in that we will be doing it every minute of the day.

NO. 428 OF 2001THE HON J J BOSSANO**ADVERTISING IN LOCAL NEWSPAPERS**

Can Government state how much money has been spent on advertising in Gibraltar newspapers in the financial years 1998/99 and 1999/2000, giving the amount and the name of the publication?

ANSWERTHE HON THE CHIEF MINISTER

As follows.

	<u>1998/99</u>	<u>1999/2000</u>
Gibraltar Chronicle	£38,148	£66,779
Panorama	£19,387	£29,127
Vox	£11,010	£29,616

SUPPLEMENTARY TO QUESTION NO. 428 OF 2001

HON J J BOSSANO:

Is there a particular reason why the figure for 1999/2000 is so much higher than that for the previous year? Which is more close to the normal expenditure on advertising in local newspapers?

HON CHIEF MINISTER:

The amount of expenditure on advertising is a product of two factors. One is the rate payable for advertisement and the other is the extent of the advertisement of advertising that the Government do. As the Government continue to develop and increase their policy of maximum information and transparency, there is a need for greater amounts of public advertising. This explains why there has been such an increase in this expenditure over the years and frankly the Government consider that 1999/2000 is the norm because there is not, as the hon Member may have been implying in his Question, an extraordinary reason why the 1999/2000 figure is what it is.

HON J J BOSSANO:

Given that in one case it is three times as much as in the previous year and in the other two cases it is about 60 per cent up. Is it that the rates have gone up in these newspapers from the previous year?

HON CHIEF MINISTER:

The reason why the two weeklies are now more or less on a par is that there has been a harmonisation of rates. There is also a very smallish quantity of advertisements but it works in both directions as between the weeklies, because they are published weekly. For example if a public notice is issued on the date of publication or the day after publication, if the public statement is not relevant a week

later, then it is withdrawn, whereas with the daily newspapers the daily newspapers do not have that issue because they are daily. Depending on their publication dates, both weekly newspapers do not necessarily carry 100 per cent of the public notices. Subject to that, all notices are sent to all the newspapers in which the Government publish.

HON J J BOSSANO:

I can understand the point. Presumably it means that, for example, Panorama might get some that Vox does not get and vice versa because of the days in which they come out?

HON CHIEF MINISTER:

Yes.

HON J J BOSSANO:

Can I ask then, it clearly balances out? On balance at the end of the year they more or less finish then with the same amount of advertising costing the Government the same?

HON CHIEF MINISTER:

Now costing the Government the same. It was always more or less the same in quantity, but there were different rates.

HON J J BOSSANO:

Is the difference between the Chronicle and the two weeklies then an indication purely of volume or are the rates different between newspapers?

HON CHIEF MINISTER:

More advertising is done in the dailies than in the weeklies, considerably more.

HON J J BOSSANO:

That would account for the .....

HON CHIEF MINISTER:

I cannot be certain that that is the only reason that accounts for it. I do not know whether they get the same rate. I do not know to what extent circulation factors are taken into account. I could not tell the hon Member for certain that the Chronicle does not get a higher rate than the weeklies, but if the hon Member is interested in the answer to that, I can find out for him.

NO. 429 OF 2001

THE HON J J BOSSANO

## IMPORTS

What was the value of goods imported by land and sea, other than petroleum products, between 1<sup>st</sup> August 2000 and 31<sup>st</sup> December 2000?

ANSWER

THE HON THE CHIEF MINISTER

As follows:-

	<u>Land</u> <u>£m</u>	<u>Sea</u> <u>£m</u>
August	18.1	7.5
September	22.0	4.3
October	15.3	8.4
November	23.5	4.5
December	<u>11.9</u>	<u>0.9</u>
Total	<u>90.8</u>	<u>25.6</u>

## SUPPLEMENTARY TO QUESTION NO. 429 OF 2001

HON J J BOSSANO:

Can the Government say whether the position has now stabilised, as opposed to the position that was the case a couple of years back, where sea traffic was coming down at the expense of land traffic which is going up?

HON CHIEF MINISTER:

I think it is more or less stabilised but at low levels that reflect the fact that the hon Member has just said. The fact that there is a shift from sea to land does not even mean that the cargo has not come very close to Gibraltar by sea. The hon Member is aware of this factor whereby stuff comes to Gibraltar by sea in containers to Algeciras, then finishes the last leg overland and arrives in Gibraltar as land cargo, whereas in fact it actually comes most of the way by sea. We do not expect to see the sea figure falling any further, I think it is now stabilised at the level it reflects the fact that it is now competing with Algeciras for seaborne traffic to Gibraltar.



NO. 430 OF 2001

THE HON J J BOSSANO

**CAMMELL LAIRD**

Can Government say whether the difficulties being encountered by Cammell Laird in the United Kingdom could have any repercussions in their continued operation of the ship repair facility in Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

The Government are aware of the difficulties that Cammell Laird is suffering as a result of a contractual dispute with a customer of one of its UK yards. Cammell Laird has given no indication that this could have any negative repercussions in their operations in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 430 OF 2001

HON J J BOSSANO:

Can I just establish whether it is that they have been approached and they have given a negative answer, or that there has simply been no communication between the Government and Cammell Laird on this subject?

HON CHIEF MINISTER:

There has been no communication between the Government and Cammell Laird on this subject, but given the extent of communication that exists, it would be unusual if there was any imminent threat and it has not been mentioned during one of those opportunities. The Government believe that this is pure speculation on my part that the Gibraltar operation is only in jeopardy if Cammell Laird failed as a company altogether, as opposed to difficulties that it survives.

HON J J BOSSANO:

Are the Government in a position to say whether they are now out of danger in that respect, because as I recall, the original and the only press report that I have come across, indicated that unless they were able to raise bank support, they might not survive. Is that danger now passed?

HON CHIEF MINISTER:

I saw that report and indeed one or two others that there have been. What Cammell Laird is doing is seeking Government support for the industry in the UK. I do not think that there is any difficulty with banks. There is a request for Government support to the industry and I cannot tell the hon Member what the state of play is in that respect.

NO. 431 OF 2001

THE HON J J BOSSANO

**1997/1998 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 1997/1998 Employers Declaration and PAYE Certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

One hundred and thirty-four employers, reporting on a total of 187 taxpayers have not lodged their 1997/1998 Employers Declaration and PAYE Certificates, at the close of business on the 6<sup>th</sup> February 2001.

SUPPLEMENTARY TO QUESTION NO. 431 OF 2001

HON J J BOSSANO:

In September 2000, the figure was 130 employers and 197 employees. I am surprised that there should be four more employers. Does that mean that it is possible for this figure to grow even after the tax year in question has gone by as in this case?

HON CHIEF MINISTER:

If the hon Member says that that is the information we gave in the answer, I suppose he must have it in front of him. I do not have that information, but assuming that that is what the Government said at that time, then it must be because additional cases, not necessarily four, there may have been more than four new ones coming to light and some being returned. I suppose it is possible in following up tax for subsequent years for the Income Tax Office to come across taxpayers companies that have not submitted returns in respect of earlier years and that perhaps were not known for their records. I must say I myself have not noticed the situation was getting marginally worse. One would not expect it to given it is now nearly three tax years ago.

NO. 432 OF 2001

THE HON J J BOSSANO

**1998/1999 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 1998/1999 Employers Declaration and PAYE Certificates and what is the estimated number of employees affected?

ANSWER

THE HON THE CHIEF MINISTER

One hundred and forty-four employers, reporting on a total of 171 taxpayers as at the 6<sup>th</sup> February 2001.

SUPPLEMENTARY TO QUESTION NO. 432 OF 2001

HON J J BOSSANO:

In answer to this question in September 2000, the number of employers was 148 and the number of employees 1,900. That suggests that the four employers who have returned must be quite big employers. Is there a Government element in this by any chance?

HON CHIEF MINISTER:

I do not know whether there is a Government element as far back as 1998/1999, but certainly when we answer the questions in respect of more current years, there is very often a Government element, and I usually mention it to the hon Member because sometimes the Treasury Department takes some time to reconcile the employee records. The only explanation for the fact that the hon Member has just highlighted is that of the four employers which must have accounted for the number of taxpayers that the hon Member has mentioned minus 171, there is no other explanation for it.

HON J J BOSSANO:

Assuming that the figures given in September are correct and that there has not been some kind of mistake, that would suggest that four employers between them accounted for 1,700 past employees, and to my knowledge, there are not four employers of that size in Gibraltar unless one takes the MOD and the Gibraltar Government.

HON CHIEF MINISTER:

That is absolutely correct. It is much more likely to be the Government than the MOD. The MOD are usually quicker than the Government in this respect, so if it is a public sector employer it would be the Government, but if it may well be that it is the Government I would need notice of the question. The only other possibility, which I think is unlikely, is that the figure of 171 is a misprint, but I do not think that that is likely. If the hon Member wants to know how a reduction in only four employers results in such a reduction in employees, I can find out for him. As the hon Member

says it has got to be some part of the Government. Perhaps industrials, non-industrials or both even.

HON J J BOSSANO:

Obviously I would be grateful if the information would be provided because clearly if it is a misprint I would want to know that the figure is wrong.

NO. 433 OF 2001

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, six hundred and ten employers, reporting on a total of 19,743 taxpayers have lodged their Declaration and PAYE Certificates as at the close of business on the 6<sup>th</sup> February 2001. The amount of PAYE deducted is approximately £34.7 million.

SUPPLEMENTARY TO QUESTION NO. 433 OF 2001

HON J J BOSSANO:

Can I just ask again for perhaps some clarification of this information because it seems to me unusual in the context of the previous answer? If I can remind the Chief Minister, in the previous answer we had £30.9 million in respect of 5,923 employees. Although there may be an explanation that the additional number of employees are nearly all part-timers, I am surprised that nearly 6,000 employees should pay £31 million and an additional 14,000 should pay £4 million.

HON CHIEF MINISTER:

I will certainly get the clarification for the hon Member. The other possibility is that they are returns of pensioners. The hon Member is aware that the figure of 19,743 taxpayers includes Government and MOD pensioners. One explanation may be, I do not suggest that it is, but it may be that there has been a return of the pensioner part by MOD and Government. I will get the answer for the hon Member.

ORAL

NO. 434 OF 2001

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 6<sup>th</sup> February 2001, 257 employers accounting for a total of 3,700 employees have not returned the 1999/2000 Declaration and PAYE Certificates.

The current total of approximately 3,700 employees includes approximately 2,900 Government employees and pensioners, details of which have not yet been returned by the relevant departments.

ORAL

NO. 435 OF 2001

THE HON J J BOSSANO

**INCOME TAX - PAYE**

Can Government state how much was collected in PAYE each month since July 2000?

ANSWER

THE HON THE CHIEF MINISTER

The figures (net of refunds) and subject to possible adjustments when reconciled with the Treasury Books are as follows:

	£m
July 2000	5.0
August 2000	4.2
September 2000	3.2
October 2000	3.7
November 2000	3.9
December 2000	4.6

NO. 436 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state what is the amount collected in Corporation Tax in each month since July 2000?

ANSWER

THE HON THE CHIEF MINISTER

Net of refunds as follows:

	£m
July 2000	0.2
August 2000	1.1
September 2000	0.5
October 2000	0.3
November 2000	0.4
December 2000	0.2

These figures are subject to Treasury Books reconciliation.

SUPPLEMENTARY TO QUESTION NO.436 OF 2001

HON J J BOSSANO:

Is the projected amount in the Estimates likely to be achieved now? There is only one month left.

HON CHIEF MINISTER:

Yes. I am happy to say that we are on target for achieving the projected estimate.



NO. 437 OF 2001THE 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 number of employees in each area as follows:

- (A) MOD
- (B) Government of Gibraltar
- (C) Government Owned and Joint Venture Companies
- (D) Private Sector Employment?

ANSWERTHE HON THE CHIEF MINISTER

Although the majority of Employers have now returned the 1999/2000 documentation the Tax Office is yet to receive the 1999/2000 PAYE returns from some Government Department's accounting for approximately 3,900 taxpayers, and the information requested is therefore not yet readily available.

However, I can provide the following information which includes a guesstimate for the Gibraltar Government.

	<u>£m</u>	<u>Approximate No. of Employees</u>
(a) MOD	3.8	2,700
(b) Government of Gibraltar	14.7	3,900
(c) Government owned and Joint venture companies	2.5	850
(d) Private Sector	<u>25.0</u>	<u>16,000</u>
	<u>46.0</u>	<u>23,450</u>

SUPPLEMENTARY TO QUESTION NO. 437 OF 2001

HON J J BOSSANO:

Can I ask the guesstimate in respect of the Government of Gibraltar, is that on the premise of the amount that would be collected inclusive of the 3,900?

HON CHIEF MINISTER:

Yes.

NO. 438 OF 2001

THE HON J J BOSSANO

**INCOME TAX - PAYE**

Can Government now state what was the amount of PAYE collected in the Financial Year 1999/2000 by area of employers and number of employees in each area as follows:

- (A) MOD
- (B) Government of Gibraltar
- (C) Government Owned and Joint Venture Companies
- (D) Private Sector Employment?

ANSWER

THE HON THE CHIEF MINISTER

The total amount of PAYE collected in the financial year 1999/2000 was £46.2 million analysed as follows:

	£m
(a) MOD	4.1
(b) Government of Gibraltar	16.1
(c) Government owned and Joint Venture companies	1.5
(d) Private Sector Employment	<u>24.5</u>
	<u>46.2</u>

No information regarding the number of employees can be provided, as such data is not collected in respect of payments made in any financial year.

ORAL

NO. 439 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have declared a taxable profit (a) above £35,000 and (b) below £35,000 in the tax year ending June 1999?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No.440 of 2001.

NO. 440 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have declared a taxable profit (a) above £35,000 and (b) below £35,000 in the tax year ending June 2000?

ANSWER

THE HON THE CHIEF MINISTER

The information requested is as follows:

**YEAR OF ASSESSMENT**

1999/2000

Under £35,000            879

Over £35,000            170

1049 of which 672 are estimated in the absence of returns

2000/2001

Under £35,000            23

Over £35,000            21

44 of which none were on an estimated basis

SUPPLEMENTARY TO QUESTION NOS. 439 AND 440 OF 2001

HON J J BOSSANO:

The 672 estimates, are they all in the under £35,000?

HON CHIEF MINISTER:

I cannot tell the hon Member whether they are all in the under £35,000. Clearly the vast majority of them have got to be in the under £35,000, because there is only 170 of the over £35,000.

HON J J BOSSANO:

That is why I am asking.

HON CHIEF MINISTER:

The answer is, clearly the vast majority are in the under £35,000 for the reasons that I have just explained. It would be extraordinary if they were all in the under £35,000, but I do not have information available to me of the breakdown of the 672, but given that they are estimated assessments, the information must be available, as the Commissioner must have estimated them at below or above £35,000.

HON J J BOSSANO:

In answer to Question No.610 of 2000, when I asked about the tax year ending 2000, I was told that there were no assessments for the year 2000. I was given figures for the previous year. In fact, the answer provided was not very clear because it gave two different figures for that year and I was really not able to understand what the relationship between the two was. One of the figures was that there had been 1,086 assessments made. How can there have been 1,086 assessments made in September last year and 1,049 six months later?

HON CHIEF MINISTER:

It could not be, therefore there are two possibilities, either the hon Member is mistaken in the use of the information in the previous question, or alternatively the current answer is net of assessments that are being discharged. That is something that occurs. I am not offering that as the explanation. It is the only two possible explanations.

HON J J BOSSANO:

The answer I got from the Chief Minister the last time was for the year of assessment 1999/2000, 95 assessments have been made of which 51 are estimated to have been raised on companies with profits of £35,000 and over, and 1,086 assessments of which 837 are estimated to have been raised on companies with profits under £35,000. I was not clear why there were 95 corporation assessments and 1,086 assessments in the two lines that I have read out. It gave two different figures with no explanation of the two. Nevertheless, in September I was told there were 95 corporation assessments and then in the next breath I was told there were 1,086, the figure is below the one I have been given now. The figure of estimated was 837 then and it is 672 now.

HON CHIEF MINISTER:

I will have to make sure that questions are identical. Are we talking about taxable profits in the year, as opposed to for the year, broken down by year of assessment could suggest that it is in respect of each separate year of assessment. If there is now a lower number of estimated assessments in respect of the same year of assessment that the hon Member got in answer to a question back in September, the explanation can only be that the balances are accounted for by estimated assessments which have been discharged. That is the only explanation. I need notice of the question and clarify the way that the figures have been presented. If in respect of the same year of assessment in September the hon Member had a higher figure than he has been given now, the reason for the reduction can only be that there has been a reduction in the number of estimated assessments. The only way that the number of estimated assessments could reduce is that they are removed, that they are discharged, because they are successfully appealed or they are successfully responded to on a no return basis. There is no other way that the figure for estimated assessments can reduce, but I will find out and make sure that the hon Member knows what the answer is.

HON J J BOSSANO:

Can I just point out that in fact the question is identical and that the answer given in Question No.610 of 2000 was that the information was in respect of the year of assessment 1999/2000 because that was the only year about which it could be

given, so it is not possible that it could be a question of mistaken periods. There was only one period given, and I am assuming that we are talking about the same period now because the question is the same question.

ORAL

NO. 441 OF 2001

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

Answered together with Question Nos. 447 to 450 of 2001.

ORAL

NO. 442 OF 2001

THE HON J J BOSSANO

**INCOME TAX - SELF-EMPLOYED PERSONS**

Can Government state, for the 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

Answered together with Question Nos. 443 to 446 of 2001.



ORAL

NO. 443 OF 2001

THE HON J J BOSSANO

**INCOME TAX - SELF-EMPLOYED PERSONS**

Can Government state, for the tax year 1995/1996, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of tax payers involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 442 and 444 to 446 of 2001.

ORAL

NO. 444 OF 2001

THE HON J J BOSSANO

**INCOME TAX - SELF-EMPLOYED PERSONS**

Can Government state, for the tax year 1996/1997, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of tax payers involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 442, 443, 445 and 446 of 2001.

ORAL

NO. 445 OF 2001

THE HON J J BOSSANO

**INCOME TAX - SELF-EMPLOYED PERSONS**

Can Government state, for the tax year 1997/1998, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of tax payers involved?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 442 to 444 and 446 of 2001.

NO. 446 OF 2001

**INCOME TAX - SELF-EMPLOYED PERSONS**

Can Government state, for the tax year 1998/1999, what was the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and paid and the number of tax payers involved?

ANSWER

THE HON THE CHIEF MINISTER

I hand the hon Member a Schedule giving the information that he has requested.

# **Answer to Question 446 of 2001**

	<u>Answer to Question 443 of 2001</u>	<u>Answer to Question 444 of 2001</u>	<u>Answer to Question 445 of 2001</u>	<u>Answer to Question 446 of 2001</u>	<u>Answer to Question 442 of 2001</u>
	1995/96	1996/97	1997/98	1998/99	1999/2000
	£M	£M	£M	£M	£M
Assessed	10.0	9.8	9.8	7.4	5.1
Discharged	<u>6.2</u>	<u>5.3</u>	<u>5.3</u>	<u>3.6</u>	<u>2.6</u>
	3.8	4.5	4.5	3.8	2.5
Paid	<u>2.7</u>	<u>3.4</u>	<u>2.9</u>	<u>2.2</u>	<u>1.1</u>
Outstanding	<u>1.1</u>	<u>1.1</u>	<u>1.6</u>	<u>1.6</u>	<u>1.4</u>
No of Taxpayers	1,146	1,059	1,025	821	557

ORAL

NO. 447 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now had assessments for the tax year 1995/1996, the total amount of Corporation Tax assessed and the amounts received to date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 441 and 448 to 450 of 2001.

ORAL

NO. 448 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now had assessments for the tax year 1996/1997, the total amount of Corporation Tax assessed and the amounts received to date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 441, 447, 449 and 450 of 2001.

ORAL

NO. 449 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now had assessments for the tax year 1997/1998, the total amount of Corporation Tax assessed and the amounts received to date?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 441, 447, 448 and 450 of 2001.



ORAL

NO. 450 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now had assessments for the tax year 1998/1999, the total amount of Corporation Tax assessed and the amounts received to date?

ANSWER

THE HON THE CHIEF MINISTER

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

# Answer to Question 450 of 2001

	<u>Question 447</u> <u>of 2001</u>	<u>Question 448</u> <u>of 2001</u>	<u>Question 449</u> <u>of 2001</u>	<u>Question 450</u> <u>of 2001</u>	<u>Question 441</u> <u>of 2001</u>
	1995/96	1996/97	1997/98	1998/99	1999/2000
	£M	£M	£M	£M	£M
Assessed	15.5	15.0	16.2	20.8	15.7
Discharged	<u>5.0</u>	<u>3.9</u>	<u>5.0</u>	<u>7.6</u>	<u>3.5</u>
	10.5	11.1	11.2	13.2	12.2
Paid	<u>9.4</u>	<u>10.1</u>	<u>9.7</u>	<u>11.7</u>	<u>9.5</u>
Outstanding	<u>1.1</u>	<u>1.0</u>	<u>1.5</u>	<u>1.5</u>	<u>2.7</u>
No of Companies Assessed	1,430	1,394	1,403	1,337	1,217

ORAL

NO. 451 OF 2001

THE HON J J BOSSANO

**HSA CROWN PLAN - TAX RELIEF**

Can Government confirm that the premiums in respect of the HSA Crown Plan which provides medical insurance policies for family members of a contributor, qualifies for the relief up to the maximum of £300 in respect of the taxpayer paying the policy premium for his spouse and dependent children?

ANSWER

THE HON THE CHIEF MINISTER

I can confirm that tax relief is allowable in respect of HSA Crown Plan, that provide health benefits to a contributor, his or her spouse and children of the marriage under the age of 18.

SUPPLEMENTARY TO QUESTION NO. 451 OF 2001

HON J J BOSSANO:

Can the Chief Minister confirm that the characteristics of the particular scheme to which I refer meets the criteria? I am putting in this question because somebody has been told by the Tax Office that it does not.

HON CHIEF MINISTER:

I really cannot understand how anybody could have told the hon Member that. However it is important to note that the contributor has got to be a tax payer.

HON J J BOSSANO:

In the original question, assumes the contributor to be a tax payer, and that it is in respect of his tax liability that the claim is made in the payment of premiums which actually give medical insurance to his spouse and his children.

HON CHIEF MINISTER:

I am not sure that HSA actually gives medical insurance, but the answer is yes. I am not sure whether the Leader of the Opposition is actually talking to me about the personalities or about the nature of the scheme. HSA has been allowed, even though it is not strictly medical insurance, it provides a sum of money rather than medical cover, that is my understanding of the HSA plan. Yes it is being allowed on the terms described in the hon Member's question, so if somebody has not prospered, afford to them those facts, there has been some mistake.

NO. 452 OF 2001

THE HON J J BOSSANO

**ANNUAL ACCOUNTS - GOVERNMENT OF GIBRALTAR**

Can Government state when the Annual Accounts were closed for audit in respect of the year 1998/1999?

ANSWER

THE HON THE CHIEF MINISTER

The Annual Accounts of the Government of Gibraltar for the financial year ended 31<sup>st</sup> March 1999 were signed by the Accountant General and passed to the Principal Auditor on 23<sup>rd</sup> December 1999.

SUPPLEMENTARY TO QUESTION NO. 452 OF 2001

HON J J BOSSANO:

Has the audit been completed?

HON CHIEF MINISTER:

I cannot tell the hon Member that. I do not know.

HON J J BOSSANO:

Does the Chief Minister recall that when the audit for the previous year was done, which was longer than normal, it was suggested that it was because it was the year when the accounts were put in a different shape and that this would not be happening in the future. In fact this year it seems to be taking even longer.

HON CHIEF MINISTER:

I agree with the hon Member's statement that it appears to be taking even longer and I do recall the explanation that we offered last year. The only thing that I can speculate is that this has been a year of change for the Principal Auditor's Office in terms of staff movements, ring fencing of the Office of the Principal Auditor, I do not know whether in the comings and goings of the new recruitment of staff, there has been some slippage but I cannot give the hon Member any explanation as to what is delaying the Principal Auditor in the publication of the accounts.

ORAL

NO. 453 OF 2001

THE HON J J BOSSANO

**IDENTITY CARDS**

Can Government state how many new Identify 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 No. 455 of 2001.

NO. 454 OF 2001

THE HON J J BOSSANO

**RESIDENT PERMITS**

Can Government explain why a residence permit has been refused to the Moroccan mother of a six-year-old Gibraltarian child?

ANSWER

THE HON THE CHIEF MINISTER

I am assuming that the hon Leader of the Opposition is referring to the case of a child born in Morocco to a Moroccan mother and a Gibraltarian father, where the child became a British Dependent Territories Citizen by descent and so acquired the right to reside in Gibraltar.

At the time the mother requested permission to take up residence in Gibraltar, it was noted that both mother and child were in Morocco and neither had ever resided in Gibraltar. Even the marriage between the mother and her Gibraltarian husband had taken place in Morocco. Furthermore the marriage had broken up some time previously.

No real ties with Gibraltar existed and although the child had residency rights by operation of law, no such rights extended to the mother either in law or as a matter of immigration policy.

SUPPLEMENTARY TO QUESTION 454 of 2001

HON J J BOSSANO:

The Chief Minister has said in the answer, "Even the marriage had taken place in Morocco". Is it not quite normal to tell a Gibraltarian male and a Moroccan female to go to Morocco to get married rather than to bring their prospective spouse over here as a matter of standard immigration policy?

HON CHIEF MINISTER:

This is a requirement unless the Moroccan female is resident in Gibraltar already. Non-EU National mothers do not acquire residence or immigration rights simply because their children do because of who their father is. That is true of many non-EU Nationals who actually reside in Gibraltar and very often have the child in Gibraltar. The point is that in this case the mother had never been in Gibraltar and nor for that matter had the child, it is not one of those cases in which the mother might be handled in a particular way because of the child's rights. Child born and brought up in Morocco, mother has never come to Gibraltar, marriage in Morocco, the only link with Gibraltar is the fact that the father was Gibraltarian. That does not entitle the mother to rights of residence in Gibraltar. If the mother suddenly decides she wants to come and live in Gibraltar, she cannot say "I am now wanting to come to live in Gibraltar, here is my child, let me come because my child has rights of residence." The situation would be different if the marriage to the Gibraltarian prevailed, because then it would be a question of a Gibraltarian father, a Gibraltarian

husband, wanting to bring his non-EU National spouse to live with him in Gibraltar. As the hon Member knows there are special policy guidelines in respect of that. The point here is that this Moroccan lady who had never been to Gibraltar before wants to get into Gibraltar on the basis of her baby's entitlement, her child's entitlement even though she was no longer married to the Gibraltar man.

HON J J BOSSANO:

It is not true that she is longer married to the Gibraltar man. She is still married to the Gibraltar man until she is divorced from the Gibraltar man. Can I ask the Chief Minister, is he aware, the circumstances of the mother and the child in the course of the last two years made it necessary for the child to come to Gibraltar and live here, because she could not afford to provide, as a British Dependent Territories Citizen, with non state education and health care, which apparently she cannot get in Morocco?

HON CHIEF MINISTER:

The answer is I was not aware. This is not a case that has come passed me at any stage. I very much doubt if a child born in Morocco to a Moroccan mother is denied anything in Morocco that other children get simply because the father was a Gibraltar man.

HON J J BOSSANO:

Let me just say that the case did go passed him, because the answer that the lady got on 29<sup>th</sup> April 1999, was to say, "I have been asked by the Chief Minister to thank you for your letter of 9<sup>th</sup> April", and then the answer was no. The lady wrote to him and got an answer from the Government of Gibraltar, Civil Status Office on his behalf.

HON CHIEF MINISTER:

People very often write to me on immigration matters. Their letter is acknowledged and the butt is passed to the right Government department to deal with it. The facts of the case are not facts that I recall having dealt with. What the hon Member has just read is entirely consistent with those facts. I happen to believe that the case has been correctly dealt with. I do not recall that this was a case that has been put to me because of any special policy, ambiguity or policy that is outside the parameters of established policy which are usually the cases which are referred to me. The fact that somebody has written to me does not necessarily mean that I have personally dealt with the facts or with the case.

HON J J BOSSANO:

The fact that the child is living in Gibraltar for some years, do the Government not think that in terms of the rights of the child to have his mother with him, she is entitled to come to Gibraltar and be with the child? I am talking about a six-year-old.

HON CHIEF MINISTER:

The facts that he has just described have been contrived. The child was living in his country of birth with his natural mother. I am not sure that the House of Assembly is the appropriate place to discuss individual immigration cases, but subject to that, having created those facts, they then cannot be used by the mother in order to be

given the right to follow the child. The child has rights by operation of law which belong to him when he is able to exercise them and they do not give rights to the unentitled members of the child's family simply because the child has them.

HON J J BOSSANO:

I do not know how the Chief Minister says he knows nothing about the case personally and yet he claims that the whole thing is contrived. He cannot know whether it is contrived or not contrived.

HON CHIEF MINISTER:

It is contrived on the basis of the information that the hon Member has himself given to this House. That is that the child was sent to Gibraltar by the mother in order to obtain facilities that he could not obtain in Morocco.

HON J C PEREZ:

As a British Dependent Territories National.

HON J J BOSSANO:

That is right. What I am saying is, if the child has had to come to Gibraltar because the mother cannot afford to maintain him, all of which has been put to the appropriate people in the system. This is not information that I am offering to the Chief Minister on the basis that I know it and the Government do not know it, given that he says it is dealt with by the appropriate department. The appropriate department has got all this information. Is he saying that now that the child is residing in Gibraltar for some time, is it still permissible to have a situation where that child cannot have his mother with him? Would it not be the case that if it was a non Gibraltarian EU National, in fact under Community Law would be entitled to have non-EU members of his family with him.

HON CHIEF MINISTER:

There are many Moroccan children living separately from one or both of their parents for reasons of choice on the part of one or other parent. That has never been, and was not at the time that he was in Office, a ground for allowing their parents to join the subject. The principle very narrowly put of family reunification is not applied in order to give rights of residence to people who do not enjoy it. This case has been decided at its proper level, that is the decision that they have made and apparently, from what the hon Member tells me, they have made it in possession of all the facts. This House is not a Court of Appeal for the immigration decisions of the Principal Immigration Officer.

HON J J BOSSANO:

I do not know whether this is an appeal against the Principal Immigration Officer or an appeal to the kind of values that the Chief Minister chooses to put in his New Year statement about family values. How can he think that a child who is a Gibraltarian by birth, entitled to live here, is being properly dealt with by being told he cannot have his mother with him? It is incredible. Can the Chief Minister quote one single previous example where the nationality of the child is such that he is entitled to permanent residence in Gibraltar and yet he cannot have his mother with him? I do not know of any other case like this before.



HON CHIEF MINISTER:

In cases where the family is no longer together, so that the original generator of the rights to the child, the Gibraltarian father, is no longer the head of that household, this is a perfectly consistent decision. In the circumstances that the Gibraltarian father was estranged from his Moroccan wife, and that the Moroccan wife simply chose to send the child to Gibraltar in order to try and build on the back of that fact, a case for her to be allowed to follow the child, I believe that the case does not enjoy the merit that the hon Member is trying to ascribe to.

HON J J BOSSANO:

The Chief Minister is saying the wife chose to send the child, suggesting that this is a cynical mother who wants to come to Gibraltar and uses a defenceless child to establish that right? I am telling him that if the evidence is indeed that the child had to come to Gibraltar because the mother could not financially provide the child with the facilities in Morocco because he is not treated as a Moroccan National there, would that make any difference?

HON CHIEF MINISTER:

I presume that all the facts of the matter were before the relevant Authorities that made the decision.

HON J J BOSSANO:

The decision has not been made at a political level by the Government of Gibraltar?

HON CHIEF MINISTER:

I have answered that question already.

NO. 455 OF 2001

THE HON J J BOSSANO

**IDENTITY CARDS**

Can Government state how many persons have replaced the existing Identity Cards by the new format agreed which does not have the "Government of Gibraltar" as the issuing authority?

ANSWER

THE HON THE CHIEF MINISTER

Two thousand, nine hundred and six applications have been received from persons who wish to replace their current Identity Cards with cards in the new format which describes the issuing authority in accordance with the Ordinance passed by the hon Members when they were in Government. Two thousand, one hundred and thirty cards had been issued as at 31<sup>st</sup> January 2001.

Fifty-eight applications for the issue of the Identity Card have been received from persons who were not previously registered.

SUPPLEMENTARY TO QUESTION NO. 455 OF 2001

HON J J BOSSANO:

That is to say, it is not longer possible to be issued with the old format? So all new applications would be automatically dealt with under the new format, is that right?

HON CHIEF MINISTER:

That is correct.

NO. 456 OF 2001

THE HON J J BOSSANO

**BRUSSELS PROCESS**

Can Government say when the next meeting of the Brussels Process is to take place at which the UK Government intend to reply to Spain on the Matutes proposals?

ANSWER

THE HON THE CHIEF MINISTER

The Government do not know when the next meeting of the Brussels Process will take place, nor what the UK Government intend to do during such meeting when and if it takes place.

SUPPLEMENTARY TO QUESTION NO. 456 OF 2001

HON J J BOSSANO:

Has there been a change on the part of the UK Government from the previous position that it intended to reply to Spain at the next meeting?

HON CHIEF MINISTER:

The Government are not aware that there is any such change. No such change has been communicated to the Gibraltar Government.

HON J J BOSSANO:

Is it still the UK Government's intention to reply to Spain at the next meeting?

HON CHIEF MINISTER:

From their public declaration, which are as available to the hon Member as they are to the Chief Minister, yes. That is what the UK Government say they intend to do. But I do not answer in this House for the British Government.

HON J J BOSSANO:

I am asking whether the Chief Minister knows or does not know what the position is? The Chief Minister in his answer is not suggesting that this public statement may not materialise, does he have any evidence to the contrary that they may not happen?

HON CHIEF MINISTER:

I have already answered that question.

HON J J BOSSANO:

Do the Government think that a statement in the House of Commons made to this effect is not sufficient in terms of reliability as if the Government had been told directly?

HON CHIEF MINISTER:

If it has been made publicly in the House of Commons, the hon Member is as free and able to interpret the degree of reliability that attaches to it as I am.

HON J J BOSSANO:

Yes, and I would like to know what is the degree of reliability that the Government attach to it, which I think is a legitimate question to ask?

HON CHIEF MINISTER:

I do not think it is a legitimate question, not that I do not think it is reliable.

HON J J BOSSANO:

If the Chief Minister does not think it is a legitimate question for the Leader of the Opposition to seek to know whether the Government feel it can rely on statements in the House of Commons, then I am left with an absence of knowledge, so I do not know whether they rely or not, because he has not answered the question.

ORAL

NO. 457 OF 2001

THE HON J J BOSSANO

**GIBRALTAR COMMUNITY CARE**

Are Government making any grants to Gibraltar Community Care in the current financial year?

ANSWER

THE HON THE CHIEF MINISTER

The Government warmly welcome the support that Gibraltar Community Care Trust provides to elderly persons in Gibraltar and would wish to see that continuing. Government as they have stated previously on many occasions, are committed to ensuring that they are able to do so and therefore closely monitors the Trusts financial position. This does not require a Government grant in the present financial year.

SUPPLEMENTARY TO QUESTION NO.457 OF 2001

HON J J BOSSANO:

The answer then is that they are not making a grant in the present financial year?

NO. 458 OF 2001

THE HON J J BOSSANO

**COMMUNITY CARE LTD**

Can Government explain why Community Care Ltd does not pay household cost allowance to pensioners in receipt of Social Assistance?

ANSWER

THE HON THE CHIEF MINISTER

As the hon Member correctly states in his question Community Care Ltd does not pay Household Cost allowance to persons in receipt of Social Assistance from the Government.

I am informed that this has been the position since Community Care Ltd started making Household Cost Allowance payments in 1989. I cannot explain why this should be so. I can only assume that it is because Community Care Ltd consider Social Assistance payments to displace the justification for Household Cost Allowance. Payments by Community Care are a matter for that private entity.

NO. 459 OF 2001

THE HON J J BOSSANO

**GROSS DOMESTIC PRODUCT**

Can Government state what was the value of Gibraltar's Gross Domestic Product in 1999?

ANSWER

THE HON THE CHIEF MINISTER

Figures for Gibraltar's Gross Domestic Product should become available within the next few months once the Input/Output study of the economy is completed.

SUPPLEMENTARY TO QUESTION NO. 459 OF 2001

HON J J BOSSANO:

Can the Government say what is the estimated value in 1999?

HON CHIEF MINISTER:

No, the Government cannot say that. We do not have an estimated value for it. We expect to have the preliminary findings from Professor Fletcher towards the end of April. That is the first indication of a relatively scientific measure that we will have.

HON J J BOSSANO:

Can the Government say in the report of the Gibraltar Health Authority, the figure that was used to establish the percentage of the GDP that the Health Authority was pending?

HON CHIEF MINISTER:

No, it could only have been some form of private estimation of what GDP stands at. I assume from the premise of the question that somebody has boasted health spending on the basis of a percentage of GDP and the hon Member is asking how they got to that figure of GDP, I do not know.

HON J J BOSSANO:

The premise of the question is that on page 48 of the Report, there is a table 15, which says select statistics and it compares the spend as a percentage of GDP in Gibraltar, the United Kingdom, France and Germany. This is an official document, which refers to a percentage of GDP and I am asking which GDP is it?

HON CHIEF MINISTER:

I cannot say where the Health Authority gets a base figure of GDP in order to calculate the percentage of it, which is accounted for by health expenditure. I do not know. Somebody must be doing an informal process. Certainly I have not been

shown any such statistics and I am not aware that the Government's Statistician even calculates it.

HON J J BOSSANO:

Can I point out to the Government that given that this is a comparison between Gibraltar and other countries, then obviously the intention is to see how we compare with other parts of the world in terms of the proportion of our national income we devote to spending on health. Obviously, the accuracy of this is of some relevance if that information is worth putting in a report?

HON CHIEF MINISTER:

I would agree, but I suspect, as I am sure the hon Member will agree, that even without knowledge of GDP statistics, I am confident that Gibraltar spends a higher percentage of it than most other European countries. I agree that unless the GDP statistics in that table are accurate, then the table does not convey reliable information.

HON J J BOSSANO:

Just for the record, because obviously the Chief Minister has not read the report. It actually shows that our figures are lower than France and Germany and higher than UK and even the higher than UK depends on which year is being used as the base?

HON CHIEF MINISTER:

The hon Member is right, I have not read the report. It is the Health Department Annual Report.



NO. 460 OF 2001

THE HON J J BOSSANO

**PENSIONER BONDS**

Can Government state, as at end of December last year, how many pensioners held 7 per cent Pensioners Bonds issued by the Savings Bank and the total value of such bonds?

ANSWER

THE HON THE CHIEF MINISTER

As at the 31<sup>st</sup> December 2000 there were a total of 1003 debenture holders. The total value of the holdings was £30.4 million.

SUPPLEMENTARY TO QUESTION NO. 460 OF 2001

HON J J BOSSANO:

The bonds that have replaced the 7 per cent, which are variable rate, are they for a fixed term like the old ones were or is the only change the variable rate?

HON CHIEF MINISTER:

No. I believe that they are monthly income debentures and that they are not for a fixed term although I suppose the Government are free to give notice of redemption so either party can bring the arrangements to an end. My understanding is that it does not have a redemption date.

HON J J BOSSANO:

So effectively the notice of redemption is linked to the month on which it can be calculated?

HON CHIEF MINISTER:

I believe that that is the case.

ORAL

NO. 461 OF 2001

THE HON J J BOSSANO

**GIBRALTAR SAVINGS BANK**

Has the Gibraltar Savings Bank invested in the purchase of Gibraltar Loan 11.875 per cent 2005 since 1<sup>st</sup> April 2000?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 462 of 2001.

NO. 462 OF 2001

THE HON J J BOSSANO

**GIBRALTAR SAVINGS BANK**

Can Government state from whom was the £3 million Gibraltar Loan 11.875 per cent 2005 shown in the accounts of the Gibraltar Savings Bank as at 31<sup>st</sup> March 2000, purchased?

ANSWER

THE HON THE CHIEF MINISTER

A total of £3 million (nominal value) of Gibraltar Loan Stock was purchased on 1<sup>st</sup> November 1999 from Gibraltar Community Care Ltd.

A further £7 million (nominal value) was purchased from Gibraltar Community Care Ltd on 1<sup>st</sup> February 2001.

Both these purchases were for the account of the Savings Bank Fund.

SUPPLEMENTARY TO QUESTION NOS. 461 AND 462 OF 2001

HON J J BOSSANO:

Can the Chief Minister say what was the redemption yield of these two purchases, which obviously comes from the price that was paid for it?

HON CHIEF MINISTER:

The redemption yield was higher than can be obtained from the re-investment of the proceeds. The point is this, that the nearer the stock gets to maturity, the lower the capital value of it. As we approach 2005 the market value of £100's worth, which is presently very significantly above £100, in other words, the capital value of the asset on redemption date becomes £100. Therefore, in order to protect Community Care from a diminution in the value of its capital assets, the Government find the optimum moment at which to buy this stock, thereby maximising the capital value so that it remains as near as possible to the £60 million that they started with, necessarily involves a reduction in the income yield from those assets. At the moment they are getting 11.875 per cent current yield, forgetting for one moment the yields to redemption. When they get the cash proceeds of sale, their level of income falls. This is what I referred to in the previous answer when I said that the Government were carefully monitoring the financial affairs of the Trust to ensure that as we work to maintain the value of our capital assets, we do not run short of income from which to pay our outgoings by way of benefits to the people that we pay benefits to. That is what the Government would sustain when necessary. If the Government were not to do this then when we arrived at redemption date 2005, they would have got £46 million, which would have been the redemption value of the loan stock that they held.

HON J J BOSSANO:

That was not my question. My question was "What was the redemption yield of the two purchases to the Savings Bank?"

HON CHIEF MINISTER:

I do not have that information. I believe it is somewhere in the order of 7 per cent.

HON J J BOSSANO:

Can the Government explain why they discontinued in December the 7 per cent pensioner bond?

HON CHIEF MINISTER:

The Government created the pensioner bond and then discontinued it, or rather, not discontinued it, the Government then replaced it. The reasons obvious that the tendency in the market were for the softening of interest rates and this would have left the Government exposed to loss on what was a very significant amount of holding if the Government had been obliged to pay on £30 million 7 per cent, but had been unable to secure that return in the market.

HON J J BOSSANO:

In the September House of Assembly Meeting, the answer that the Opposition were given by the Chief Minister was that the debentures, the pensioner bonds, had been issued because of the return that the Government were getting on the 11.875 per cent loan stock.

HON CHIEF MINISTER:

Yes, but the Government cannot do that to the tune of £30 million. That is how we sustained this form of pressure from softening market rates, first £3 million worth and then £7 million. We are talking about a taking of £7 million and that the Government are content not to make a turn in order to give pensioners the facility to invest individually. In a sense what we are doing is providing a form of collective investment fund by everybody pooling their money with the Government and the Government going to the market. The Government can give each pensioner a higher rate of return than the pensioner could have obtained if he had gone to the market place himself. So the Government as a matter of social service facility to the pensioners are perfectly happy to do that at no profit to the Government. The Government are not looking for a turn. We sustain the administration costs as it is, but the Government cannot risk making a significant loss. I suppose if the figures were lower than £30 million, the Government might be able to consider taking a small loss in the Savings Bank, but the Government cannot risk making a loss on £30 million because it could amount to a significant sum of money. The Government try to ensure that the return given that there is now such a large sum of money involved, that the return matches more or less what the Government feels it can get in the market for those amounts. We must not underestimate that the 6.5 per cent which is what has been given in the new debenture is still much higher than what most individuals can obtain in the market and free of Gibraltar tax. So the benefits are very substantial in relation to what an individual can do left to his own devices.

HON J J BOSSANO:

How much was paid for the £3 million and the £7 million to Community Care Ltd?

HON CHIEF MINISTER:

What was paid was the market price as dictated in the Bond market and it was £3.6 million for the £3 million and £8.7 million for the £7 million, so a total of £12.3 million was paid for £10 million nominal.

HON J J BOSSANO:

Was that money re-invested by Community Care in the Gibraltar Savings Bank or have they been using it?

HON CHIEF MINISTER:

The money is presently on deposit with the Gibraltar Savings Bank and we are looking at ways of maximising their yield on that money. The hon Member will recall that when he was in Office and Community Care placed much higher sums of money, then I think £60 million of deposits with the Savings Bank, they were then being paid just 4 per cent interest rate, which was much less than the Savings Bank was paying everybody else. That was simply a way in which the Savings Bank made profits with these funds. Although that appears to be the position at the moment, we are looking at ways of re-investing this money on behalf of Community Care in a way which maximises their income yield.

HON J J BOSSANO:

The Chief Minister said towards the end of the answer that that was the position at the moment. What is it that at the moment they are getting paid 4 per cent?

HON CHIEF MINISTER:

I think at the moment they are getting what they have traditionally got going back to 1989 on their cash holdings, but because their cash holdings have just increased very significantly one of the ways of reducing the need for the Government to make grants to Community Care is to make sure their own income from their own assets is maximised. Therefore, this means that the Gibraltar Savings Bank would be seeking to pay Community Care a commercial rate of return rather than the artificially low rate of return that it has enjoyed on their cash deposit with the Savings Bank going back to the very beginning.

HON J J BOSSANO:

Is it that they are getting the rate of return that any other investor gets if they invest on the same length? Are these investments by Community Care in the investment accounts normally used by Government companies, which is the on-call?

HON CHIEF MINISTER:

I believe so. It is the former.

HON J J BOSSANO:

So all on-call investment accounts get paid the same. It is not that there is a special rate for Community Care lower than anybody else's?

HON CHIEF MINISTER:

I assume that it is the former again. That is, all investment accounts go on that rate.

HON J J BOSSANO:

At the moment the £3 million on November 1999 has been since 1999 an investment account?

HON CHIEF MINISTER:

I do not know, I will need notice from the hon Member for that question as to whether the £3 million has already been dealt with by some other means. All of this information is the subject matter of cash flow projections that are produced so that the Government know exactly at any given moment what the ability is of Community Care to meet their commitments without resort to spending capital. That is the target, that is the criteria that the Government follow on the question of when funds need to be injected.

HON J J BOSSANO:

It would follow from that then that the Government have not had to use any of the £3.6 million capital since November 1999?

HON CHIEF MINISTER:

Yes it would.

NO. 463 OF 2001

THE HON J J BOSSANO

**GIBRALTAR SAVINGS BANK**

Can Government confirm that the Gibraltar Savings Bank is a credit institution under E.U. Law?

ANSWER

THE HON THE CHIEF MINISTER

The qualifying test for a credit institution under EU Law is that it firstly receives deposits or other repayable funds from the public; and secondly lends from its own accounts.

Although the Gibraltar Savings Bank does indeed receive deposits from the public, it does not lend from its own accounts. It is therefore not deemed to be a credit institution under European Community Law.

SUPPLEMENTARY TO QUESTION NO. 463 OF 2001

HON J J BOSSANO:

Are the Government then saying that institutions, organisations that invite the public to deposit do not require licensing as credit institutions?

HON CHIEF MINISTER:

Not as credit institutions. They may require separate licensing. I do not know if they do, as deposit takers, probably not, at least under the EU scheme, but that is absolutely right. In order to be a credit institution one needs to both be a lender and a borrower.

HON J J BOSSANO:

If the Government were borrowing from the Savings Bank, would that affect their position or would that be all right?

HON CHIEF MINISTER:

No. The reason why the Savings Bank is not a lender is because when it has taken monies from the public on deposit, the Savings Bank does not then re-invest it. If it did re-invest it, it might be deemed to be lending to the person in which it places the funds. The reason for that is that although the borrowing is done, the taking of deposits from the public/borrowing, is done in the name of the Savings Bank, the funds of the Savings Bank are placed for investment purposes through a Government special fund. Therefore, the Savings Bank is not itself doing any lending to anybody. The Gibraltar Savings Bank Fund, through which all assets are held is a Gibraltar Government Special Fund and not the fund of any private institution.

HON J J BOSSANO:

I am aware that it is not a private institution. The Government own the Gibraltar Savings Bank but does not the money in the Savings Bank belong to the Savings Bank as opposed to belonging to the Government?

HON CHIEF MINISTER:

It certainly does not belong to the Government in the sense of being free to spend. For the purposes of the EU directive definition of a credit institution it is a fund of the Government, even if not belonging to the Government. It is a fund of the Government and not a fund of the institution. Therefore, there is not both borrowing and lending by the Savings Bank.

HON J J BOSSANO:

This is unlike the treatment of the United Kingdom Savings Bank, which is part of the National Savings and goes into the United Kingdom Consolidated Fund, never mind the Special Fund.

HON CHIEF MINISTER:

Yes indeed.

HON J J BOSSANO:

Even though it is the same EU law?

HON CHIEF MINISTER:

EU Law does not dictate or establish the legal structure surrounding the establishment of national savings banks nor the accounting treatment that they receive in the accounts of the Government in question. As the structure of the Gibraltar Savings Bank currently exists under the Ordinance and as the Credit Institution's directive currently stands, the Gibraltar Savings Bank does not fall within the definition of a credit institution for the reasons that I have given.

HON J J BOSSANO:

Just to make sure that I understood what are the alleged reasons. The Gibraltar Savings Bank does not lend because the Special Fund is a Government fund as opposed to being a Gibraltar Savings Bank Fund?

HON CHIEF MINISTER:

That is absolutely so. The funds collected, taken on deposit by the Gibraltar Savings Bank are entrusted to the Gibraltar Government, which through a special fund of the Gibraltar Government places it for investment.



NO. 464 OF 2001

THE HON J J BOSSANO

**DIRECT ELECTIONS ACT**

Can Government state whether the UK have 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 the elections to the European Parliament?

ANSWER

THE HON THE CHIEF MINISTER

As stated previously in this House, in March 1999 the UK Government tabled an amendment to the 1976 EC Act on Direct Elections to extend the European Parliament franchise to Gibraltar. The amendment remains on the agenda of the Council General Affairs Group. I believe that the agreement of all other Member States has not yet been forthcoming.

SUPPLEMENTARY TO QUESTION NO. 464 OF 2001

HON J J BOSSANO:

The position is that there has been no change since September. Is that correct?

HON CHIEF MINISTER:

I cannot say whether there has been no change. There has been no change to the fact that Spain still formally has a reservation. Whether there has been any change or progress in the process of softening up the Spaniards in private discussions, I do not know because I do not get briefed on that. Certainly I can tell the hon Member that what I am being told by the UK Government is that they are committed to ensuring that Gibraltar participates in the next elections and they believe that for logistical reasons they consider that they would have to start taking action this summer.

HON J J BOSSANO:

Was there an indication from the UK that the UK might consider unilateral action, which previously the UK were saying was not possible?

HON CHIEF MINISTER:

Indeed that is correct. Not that it is not possible, the hon Member knows that we have always both believed that it is possible, but it is true that the British Government are now considering doing so should they be left with no alternative.

HON J J BOSSANO:

I know that we considered it possible. The UK previously said it was impossible and unconstitutional. If the UK Government are considering doing it that would suggest that the UK have reviewed their legal advice on this question?

HON CHIEF MINISTER:

It is a matter for speculation as to whether there was ever a need to review their legal advice. It assumes an awful lot about the advice that the UK Government had, but certainly it would be a very welcome reversal of the United Kingdom's position on the matter.

NO. 465 OF 2001

THE HON J J BOSSANO

**CONVENTION OF UN PERSONNEL**

Can Government state whether the convention on UN Personnel has now been extended to Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

The Convention has, as yet, not been extended to Gibraltar.

Hon Members will recall, from answers to previous questions, that the extension of the Convention to UK Overseas Territories, including Gibraltar, awaited a process of consultation with the Territories.

HMG have informed the Gibraltar Government, in response to a chaser from us in December 2000, that due to staff changes in the relevant Foreign and Commonwealth Office department the consultation with other Overseas Territories had not been completed.

At least two territories have now said they wish the convention to be extended to them and are considering their own legislation. We have been requested to pass copies of our legislation to them.

**GIBRALTAR**

**HOUSE OF ASSEMBLY**



**QUESTIONS AND ANSWERS**

**30<sup>th</sup> APRIL, 2001**

**No. 466 to No. 823**

# INDEX

## QUESTIONS & ANSWERS

30<sup>th</sup> April 2001

Questions 466 – 823

SUBJECT	NO(S)	PAGE(S)
'Barthon Queen'	627	257
'Which Register? Which Flag?' Conference	621	247
"Pride of Gibraltar"	592	208
17 Europa Road	572	173
1987 Airport Agreement	808	539
Admiral's Place Development	750	436
Advertising in Newspapers	800-802	529-532
Airline Assistance Scheme	591	206
Alameda House	540	129
Banking Licences	730	406
Beautification Works at the Land Frontier	612	237
Bishop Canilla House	524-525	108-109
Border Delays	814	549
British Nationals Employed	506	69
Building and Works Department	517	97
Bus Service	569	170
Cable Link – Gibraltar / Morocco	718	392
Cammell Laird	511-512	81-83
Cammell Laird Training Centre	762	457
Casemates Development	783-784	506-507
Change of School Hours	638-639	273-274
Change of School Hours	641-642	276-277
Closed Long-Term Benefits Fund	478	16
Closed Long-Term Benefits Fund	480	18
Coach Park – Charges	622	248
Coach Terminal	617	242
Coelho House	541	130
College of Further Education	629-630	259-260
Commercial Banks	759-760	453-454
Community Care Ltd	490	39
Container Transhipment Project	614	239
Co-Operation Agreement on Tourism	626	254
Cost of Treating Pensioners in UK	681-688	334-344
Course in Hotel, Catering and Hospitality Services	598	219
Cultural Exchanges	634	268
Development and Planning Commission	749	433
Dialysis Unit	680	332
Dispensing Fees	664	311
Dispensing Fees	669	319
DPC – New Office Space	758	451
ECOM Ltd	754	440
E-Commerce Offshore Conference	722	398
Edinburgh House	526	110
Edinburgh House	536-537	122-124
Education – Discretionary Grants	659	306
Education – Edinburgh House	661	308
Education – GIBPUBSAFE	763	459
Educational Exchanges	633	263
Educational Psychologist	657	302
EEC – Competent Authorities	769	482

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
EEC – Single European Sky	815	551
EEC – Taxation of Savings Income	775	492
Elderly Care Agency	489	38
Elderly Care Patients	704	370
Electricity – Power Cuts	545	136
Electricity – Strategic Review	546	138
Electronic Commerce Ordinance	723-726	399-402
Employment – Detached Workers	509-510	73-80
Employment – Number of Gibraltarians	505	62
Employment – Number of Unemployed	501-504	58-61
Employment Contracts Terminated	500	57
Employment Survey Report	513-516	84-96
Enrolled Nurses	694	351
EU Funding	729	405
Europa Business Centre – Arrears	732-733	408-409
Europa Sports Ground	558	154
Facilities for Packed Lunches – Schools	645	280
Feasibility Study – Eastern Beach / Catalan Bay	613	238
Finance Centre – Employment	744	426
Finance Centre Survey	743	425
Flights – Gibraltar / Tangier	584	199
Foreign Affairs Committee	810	543
Foreign Affairs Committee	812-813	547-548
Frontier Fence	821	560
Garrison Library	712	384
GBC	543-544	132-135
GFA / UEFA	560	157
GHA – Alzheimer's Disease	709	378
GHA – Average Waiting Time	699-702	359-367
GHA – Cost Per Bed	716-717	389-391
GHA – Number of Complaints	666	314
GHA – Post of Radiologist	695	353
GHA – Resignation of Medical Practitioner	698	358
Gibraltar / Morocco Forum	620	246
Gibraltar Business Development Survey	786-787	509-511
Gibraltar Business Expenditure Survey	785	508
Gibraltar Development Corporation	771	485
Gibraltar Government Funding	727-728	403-404
Gibraltar in Europa	746	430
Gibraltar in Europe Business Development Schemes	738-739	418-421
Gibraltar Issued Driving Licences	767-768	479-480
Gibraltar Port Authority	561	159
Gibraltar Tourist Board – Mini-Guide	602	224
Gibtel / Nynex	551-554	143-148
Gibtel Legal Case	773-774	489-491
Glacis Estate – Lifts	520-522	100-103
Goods Imported	798-799	527-528
Government Assistance to Conferences	625	253
Government Business in Spain 1998/2001	631	261
GPMS – UK Pensioners Registered	689-692	345-348
GTB – Grade 1 Officer	599	221
Gun Wharf	755	443
Head 6A, Sub-Head 8	623	250
Head 7 Subhead 10	741	423
Head 7 Subhead 14	742	424
Head 7 Subhead 6	740	422

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Health and Safety	636-637	271-272
HMS Tireless	816-819	553-557
Hotel Arrears	581	186
Hotel Assistance Scheme	579-580	183-185
Hotel Gradings	582-583	187-198
House Calls	707	374
Housing	534-535	120-121
Housing – Post-War Flats Allocated	532	118
Income Tax – Corporation Tax	803-805	533-536
Income Tax – PAYE	806	537
Incoming International Calls	547-548	139-140
Information Technology – Westside	649	289
In-Patient Admissions	705	371
International Telephone Charges	555	149
Key Skills Programme – Bayside	648	288
Labour Advisory Board	496	51
Lathbury Barracks Industrial Park	753	439
Macmillan House	542	131
Matutes' Proposals	809	541
Medical Advisory Board	533	119
Meeting with the Governments of Jersey / Guernsey	788	512
Meetings – Parents Association	640	275
Milbury Care Service	471-474	6-10
Milbury Care Service – Contract	470	5
Monarch Airlines	585	200
Moroccan Nationals Employed	491	40
MTI Visits to Germany / Italy	745	429
National Day	481	22
National Day – Payment to SDGG	482	27
Nautilus IV	593	212
New Airlines	586-587	201-202
New Airlines	590	205
New Harbours – Arrears	731	407
New Harbours – Arrears	734	410
New Sports Authority	557	153
Non-EEC Nationals Employed	492-493	41-47
Non-EEC Nationals Employed	508	71
Non-Recognition by Spain of 350 Code	764	465
Non-Recognition by Spain of 350 Code	766	467
North Mole Development	790	515
Number of Hotel Beds	577-578	180-182
Number of Nurses	693	349
Number of Port Operators	595	215
Number of Prescriptions	667-668	317-318
Number of Private Motor Vehicles	596-597	216-217
Number of Vehicles Registered	571	172
Number of Visitors to Parson's Lodge / 100 Ton Gun	616	241
Nurseries	660	307
Objective 2 Monitoring Committee	737	417
Objective 2 Programme Monitoring Committee	736	414
OECD	820	558
OECD Tax Initiatives	776-782	495-505
Offshore Betting	791-796	517-525
Ombudsman Report	538-539	125-128
Open/Closed Long-Term Benefits Fund	479	17
Operational Resources	822-823	561-562

<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Out-Patient Attendances	706	373
Out-Patient Attendances	708	375
Patient Referrals to UK	671-679	322-331
Peripatetic Teacher	656	300
Persons Interviewed	573-576	174-179
Port – Security	562	160
Post of Chief Executive	703	368
Post of Commercial Projects Officer	747-748	431-432
Post of Housing Manager	518	99
Post of Matron	697	355
Post of Personnel Manager	770	483
Post Threshold Salaries	652-655	293-299
Pre-Paid Cards	549-550	141-142
Prescription Charges	670	320
Primary Care Centre	663	310
Primary Care Centre	665	312
Proposed Science Park	751-752	437-438
Psycho-Geriatric Patients	696	354
Purchase of Stationery	650	291
Questionnaire on School Hours	644	279
Rates	797	526
Regional Airlines	588-589	203-204
Relocation of St Bernard's School	628	258
Representations by the FCO to the Spanish Government	807	538
Risk Assessments	635	270
School Focus Visit Reports	646	285
School Hours – Survey	643	278
School of Maritime Studies	594	214
Secretarial and Business Administration	710-711	379-383
Sir William Jackson Grove	527-531	113-117
Social Assistance	476	13
Social Assistance	483-487	28-34
Social Assistance – Disability Allowance	475	11
Social Insurance	488	35
Social Insurance Ordinance	477	15
Social Security Pensioners	466-469	1-4
Spanish Nationals Employed	507	70
Speech and Occupational Therapists	658	304
St Michael's Cave – Sound / Light System	615	240
Stationery	651	292
Sullage Plant	757	448
Supreme Court of Gibraltar – Judgements	811	544
Telephone Numbering Problem	765	466
Tender – Main Street Beautification	609	231
Tender – Miss Gibraltar 2001 Beauty Contest	611	236
Tender – Rosia Bay	610	232
Tender – World War II Tunnels	607-608	229-230
Tender for "Give-Aways"	605	227
Tender for Passenger Seating	604	226
Tender for Plot at Catalan Bay	756	446
Tender5 for Warden Control Cabins	603	225
Terminals Assistant	600	222
Terms of Engagement	499	56
Theatre Royal	662	309
Theatre Royal	713-715	385-388
Tourism Advisory Council	619	245



<b>SUBJECT</b>	<b>NO(S)</b>	<b>PAGE(S)</b>
Traffic – Queensway	565	165
Traffic – Upper Town	568	169
Traffic – Waterport Road	566-567	166-168
Transfer of Boats at Western Beach to Coaling Island	772	487
Transport – EU Registration Plate	570	171
Transport – Parking Tickets	564	163
Transport Inspectors	563	161
Truant Children	647	287
Upper Rock – Fees	624	251
Vacancies Filled	498	54
Vacancies Registered with the Employment Agency	497	52
Varyl Begg Estate – Lifts	523	104
Victoria Stadium – Squash Court	559	155
Visas for Non-EU Nationals	789	513
Visit by Financial Journalists	719-720	393-395
Visit to Lisbon	735	413
Visitor Information Patrol Officers	601	223
Visits Abroad by the Minister	556	151
Visits Abroad by the Minister	618	243
Visits Abroad by the Minister	721	396
Wine Bottling Plant	761	455
Work Permits	495	48
Youth Exchanges	632	262

ORAL

NO. 466 OF 2001

THE HON MISS M I MONTEGRIFFO

**SOCIAL SECURITY PENSIONERS**

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

ANSWER

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

Answered together with Question Nos. 467 to 469 of 2001.

NO. 467 OF 2001

THE HON MISS M I MONTEGRIFFO

**SOCIAL SECURITY PENSIONERS**

Can Government state how many Gibraltar social security pensioners who were not also in receipt of a UK social security pension were resident in UK as at 31<sup>st</sup> December 1998?

ANSWER

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

Answered together with Question Nos. 466, 468 and 469.

NO. 468 OF 2001

THE HON MISS M I MONTEGRIFFO

**SOCIAL SECURITY PENSIONERS**

Can Government state how many Gibraltar social security pensioners who were not also in receipt of a UK social security pension were resident in UK as at 31<sup>st</sup> December 1999?

ANSWER

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

Answered together with Question Nos. 466, 467 and 469 of 2001.

NO. 469 OF 2001

THE HON MISS M I MONTEGRIFFO

**SOCIAL SECURITY PENSIONERS**

Can Government state how many Gibraltar social security pensioners who were not also in receipt of a UK social security pension were resident in UK as at 31<sup>st</sup> December 2000?

ANSWER

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

The number of pensioners referred to in the questions are:-

24 for 1997 and 33 for 1998

The final details for 1999 and 2000 are not yet available.

SUPPLEMENTARY TO QUESTION NOS. 466 TO 469 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether in Question Nos. 466 and 467 of 2001, when the Minister answered that there were 24 social security pensioners resident in the UK and 33 for the year 1998 whether the accounts pertaining to these two years have already been sent to the UK?

HON DR B A LINARES:

The way this works is that we know the number of Gibraltar social security pensioners who are resident in UK but inasmuch as we have to ascertain whether or not they are in receipt of a UK social security pension, we depend on information which comes to us from DSS Newcastle. That information for those two years 1999 and 2000 is not yet available but it is of course in a more direct reply to the hon Member's question, we have all the information in respect of 1997 and 1998.

ORAL

NO. 470 OF 2001

THE HON J L BALDACHINO

**MILBURY CARE SERVICE - CONTRACT**

Can Government state when does the Milbury Care Service Contract expire?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question No. 471 of 2001.

NO. 471 OF 2001

THE HON J L BALDACHINO

**MILBURY CARE SERVICE**

Can Government state how many of the Dr Giraldi's Home employees are persons that have been contracted by Milbury outside Gibraltar giving the title of post held and qualifications?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The contract expires in November 2001. There are two Dr Giraldi Home employees provided by Milbury Care Services who have been contracted outside Gibraltar. These are as follows:

The Home Manager whose qualifications are RNMH, D32 and D33 NVQ Assessors Certificate, City & Guilds 730, Certificate for teaching Adults.

The Deputy Home Manager whose qualifications are RNMH, Degree in Art & Design, Certificate in Creative Design.

SUPPLEMENTARY TO QUESTION NOS. 470 AND 471 OF 2001

HON J L BALDACHINO:

Are these the two posts that were originally in post when the contract was signed with Milbury? There has been no change whatsoever?

HON MRS Y DEL AGUA:

There might have been changes in the postholders, but the job description of the posts remain the same.

HON J C PEREZ:

Have the Government taken the view of whether they intend to review the contract with Milbury or not, or whether they intend to put other arrangements in place?

HON MRS Y DEL AGUA:

The Government are not yet in a position to confirm whether the contract will be renewed or not.

ORAL

NO. 472 OF 2001

THE HON J L BALDACHINO

**MILBURY CARE SERVICE**

Can Government state how many individuals applied for respite facilities at Dr Giraldi's Home and how many were accommodated giving a breakdown for each of the months of February and March 2001?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 473 and 474 of 2001.



ORAL

NO. 473 OF 2001

THE HON J L BALDACHINO

**MILBURY CARE SERVICE**

Can Government state what level of supervision is provided by Milbury to users of the Sitter Service?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 472 and 474 of 2001.

NO. 474 OF 2001

THE HON J L BALDACHINO

**MILBURY CARE SERVICE**

Can Government state if the Sitter Service provided by Milbury the users are divided into age groups and category of disability?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

During the month of February 2001, six people applied for and used the respite facilities. During the month of March 2001, five people applied for and used the respite facilities. The level of staff supervision provided to users of the Sitting Service is as follows: Of the 15 current users, 11 have a one to one supervision all of the time. Three have joint support from the team on duty due to their needs and the small number of hours they use. One service user is supervised by the team of a specific resident. Users of the service are not divided into category of disability but are supported as individuals according to their needs. Within the respite/sitting apartment there are separate designated areas for children and adults.

SUPPLEMENTARY TO QUESTION NOS. 472 TO 474 OF 2001

HON J L BALDACHINO:

In the contract that was signed with Milbury, was it not stated that they had to provide separate areas for children and adults in the establishment and for people with different categories of disabilities?

HON MRS Y DEL AGUA:

I do not believe that the contract stated that.

HON J L BALDACHINO:

According to Question No. 414 of 1997, when her hon Colleague was then responsible, in answer to a question from my late hon Colleague, the Hon Robert Mor, under 7, that is what is stated. Why is that not happening?

HON MRS Y DEL AGUA:

I have just said that there are designated separate areas for children and for adults.

HON J L BALDACHINO:

I thought the Minister said that the users were not divided into age groups and category of disabilities.

HON CHIEF MINISTER:

I think the hon Member is confusing the residential service, which is being unitised and the sitter service. Question No.474 of 2001 relates to the sitter service. I think the answer in 1997 relates to the unitisation of the Home, whereas Question No. 474, relates to the sitter service.

HON J L BALDACHINO:

Which is also provided by Milbury?

HON CHIEF MINISTER:

Yes.

HON J L BALDACHINO:

In any case, does the Minister not think that it would be appropriate seeing that there are different people with different types of disabilities and disorders, some might be violent, not to be separated?

HON MRS Y DEL AGUA:

There are occasions when because of the diverse needs of the people requiring the respite service, there may be some people who are more active than others and this can sometimes be upsetting to those who prefer a quieter time. This programme is quite effectively addressed by having separate areas for children and for adults, but this sort of situation arises within any household within a large family, which is what the Dr Giraldi Home is trying emulate in any case.

HON J L BALDACHINO:

I am talking about the sitter services.

HON CHIEF MINISTER:

The hon Member has got to understand. Until quite recently the residential people were all mixed up. The Government have invested quite a lot of money in unitising what is a limited sized building. In effect what the hon Member is now asking the Government to do is unitise the facilities for the sitter services as well. The facilities are not big enough to be divided into ever smaller slices. It has been hard enough to divide it into the four units that the Dr Giraldi floor, which is only the top floor of the building, let us not forget. That has been divided into four floors in order to create segregation, for the permanent residents. There would be no premises left to segregate further if we had to segregate the sitter services as well.

HON J L BALDACHINO:

I suppose that when the Minister said that one to one is given, I suppose it is given to the person that most needs it because of their disability, is that correct?

HON MRS Y DEL AGUA:

That is correct.

NO. 475 OF 2001

THE HON J L BALDACHINO

**SOCIAL ASSISTANCE - DISABILITY ALLOWANCE**

Can Government state what is the criteria in considering applications for disability allowance?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Under the social assistance arrangements, which have been in place over the last 20 years, a weekly allowance is payable to any person who is permanently and severely handicapped by a physical or mental disability from birth.

SUPPLEMENTARY TO QUESTION NO. 475 OF 2001

HON J C PEREZ:

Why is this limited for disability from birth? I know of a particular case of a person who is lame and has an arm missing as a result of two accidents and he is still a permanently disabled person. Why should the allowance be limited to people whose disability is from birth?

HON MRS Y DEL AGUA:

I am quoting in relation to the question that the hon Member asked. "What are the social assistance arrangements in place?" I am quoting from the actual arrangements, but the Director in his discretion may approve the payment of such an allowance that does not fall into that category as the hon Member has referred to. The Director has discretion to allow payment to that sort of person.

HON J C PEREZ:

I find it strange that in this case the person concerned had been applying for this disability allowance, had not been able to get it and has now reached the age of 60 and the arrangement is that he is now a community officer who presumably is available for work, although everybody knows he is unable to go to work because of his permanent disability, so he is now getting an income as a community officer and everybody knows he is permanently disabled and cannot be available for work whereas for the last three years he has had the application for disability allowance rejected?

HON CHIEF MINISTER:

The first thing that we should establish is that there has been no change here. Whatever system has been operated now is the one that we inherited from the hon Members, which I do not state critically.

HON J C PEREZ:

Except that if we had been there we might have created a different view.....

HON CHIEF MINISTER:

That is what the Minister has said is the position. Social Assistance is discretionary anyway. What the Minister is saying is that the Minister has endowed the Director with discretion to exercise that even bigger discretion to make payments under the discretionary social assistance scheme. The position that the hon Member is lamenting the GSLP did not do and the Government is hoping to do, is precisely what my hon Colleague has done.

HON J L BALDACHINO:

Even though the social assistance for disability is only paid when somebody has a disability from birth, within the discretionary powers where people might get social assistance if they have a disability from birth, there is also a further discretionary power where the Director might if he feels that there is a need for any other person with disability to be paid under the social assistance fund. Is that correct?

HON MRS Y DEL AGUA:

That is correct.

HON J C PEREZ:

In the discretion of the Director I presume that the Director takes into account any income the person might have, whether he is on rent relief or not, whether the person lives alone, all these things are taken into account by the Director, one presumes in using his discretion.

HON MRS Y DEL AGUA:

One would presume so.

HON J C PEREZ:

Will the Minister commit herself to look at a particular case which has come to our attention to see whether the Director can use his discretion now in a particular way since he does not seem to have been using his discretion in that particular way for the last three years.

HON MRS Y DEL AGUA:

If the hon Member gives me the details of the person in question I will have it checked.

ORAL

NO. 476 OF 2001

THE HON J L BALDACHINO

**SOCIAL ASSISTANCE**

Can Government state the number of persons receiving Social Assistance each month from January 2001 to the end of March 2001 giving a breakdown by age and sex?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 476/2001**

The following persons were in receipt of Social Assistance from January 2001 to the end of March 2001.

2001	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
JANUARY	125	163	288	46	89	90	63
FEBRUARY	129	164	293	57	85	82	69
MARCH	121	171	292	51	89	86	66

ORAL

NO. 477 OF 2001

THE HON J L BALDACHINO

**SOCIAL INSURANCE ORDINANCE**

Will Government consider reviewing the provisions of the Social Insurance Ordinance in the current financial year to correct the loss of entitlement of spouses of contributors in cases of divorce in respect of contributions made during the period they have been married?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The Government are not currently in a position to state what it may or may not be willing to do in respect of the subject matter of the question. However, the issue existed throughout the eight years that the hon Member was in Government. The Government note that he chose not to do anything about it.



NO. 478 OF 2001

THE HON J L BALDACHINO

**CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the balance of the Closed Long-Term Benefits Fund for each month of January, February and March 2001, 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

Answered together with Question Nos. 479 and 480 of 2001.

ORAL

NO. 479 OF 2001

THE 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 January 2001?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 478 and 480 of 2001.

NO. 480 OF 2001

THE HON J L BALDACHINO

**CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the number of pensioners being paid or with entitlement to payment for each month of February and March 2001 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?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The extensive factual and statistical information requested by the hon Member is set out in the written schedules that I now hand to him.

## ANSWER TO QUESTION 478/01

The balance of the Closed Long-Term Benefits Fund since January 2001 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>31-Jan-01</u>	<u>28-Feb-01</u>	<u>31-Mar-01</u>
<b><u>Fund Account -</u></b>			
<b><u>Opening Balance</u></b>	<u>£686,148</u>	<u>£961,248</u>	<u>£635,889</u>
<b><u>"Local Account"</u></b>			
Opening Balance	£423,481	£429,070	£277,310
<u>Add</u>			
Tranfers from the Open Long-Term Benefits Fund	£800,000	£700,000	£650,000
Other Receipts	<u>£3,798</u>	<u>£2,539</u>	<u>£3,644</u>
	£1,227,279	£1,131,609	£930,954
<u>Less</u>			
Pension Payments	<u>(£798,209)</u>	<u>(£854,299)</u>	<u>(£718,254)</u>
Closing Balance	<u>£429,070</u>	<u>£277,310</u>	<u>£212,700</u>
<b><u>"Spanish Account"</u></b>			
Opening Balance	£262,667	£532,178	£358,579
<u>Add</u>			
Receipts from D.F.I.D	<u>£620,000</u>	<u>£160,000</u>	<u>£1,040,000</u>
	£882,667	£692,178	£1,398,579
<u>Less</u>			
Pension Payments	<u>(£350,489)</u>	<u>(£333,599)</u>	<u>(£1,020,841)</u>
Closing Balance	<u>£532,178</u>	<u>£358,579</u>	<u>£377,738</u>
<b><u>Fund Account -</u></b>			
<b><u>Closing Balance</u></b>	<u>£961,248</u>	<u>£635,889</u>	<u>£590,438</u>

Answer to question 479/2001

The transfers made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund by month since January 2001 are as follows:

January 2001	£800,000
February 2001	£700,000
March 2001	£650,000
	<u>£2,150,000</u>

ANSWER TO QUESTION No. 480/2001

	<u>February 2001</u>	<u>March 2001</u>
Pre-1969 Spanish pensioners	7302	7297
British pensioners (Gib/UK Nat.)	4826	4835
Moroccan pensioners	1202	1238
Other nationalities	<u>310</u>	<u>315</u>
Total:	<u>13,640</u>	<u>13,685</u>

NO. 481 OF 2001THE HON DR J J GARCIA**NATIONAL DAY**

With respect to the £138,000 forecast outturn for National Day for 1999/2000 Head 8-A Sub-Head 23, and further to the answer to Question No.12 of 2001, can the Government provide a breakdown of the following, indicating which firms, companies or organisations the monies were paid to and when:

(a)	Publicity Material	£9,616.00
(b)	Events	£16,669.59
(c)	Works/Equipment	£71,706.79
(d)	Receptions	£3,444.60
(e)	Security	£1,309.00
(f)	Miscellaneous	£981.53 ?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

SUPPLEMENTARY TO QUESTION NO. 481 OF 2001

HON DR J J GARCIA:

Is it possible for the Minister to say what procedure was used in the allocation of several of these items? I was asking the question in a general sense, I have not had time to look at them individually?

HON MRS Y DEL AGUA:

The department writes to the different companies in their particular fields asking them to submit offers. A selection is then made at a departmental level taking into account the best value for money.

HON DR J J GARCIA:

The system is not a tender system, it is just a question of writing to firms, collecting offers and then deciding which one to choose, is that the position?

HON MRS Y DEL AGUA:

Yes, that is correct.

HON CHIEF MINISTER:

Remember some of them are not procurement, some of them are, for example, the grant to the Philharmonic Society is £12,000. Some of it is procured by organisers of events, which are not Government organised.





## 25

2

# HOA Question 481/2001

Misc		
£43.00	30-Sep-99	The Piazza{refreshment etc for team erecting bunting}
£7.00	30-Sep-99	F Azopardi{expenses refreshments for team erecting bunting}
£82.00	30-Sep-99	1st/4th Scout Troop{drinks for helpers-National Day}
£17.35	11-Oct-99	The Piazza{refreshment etc for team dismantling bunting}
£14.04	11-Oct-99	Saccone & Speed{drinks for National Day}
£150.00	11-Oct-99	P Ignacio & A Barbara{hire of jumping castle}
£65.00	11-Oct-99	F Trenado{food vouchers for helpers of National Day}
£175.00	14-Oct-99	Coq Dor{meals for Gibraltar Community Projects Ltd employees}
£20.00	14-Oct-99	F Azopardi{reimbursement of meal and drinks}
£106.00	14-Oct-99	O Valverde/Benatar{reimbursement of expenses ico Festival Week}
£8.84	18-Oct-99	Westex Gibraltar Ltd
£175.40	27-Oct-99	Coq Dor{refreshments & food}
£14.04	29-Nov-99	Saccone & Speed{drinks for Rock Concert}
£51.93	10-Aug-99	A Avellano-subsistence(Spain)('99)
£51.93	10-Aug-99	J Moreno-subsistence(Spain)('99)
£981.53		

NO. 482 OF 2001

THE HON DR J J GARCIA

**NATIONAL DAY - PAYMENT TO SDGG**

When and for what purpose was £8087.82 paid to the Self-Determination for Gibraltar Group (SDGG) further to the answer to Question No. 12 of 2001?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Two payments were made on the 3<sup>rd</sup> September and 8<sup>th</sup> September 1999 to the Self Determination for Gibraltar Group in respect of Government's contributin to the visiting Spanish delegation. The amount covered travel costs and accommodation.

NO. 483 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state how many persons aged between 60 and 65 are receiving the old level of Social Assistance as at the end of March, and the maximum weekly payment?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 484 to 486 of 2001.

ORAL

NO. 484 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state how many persons aged 65 and over, are receiving the old level of Social Assistance as at the end of March and the maximum weekly payment?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 483 and 485 to 486 of 2001.

NO. 485 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state of the persons that have qualified for the £85 Social Assistance, for persons of pensionable age, how many are receiving the £85 and what is the number of persons receiving lesser amounts in bands of £5, from £80 to £5 per week?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question Nos. 483, 484 and 486 of 2001.

NO. 486 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state of the persons that have qualified for the £110 Social Assistance, for persons of pensionable age, how many are receiving the £110, and what is the number of persons receiving lesser amounts in bands of £5, from £105 to £5 per week?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

I can confirm that five persons aged between 60 and 65 are receiving the old level of Social Assistance as at the end of March. The maximum weekly payment is £29.10 for a single person and £50.20 for a married couple. Additional weekly allowances are payable depending on the circumstances of each case.

I can confirm that 11 persons aged 65 and over are receiving the old level of Social Assistance as at the end of March. The maximum weekly payment is £38.30 for a single person and £56.30 for a married couple. Additional weekly allowances are payable depending on the individual circumstances of each case.

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

SUPPLEMENTARY TO QUESTION NOS. 483 TO 486 OF 2001

HON J J BOSSANO:

Is it the case that the five persons from 60 to 65 and the 11 over 65 are still on the old level of Social Assistance because they are not living alone? Is that what has prevented them on being in the new level?

HON MRS Y DEL AGUA:

That is correct.

HON J J BOSSANO:

Is any account taken of the nature of the income of the person they are living with? If one has two persons on Social Assistance for example, does that make any difference?

HON MRS Y DEL AGUA:

Since we last talked about this in the last meeting of the House, Government have decided to adopt the policy that the living alone rule shall not apply if the person applying for the minimum income guarantee is living with a person who:-



- (a) Is in receipt of a handicapped persons allowance and has no other source of personal income.
- (b) Is severely ill or permanently incapacitated and has been in receipt of Social Assistance for over one year immediately preceding the date of application.
- (c) Is unemployed and has been in receipt of Social Assistance for over two years, and, in the opinion of the Director, has no reasonable prospect of obtaining employment in Gibraltar.

HON J J BOSSANO:

In the light of that answer, are the figures that I have been given of five and 11 after the implementation of that policy or are these cases due to be reviewed in the line of that subsequent decision?

HON MRS Y DEL AGUA:

I am afraid I am not really sure. I will have to find out. But I suspect it is before.

HON J J BOSSANO:

The 16 are before the new policy?

HON MRS Y DEL AGUA:

I suspect so, but I will have to confirm this.

Minimum Income Guarantee

Allowed cases as at 24 April 2001

X £5

				ALL		COUPLES		SINGLES
				No.		No.		No.
	£110.00			2		2		nil
From	£105.00	To	£100.00	nil		nil		nil
From	£100.00	To	£95.00	nil		nil		nil
From	£95.00	To	£90.00	nil		nil		nil
From	£90.00	To	£85.00	nil		nil		nil
	£85.00			8		nil		8
From	£80.00	To	£75.00	nil		nil		nil
From	£75.00	To	£70.00	1		nil		1
From	£70.00	To	£65.00	nil		nil		nil
From	£65.00	To	£60.00	37		nil		37
From	£60.00	To	£55.00	1		nil		1
From	£55.00	To	£50.00	nil		nil		nil
From	£50.00	To	£45.00	8		1		7
From	£45.00	To	£40.00	8		nil		8
From	£40.00	To	£35.00	14		nil		14
From	£35.00	To	£30.00	12		2		10
From	£30.00	To	£25.00	16		1		15
From	£25.00	To	£20.00	32		nil		32
From	£20.00	To	£15.00	21		nil		21
From	£15.00	To	£10.00	165		3		162
From	£10.00	To	£5.00	20		2		18
Under	£5.00			36		15		21
				381		26		355

NO. 487 OF 2001

THE HON J J BOSSANO

**SOCIAL ASSISTANCE**

Can Government state how many Social Insurance contribution quarterly schedules have been issued to employers in respect of employees for the first and second quarter of the current year?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Answered together with Question No. 488 of 2001.

NO. 488 OF 2001

THE HON J J BOSSANO

**SOCIAL INSURANCE**

Can Government state how many Social Insurance contribution quarterly schedules for self-employed persons have been issued in respect of the first quarter and the second quarter of the current year?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

In the first quarter of 2001, 20, 765 contribution schedules were issued to employers in respect of employees. Contribution schedules in respect of the second quarter are still being processed. I can say that as at 24<sup>th</sup> April 2001, 12,102 have already been issued.

Contribution schedules issued for self-employed persons in respect of the first and second quarters of 2001 were 929 and 925 respectively.

SUPPLEMENTARY TO QUESTION NOS. 487 AND 488 OF 2001

HON J J BOSSANO:

The 929 issued in the first quarter, was that based on the position as at December under the old system?

HON MRS Y DEL AGUA:

I do not think I understand the hon Member's question.

HON J J BOSSANO:

Up to December 2000, both self-employed and employees had the insurance cards which they exchanged. I am asking, "Is the 929 of the first quarter the result of the exchange of cards that came in from December?"

HON MRS Y DEL AGUA:

No. The exchange of cards is not taken into account in this figure.

HON J J BOSSANO:

How has the department gone about identifying the people who should be issued with this under the new system?

HON MRS Y DEL AGUA:

Every ledger that has been entered into the new computer system, the active files, everybody within those active files have been issued with a schedule taking into consideration that we assume that they are still in employment.

HON J J BOSSANO:

Surely that is based on the insurance cards that were due to be exchanged in January under the system of the Social Insurance cards, which was my original question.

HON CHIEF MINISTER:

The system could include people that have not exchanged cards for longer. Basically this is now like the Income Tax system where the Commissioner just sends out returns to anyone that he thinks is liable to tax. The DSS is now doing the same thing with these schedules.

HON J J BOSSANO:

The 929 of the first quarter, which is how the system started, is not necessarily an indication that there were 929 people self-employed at the end of December 2000.

HON MRS Y DEL AGUA:

No, it is not necessarily a precise indication of the number of people in employment. I can say that under the manual system insurance records were kept in the active ledgers for nearly two consecutive years, after an insured person terminated employment. Consequently a proportion of the schedules issued will be in respect of persons who terminated employment in 1999 or the year 2000. The same applies to schedules issued to self-employed people.

HON J J BOSSANO:

The numbers then issued in the first quarter reflect people who had an insurance record either in the year 2000 or in 1999, but people who do not appear in the old insurance cards after 1998 are the ones that are removed?

HON MRS Y DEL AGUA:

That is correct.

HON J J BOSSANO:

In the case of the second quarter, is that simply a repetition of the ones that have been issued before? Are these schedules re-issued every quarter?

HON MRS Y DEL AGUA:

Based on what is returned to us, we will be able to judge whether some employees have changed employment and are no longer in employment with the employer we issued the schedule to as and when we receive the schedules back. In the third quarter we will be in a better position to identify those in actual employment with that particular employer or otherwise.

HON J J BOSSANO:

My question is of the figures that we have been given as to what was issued in the first quarter and what was issued in the second quarter, are the ones issued in the second quarter a repetition of the ones of the first quarter?

HON MRS Y DEL AGUA:

Yes. Unless in the interim we have received notification from the employer that that employee is no longer working with them, in which case we would not re-issue in the second quarter for that particular employee.

HON J J BOSSANO:

In the case of the self-employed the figure was 929 in the first quarter and then 925 in the second quarter, so the second quarter has four less. That could be that there could have been people coming into self-employment in the second quarter who were not in the first and an even bigger drop from the first? This is a net figure.

HON MRS Y DEL AGUA:

It could be.

HON J J BOSSANO:

In the case of the employees, the position is that the employers are required to return the completed schedule at the quarter following the one in which they are issued or in the same quarter?

HON MRS Y DEL AGUA:

At the end of each quarter.

HON J J BOSSANO:

At the moment it is too early to tell what kind of return the Minister is going to get from the first quarter?

HON MRS Y DEL AGUA:

Exactly. It is difficult to judge at this moment in time.

ORAL

NO. 489 OF 2001

THE HON J J BOSSANO

**ELDERLY CARE AGENCY**

What was the estimated cost per bed in the Elderly Care Agency in the last financial year?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The estimated weekly cost of running the Elderly Care Agency in the last financial year divided by the number of beds was £504.

NO. 490 OF 2001

THE HON J J BOSSANO

**COMMUNITY CARE LTD**

Can Government say how many community officers employed by Community Care Ltd have applied for the Social Assistance Minimum Income for pensioners, how many such applications have been successful and the level of supplementary income granted?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

I can confirm that 15 community officers employed by Community Care Ltd have applied for the Minimum Income Guarantee since this benefit was introduced. Only three applicants were eligible for this benefit at the rate of £20.00, £32.45 and £33.20 respectively. At present there is only one community officer receiving Minimum Income Guarantee as the other two, although still in receipt of this benefit, have attained the age of 65 and are no longer community officers.



ORAL

NO. 491 OF 2001

THE HON J L BALDACHINO

**MOROCCAN NATIONALS EMPLOYED**

Can Government state of the Moroccan nationals employed in the first quarter of 2001, how many were new entrants to the local labour market giving a breakdown for each month?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

None.

ORAL

NO. 492 OF 2001

THE HON J L BALDACHINO

**NON-EEC NATIONALS EMPLOYED**

Can Government state of the 33 other non-EEC persons employed in the fourth quarter of last year how many were new entrants to the local labour market giving a breakdown by nationality and job title?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question No. 493 of 2001.

NO. 493 OF 2001

THE HON J L BALDACHINO

**NON-EEC NATIONALS EMPLOYED**

Can Government state of the 29 other non-EEC persons employed in the third quarter of last year how many were new entrants to the local labour market giving a breakdown by nationality and job title?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

SUPPLEMENTARY TO QUESTION NOS. 492 AND 493 OF 2001

HON J L BALDACHINO:

I presume that all these nationals do require work permits?

HON H A CORBY:

Yes they do.

HON J L BALDACHINO:

When we have something like medical, are they recruited by the Gibraltar Health Authority?

HON H A CORBY:

Mostly they are recruited by the Health Authority.

HON J L BALDACHINO:

The Minister has put down as a professional trade 'skilled', is it that they are skilled in a particular trade or what does it mean?

HON H A CORBY:

I do not have that information with me but I will certainly look at what 'skilled' means and what the trade is.

HON CHIEF MINISTER:

It is usually related to the Finance Centre type activities and REP status.

### Answer to Question 493 of 2001

Non EEC Nationals, new entrants into the Labour Market

3 <sup>rd</sup> Quarter 2000	Nationality	Profession Trade
	Indian	Clerical
	Indian	Domestic
	Bangladeshi	Retail
	Indian (3)	Professional
	Jamaican	Professional
	Russian (2)	Managerial
	Indian	Semi Skilled
TOTAL		10

4 <sup>th</sup> Quarter 2000	Nationality	Profession Trade
	Argentine	Managerial
	Swiss	Managerial
	Columbian	Professional
	Sri Lankan	Medical
	Russian (2)	Managerial
	Swiss	Managerial
	U S A	Managerial
	Singaporean (2)	Skilled
	Hong Kong	Skilled
	Malaysian (4)	Skilled
	Czech	Skilled Trader
	Swiss	Managerial
	Hong Kong	Managerial
	Brazilian	Managerial
	Trinidad Tobago	Catering
TOTAL		20

NO. 494 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT REGULATIONS (OFFENCES) ORDINANCE**

Can Government state how many fixed penalties have been imposed on employers, in respect of how many employees in each month of February and March 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

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule which I now hand over to him.

SUPPLEMENTARY TO QUESTION NO. 494 OF 2001

HON J L BALDACHINO:

In February the number of inspections carried out was 20 and there is only one fixed penalty notice issued. Does that mean that out of the 20 inspections only one actually failed?

HON H A CORBY:

That is correct. The hon Member will find that in March six penalty notices were paid. That was in respect of the February one because it was issued at the end of February.

HON J L BALDACHINO:

In March out of the 16 inspections, nobody was actually breaking the law?

HON H A CORBY:

That is correct.

HON J J BOSSANO:

Given that in the first three months of this year, what we have is that out of 18 inspections in January, 20 in February and 16 in March, only on one occasion was there an infringement. Are the Government then satisfied that there is no longer any illegal labour in Gibraltar.

HON H A CORBY:

No, the Government are not and is very vigilant. I think that the message is getting through to the employers out there.

HON J J BOSSANO:

So the answer is yes. You have stuffed it out?

HON H A CORBY:

No, I have not stuffed it out. The inspectors do go in and now people are aware that they are there and that the fines are there as well.

HON J J BOSSANO:

The inspectors do not seem to be catching anybody, that is the point.

HON CHIEF MINISTER:

This has had the desired effect, it is a deterrent, whereas before out of this number of inspections would have yielded more infractions, now the same number of inspections offers much fewer infractions and the reason is because there is a much higher incidence to compliance now, which is not to say it has been eradicated. There is no doubt that there is now a much higher incidence of compliance than there used to be and to that extent this which was always supposed to be a deterrent rather than a revenue raising measure, appears to be showing signs of having succeeded.

HON J L BALDACHINO:

All these inspections are being carried out by the Employment Agency?

HON H A CORBY:

By the inspectors in the Employment Agency.

HON J L BALDACHINO:

If I understood correctly when the Bill was brought to the House, there would be other inspectors in other departments, is that correct or is that not happening?

HON H A CORBY:

No, there are no others.

HON J L BALDACHINO:

How many inspectors are employed by the Employment Agency?

HON H A CORBY:

Four.

HON CHIEF MINISTER:

The point that the hon Member may have been thinking about is that these inspectors also police other legislation as opposed to being other inspectors policing this legislation, the other way around.

HON J J BOSSANO:

Are these inspections as a result of somebody bringing to the notice possible infractions to the ETB or are these random?

HON H A CORBY:

Some are random and some are whistle blowing. If anybody sees a person who is illegally employed they come or they telephone the department.

HON J L BALDACHINO:

I suppose that the inspections that are carried out are carried out in all spectrums of business in Gibraltar, it is not just one area, it is a wider spectrum?

HON H A CORBY:

By sectors or by industry groups.

HON J J BOSSANO:

Is the Minister in a position to say whether the one case that was found was actually one that had been reported or at random?

HON H A CORBY:

This one was at random.

## **Answer to Question 494 of 2001**

### **January 2001**

Number of inspections carried out was 18.

No Fixed Penalty Notices were issued.

No Fixed Penalty Notices were paid.

No Pending cases with the Attorney General.

### **February 2001**

Number of inspections carried out was 20.

1 Fixed Penalty Notice was issued.

No Fixed Penalty Notices were paid.

No Pending cases with the Attorney General.

### **March 2001**

Number of inspections carried out was 16.

No Fixed Penalty Notices were issued.

1 Fixed Penalty Notice was paid.

No Pending cases with the Attorney General.

The provisions are as follows:

- 1) Regulation 3 of the Employment Injuries (Contributions) Regulations (Duty to Register).
- 2) Regulation 3 of the Employment Injuries (Contributions) Regulations as applied by Regulation 4(1) of the Social Security (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).



NO. 495 OF 2001

THE HON J L BALDACHINO

**WORK PERMITS**

Can Government state the number of work permits issued from 1<sup>st</sup> February 2001 to the end of March 2001 giving a breakdown for each month by occupation, sex and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

# Answer to Question 495 of 2001

Work Permits issued in the 1<sup>st</sup> Quarter of 2001

Jan 01	American		Indian		Mor		Can		Chinese		Russian		Swiss		Jamaican		Pakistanese		Other		Totals
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Managerial	1																		1		2
Professional	1						1	1													3
Medical																					0
Clerical	1	1		1					1												4
Semi-Skilled					2																2
Domestic						3															3
Catering					2																2
Skilled					8														2		10
Director			2								1										3
Totals	3	1	2	1	12	3	1	1	1		1								2	1	29

Feb 01	American		Indian		Mor		Can		Chinese		Russian		Swiss		Jamaican		Pakistanese		Other		Totals
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Managerial											1		1								2
Professional																			1		1
Medical																			1		1
Clerical																					0
Semi-Skilled					3										1						4
Domestic					1															1	2
Catering					3														1		4
Skilled					25																25
Director					1															1	2
Totals					33						1		1		1				3	2	41

Contd.....

Contd Answer to Question 495 of 2001

March 01	American		Indian		Mor		Can		Chinese		Russian		Swiss		Jamaican		Pakistanese		Other		Totals
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
Managerial																	1				1
Professional																					0
Medical																					0
Clerical											1										1
Semi-Skilled			1		1																2
Domestic						1															1
Catering					5																5
Skilled					4																4
Director																					0
Totals			1		10	1					1						1				14

NO. 496 OF 2001

THE HON J L BALDACHINO

**LABOUR ADVISORY BOARD**

Can Government explain why the Labour Advisory Board did not meet from December 1999 to August 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

As I already explained in relation to Question No. 64 of 2001 by the Hon Dr Joseph Garcia, the Labour Advisory Board did not meet from December 1999 to August 2000 owing to two main factors.

Firstly, after the November 1999 meeting the next bimonthly meeting would have been scheduled for January 2000, when the elections were close at hand.

Secondly, when I was appointed Minister for Employment in March 2000 it was only natural that I should familiarise myself with employment matters generally and with the workings of the department before I convened a meeting of the Labour Advisory Board.

Hence the next meeting of the Board having been held in September 2000.

NO. 497 OF 2001

THE HON J L BALDACHINO

**VACANCIES REGISTERED WITH THE EMPLOYMENT AGENCY**

Can Government give a breakdown by month of vacancies registered with the Employment Agency, showing how many of these were for part-time employment for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarter of last year?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Government can only provide the requested information for the 3<sup>rd</sup> quarter of 2000, as it already did for the 4<sup>th</sup> quarter in answer to Question No. 35 of 2001. It is only with the introduction of the new Profile 2000 system last July that such information is readily available. Information relating to the 1<sup>st</sup> and 2<sup>nd</sup> quarters of 2000 would require a disproportionate administrative effort, given that it could not be undertaken by the computer system in place before the introduction of Profile 2000.

The extensive, factual and statistical information requested by the hon Member in relation to the 3<sup>rd</sup> quarter of 2000 only is set out in the written schedule that I now hand to him.

Answer to Question 497 of 2001

Registered vacancies for 3<sup>rd</sup> Quarter of 2000.

	Total No. of Vacancies Registered	Total No. of Vacancies Registered for P/T Employment
JULY	631	143
AUGUST	522	94
SEPTEMBER	435	78

ORAL

NO. 498 OF 2001

THE HON J L BALDACHINO

**VACANCIES FILLED**

Can Government state of the vacancies filled in the 1<sup>st</sup> quarter of 2001 how many were for part-time employment giving a breakdown by sex and age for each month?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

Answer to Question of 498 of 2001

Part-time employment in the 1<sup>st</sup> Quarter of 2001.

	MALE			FEMALES			Total
	Under 18	18-24	Over 25	Under 18	18-24	Over 25	
Jan	1	6	11	2	11	25	56
Feb	1	4	9	5	26	37	82
Mar	0	1	10	1	6	15	33
Total	2	11	30	8	43	77	171



NO. 499 OF 2001

THE HON J L BALDACHINO

**TERMS OF ENGAGEMENT**

Can Government state how many Terms of Engagements were registered with the Employment Agency

- (a) on 30<sup>th</sup> January 2001;
- (b) on 28<sup>th</sup> February 2001;
- (c) on 31<sup>st</sup> March 2001?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The number of Notice of Terms of Engagements registered with the Employment Service is as follows : -

as at 31 <sup>st</sup> January 2001,	18213;
as at 28 <sup>th</sup> February 2001,	18320;
and as at 31 <sup>st</sup> March 2001,	18398.

These figures include directors and self-employed.

SUPPLEMENTARY TO QUESTION NO. 499 OF 2001

HON J L BALDACHINO:

Has the Minister got the figures that excludes .....

HON H A CORBY:

They are as follows : -

as at 31 <sup>st</sup> January 2001,	15106;
as at 28 <sup>th</sup> February 2001,	15202;
and as at 31 <sup>st</sup> March 2001,	15275.

HON J L BALDACHINO:

These are Terms of Engagements that are still opened with the ETB?

HON H A CORBY:

Yes.

ORAL

NO. 500 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT CONTRACTS TERMINATED**

Can Government give a breakdown by nationality and industry for each month from January 2001 to March 2001 in respect of employment contracts terminated?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 501 to 505 of 2001.

NO. 501 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government give a breakdown by month of male and female unemployed Gibraltarians aged 18 and over from the 1<sup>st</sup> February 2001 to 31<sup>st</sup> March 2001 receiving

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

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 500 and 502 to 505 of 2001.

NO. 502 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state if they are now in a position to give an answer to Question No. 37 of 2001 which read, "Can Government state of persons registered as unemployed at the end of December 2000, how many of those so registered had been unemployed for more than six months giving a breakdown by age and sex?"

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 500, 501 and 503 to 505 of 2001.

NO. 503 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the persons registered unemployed for more than six months as at the end of December 1999 how many of those are still registered with the Employment Agency as unemployed giving a breakdown by age and sex?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 500 to 502 and 504 and 505 of 2001.

NO. 504 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF UNEMPLOYED**

Can Government state of the Gibraltarians registered as unemployed with the Employment Agency as at the 1<sup>st</sup> quarter of 2001 how many were registered as looking for part-time jobs giving a breakdown for each month and by sex and age?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 500 to 503 and 505 of 2001.

ORAL

NO. 505 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - NUMBER OF GIBRALTARIANS**

Can Government state of the Gibraltarians employed in the 1<sup>st</sup> quarter of 2001 how many were registered with the Employment Agency giving a breakdown for each month by age and sex?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

# Answer to Question 500 of 2001

Employment Contracts Terminated by Nationality & Industry for January – March 2001																		
Industry	January						February						March					
	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH
Shipbldg, repair etc.							5	1	3	1			4	3	18		3	1
M/f of food, & tobacco																		
Printing & publishing	2						2	2					6		1			
M/f n.e.c.(clothing etc)							1			1								
Biding & construction	9	16	9	6	1		18	6	16	12	1		18	15	30	4	1	1
Electricity supply													1	1				
Water supply	1																	
Sea transport/shipping	5	3	1	1			2		1	1	1		4		1			
Port & services							1											
Road transport				2														
Post & telecomm.	1							2					2					
Air transport & related																		
W/sale food, drink	1			2			1		2						1			
W/sale fuel									1									
W/sale n.e.c.	4		2				1	1	1				1	1		1		
Retail –food	11		4	1		2	11	3	4	1	1	1	11	5	4	1		
Retail-drink & tobacco			1						1									
Ret.-clothing, footwear	5	1	2				2		2				1		1			
Retail – h/hold goods	2	1	1				1						2	1				
Retail – n.e.c.	12	3	7	3	1	2	8	2	11		1	1	12	5	9	1		1
Hotels,hostels,g/houses	2	3		2	3		3	1	3		2		7	1	2	1		
Restaurants, cafes etc	10	6	9	4	1	1	6	11	13	4	1	1	5	7	11	2	2	
Bars(lic to sell alcohol)	4	1	1				2	3					2	3	3			
Tourist svcs n.e.c.	6	1	1				1	2					3	1	1			
Banking & finance	5	3				2	7		1		2	1	7	1			2	1
Insurance & real estate	4						7	3			1		3					1
Legal,account,other svc	8	3	2		1	1	6	7	3	5			14	4	4		1	1
Public admin	21	1					9						14					
Education services		1											3					
Medical/health services	2												3					2
Welfare,charity,rel svcs	2	1					3	1					3					
Entertainment & sport	6	13	2	1			5	4			1	1	6	1			1	
Repairs-consumer good	4	1	3				1	1	2				7	2	1	2		
Police/fire services	4	2					2	2	1				3	2	1			
Defence	3			1			6						2					
Sanitary services																		
Services n.e.c.	16	11	3	4		1	10	7	2	3	2		17	6	2	3		



Answer to Question 501 of 2001

Breakdown of unemployed Gibraltarians, over 18, receiving payments from 1 January 2001 to 31 March 2001.

	Unemployment Benefit		Social Assistant		No Payment		Total	
	Male	Female	Male	Female	Male	Female	Male	Female
Jan 01	36	26	91	35	75	64	202	125
Feb 01	42	21	95	36	59	68	196	125
Mar 01	49	32	92	39	47	58	188	129

## Answer to Question 502 of 2001

Number of persons registered as unemployed as at December 2000, and who had been unemployed for more than 6 months by age and sex.

	Male	Female	Total
Under 18	1	4	5
18 - 24	6	4	10
Over 24	55	21	76
Total	62	29	91

Answer to Question 503 of 2001

Persons registered unemployed for over 6 months in December 1999, still registered in March 2001.

	Under 18	18 - 24	Over 25
Females	0	1	5
Males	0	1	20

Answer to Question 504 of 2001

Unemployed Gibraltarians registering for Part-time in the 1<sup>st</sup> Quarter

Jan 01		Male	Female	Total
	Under 18	0	0	0
	18 – 24	0	5	5
	Over 25	1	23	24
	Total	1	28	29

Feb 01		Male	Female	Total
	Under 18	0	0	0
	18 – 24	0	6	6
	Over 25	0	22	22
	Total	0	28	28

March 01		Male	Female	Total
	Under 18	0	0	0
	18 – 24	0	4	4
	Over 25	0	21	21
	Total	0	25	25

# Answer to Question 505 of 2001

Registered Unemployed Gibraltarians employed during the 1<sup>st</sup> Quarter of 2001.

JANUARY 2001			
	MALE	FEMALE	TOTAL
Under 18	0	6	6
18 - 24	13	7	20
Over 25	3	6	9
TOTAL	16	19	35

FEBRUARY 2001			
	MALE	FEMALE	TOTAL
Under 18	4	3	7
18 - 24	10	6	16
Over 25	11	6	17
TOTAL	25	15	40

MARCH 2001			
	MALE	FEMALE	TOTAL
Under 18	4	3	7
18 - 24	13	8	21
Over 25	13	11	24
TOTAL	30	22	52

NO. 506 OF 2001

THE HON J L BALDACHINO

**BRITISH NATIONALS EMPLOYED**

Can Government state of the British nationals employed on the 1<sup>st</sup> quarter of 2001 how many were new entrants to the local labour market giving a breakdown for each month?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 507 and 508 of 2001.

NO. 507 OF 2001

THE HON J L BALDACHINO

**SPANISH NATIONALS EMPLOYED**

Can Government state of the Spanish nationals employed in the 1<sup>st</sup> quarter of 2001 how many were new entrants to the local labour market giving a breakdown for each month?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 506 and 508 of 2001.

NO. 508 OF 2001

THE HON J L BALDACHINO

**NON-EEC NATIONALS EMPLOYED**

Can Government state of the non-EEC nationals employed in the 1<sup>st</sup> quarter of 2001 how many were new entrants to the local labour market giving a breakdown for each month?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

SUPPLEMENTARY TO QUESTION NOS. 506 TO 508 OF 2001

HON J L BALDACHINO:

In the month of March, it looks like there is a bigger influx of Spanish nationals as new entrants, is there a reason for that than what normally is the trend in any other month?

HON H A CORBY:

I think it is the trend, it fluctuates. At times we have construction companies coming in and new entrants to the labour market, so it fluctuates from one month to the other.



Answer to Question 508 of 2001

New Entrants to the Local Labour Market in the 1<sup>st</sup> Quarter of 2001

	British Nationals	Spanish Nationals	Non-EEC Nationals	Total
Jan 01	52	47	1	100
Feb 01	47	40	6	93
March 01	42	57	6	105

ORAL

NO. 509 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - DETACHED WORKERS**

Can Government state the number of workers that were registered with the Employment Agency as "Detached Workers" from January to December 2000 giving a breakdown for each month, their trade and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 510 of 2001.

NO. 510 OF 2001

THE HON J L BALDACHINO

**EMPLOYMENT - DETACHED WORKERS**

Can Government state the number of workers that were registered with the Employment Agency as "Detached Workers" in the 1<sup>st</sup> quarter of 2001 giving a breakdown for each month, their trade and nationality?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedules that I now hand to him.

SUPPLEMENTARY TO QUESTION NOS. 509 AND 510 OF 2001

HON J L BALDACHINO:

Seeing that the majority are from a particular nationality, does this mean that most of them are persons that are employed in ship yards and construction work?

HON H A CORBY:

Yes, that is correct. There are also special people, I will give an example, they need to build a steel structure and they have not got the manpower to do it, then the detached worker comes along contracted by whatever firm, they do the work and then they leave.

HON J L BALDACHINO:

They come and go.

HON J J BOSSANO:

In the figures that have been given of Terms of Employment registered, are the detached workers included or are these in addition to those figures?

HON H A CORBY:

I think that they are included.

HON J L BALDACHINO:

When a company brings in a detached worker for a short period of time, is the company required to open the vacancy at the ETB or do they inform the ETB and the ETB registers the worker.

HON H A CORBY:

There is a procedure of notification of temporary appointment. There is a form which has to be signed and the application must be completed and sent to the ETB not later than five days before the commencement of the employment, it is Form 101 and the fee is £20 each.

HON J L BALDACHINO:

I am asking the question because of the answer the Minister has given to the Leader of the Opposition. In the question of where vacancies are open, is it that these vacancies have to be opened under the law, or is it that they are not opened, because it does make a difference. If the hon Member is telling us that these vacancies are being opened and we receive it as opened, is that the case because I am not sure, I do not think that the case was that they had to open the vacancy but simply that they had to ask permission.

HON H A CORBY:

They do not need to open a vacancy, but they have to register for it.

HON J L BALDACHINO:

It will not be shown as vacancies open when we get the provision, neither will it show as vacancies filled.

HON H A CORBY:

It is vacancies filled.

HON J L BALDACHINO:

When the Minister provides us with vacancies open for each month and then the Minister provides us with vacancies filled, are these shown in any of the two?

HON H A CORBY:

Vacancies filled is within the month.

HON J L BALDACHINO:

If the workers come in for a short time and they do not need to open a vacancy, all they have to do is get permission from the Employment Agency to get the workers in who have to conform to certain regulations as the law sees fit, after that they leave, therefore they are not registering the vacancy because they are not going to fill it up with anybody. If those vacancies are shown when we get vacancies open and also shown as vacancies filled this will not be as the the Minister has said.

HON H A CORBY:

I am told that they are.

HON J J BOSSANO:

The persons that are shown on this list are people who are paying social insurance in another EU State, is that correct? And they do not have to be necessarily EU nationals, is that right?

HON H A CORBY:

They can be employees of companies. For example, shipping, they can have their own workforce here for a certain amount of time and then they go back.

HON J J BOSSANO:

Given that if they are non-EU nationals they require a work permit, is there a different procedure if the detached worker is an EU national as opposed to a non-EU national?

HON H A CORBY:

I need to check that out, I am not sure about that.

HON J J BOSSANO:

In the case of the ship yard, have they been paying this £20 fee for every detached worker that they bring in?

HON H A CORBY:

Yes.

Detached workers registered from January to December of 2000.

JANUARY 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			14		14
British			1		1
Other EEC					0
Other Non EEC					0
Moroccan					0
TOTAL			15		15

FEBRUARY 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			39		39
British	3		5		8
Other EEC			12		12
Other Non EEC					0
Moroccan					0
TOTAL	3		56		59

MARCH 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			15	4	19
British	7		9		16
Other EEC	2				2
Other Non EEC					0
Moroccan					0
TOTAL	9		24	4	37

APRIL 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish	5		42	2	49
British		5			5
Other EEC					0
Other Non EEC					0
Moroccan					0
TOTAL	5	5	42	2	54

MAY 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			30		30
British		5			5
Other EEC			16		16
Other Non EEC					0
Moroccan					0
TOTAL		5	46		51

JUNE 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			50		50
British					0
Other EEC			32		32
Other Non EEC					0
Moroccan					0
TOTAL			82		82

JULY 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			20	2	22
British	2				2
Other EEC					0
Other Non EEC					0
Moroccan					0
TOTAL	2		20	2	24

AUGUST 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish	1		41		42
British			1		1
Other EEC					0
Other Non EEC					0
Moroccan					0
TOTAL	1		42		43

SEPTEMBER 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			39	7	46
British	4	1	7		12
Other EEC			16		16
Other Non EEC					0
Moroccan					0
TOTAL	4	1	62	7	74

OCTOBER 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			34		34
British			5		5
Other EEC					0
Other Non EEC					0
Moroccan					0
TOTAL			39		39

NOVEMBER 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			24	24	48
British			9	1	10
Other EEC			3		3
Other Non EEC					0
Moroccan					0
TOTAL			36	25	61

DECEMBER 2000					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			22	6	28
British					0
Other EEC			6		6
Other Non EEC					0
Moroccan					0
TOTAL			28	6	34



Contd. Answer to Question 510 of 2001

Answer to Question 510 of 2001

Detached workers registered in the 1<sup>st</sup> Quarter of 2001

JANUARY 2001					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish		5	29	5	39
British	1				1
Other EEC	6				6
Other Non EEC					0
Moroccan					0
TOTAL	7	5	29	5	46

FEBRUARY 2001					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish		11	46	3	60
British	3		15		18
Other EEC			3		3
Other Non EEC					0
Moroccan					0
TOTAL	3	11	64	3	81

MARCH 2001					
NATIONALITY	TRADE				
	Professional	Semi Skilled	Skilled	Manual	Total
Spanish			32		32
British			2		2
Other EEC			2		2
Other Non EEC			3		3
Moroccan					0
TOTAL			39		39

ORAL

NO. 511 OF 2001

THE HON J J BOSSANO

**CAMMELL LAIRD**

Can Government state how many persons were employed by Cammell Laird, or alternatively, in the shipping industry as at the end of December 2000 and how many of these were Gibraltarian?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Persons employed in the Shipping Industry as at the end of December 2000 were 253 of which 117 were Gibraltarian.

NO. 512 OF 2001

THE HON J J BOSSANO

**CAMMELL LAIRD**

Can Government give a monthly breakdown of the vacancies for casual workers opened with the ETB by Cammell Laird or alternatively, in the shipping industry in the years 1999 and 2000?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

SUPPLEMENTARY TO QUESTION NO. 512 OF 2001

HON J J BOSSANO:

Would these casual workers vacancies include the detached workers of which we had an answer previously or would they be local?

HON H A CORBY:

They only include the local ones.

HON J J BOSSANO:

In addition to this they would also be opening and closing vacancies which were essentially casual but for a fixed term, is that correct?

HON H A CORBY:

That is correct.

# Answer to Question 512 of 2001

Vacancies for Casual Workers opened by Cammell Laird in 1999 and 2000

Year 1999	Month	No. of Casual Workers
	Jan	0
	Feb	19
	Mar	2
	Apr	2
	May	13
	Jun	2
	July	0
	Aug	7
	Sept	15
	Oct	14
	Nov	43
	Dec	0

Year 2000	Month	No. of Casual Workers
	Jan	7
	Feb	12
	Mar	15
	Apr	14
	May	17
	Jun	15
	July	0
	Aug	8
	Sept	11
	Oct	4
	Nov	1
	Dec	7

NO. 513 OF 2001

THE HON J J BOSSANO

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown by nationality of the numbers employed full-time and part-time in the official and private sector in respect of the October 1998 Employment Survey?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 514 to 516 of 2001.

NO. 514 OF 2001

THE HON J J BOSSANO

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown in respect of Table 11 of the 1998 Employment Survey Report, showing employment by the Gibraltar Government separate from employment by the MOD?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 513 and 515 to 516 of 2001.

NO. 515 OF 2001

THE HON J J BOSSANO

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown of full-time and part-time employment in respect of Table 12 of the October 1998 Employment Survey Report with respect to employment in the private sector?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

Answered together with Question Nos. 513 to 514 and 516 of 2001.

NO. 516 OF 2001

THE HON J J BOSSANO

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown of full-time and part-time employment in respect of Table 11 of the October 1998 Employment Survey Report, with respect to employment in the official sector?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

SUPPLEMENTARY TO QUESTION NOS. 513 TO 516 OF 2001

HON J J BOSSANO:

I would assume that the Health Authority would normally come under the Gibraltar Government. Would something like GBC be included in the Gibraltar Government Sector under public sector in these tables?

HON H A CORBY:

I suspect but I am not sure.

HON J J BOSSANO:

Would the Minister be able to confirm to me once the Minister gets verification?

HON H A CORBY:

Yes.



Answer to Question 516 of 2001

Breakdown of persons employed in respect of October 1998 Employment Survey

	OFFICIAL		PRIVATE	
	FULL TIME	PART TIME	FULL TIME	PART TIME
Gibraltar	3219	372	4335	1100
British	167	16	1147	177
Moroccan	142		665	67
Spanish	11		770	137
Other EEC	13	1	175	23
Other Non EEC	13	3	187	34
TOTAL	3565	392	7279	1538

Contd Answer to Question 516 of 2001

Table 11: All Employee Jobs by Industry, Sex and Nationality, Gibraltar Government, October 1998

ALL SECTORS	ALL		GIB		UK		MOR		SPA		OTH EU		OTHER	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Shipbuilding														
Other Manuf														
Elect/Water Supply	102	4	97	4			2		3					
Construction	291	14	263	14	1		24				3			
Whole/Retail Trade														
Hotels/Restaurants														
Transp/Comms	88	25	86	25	2									
Fin Intermed														
Real Estate/Bus Ac														
Public Admin	683	282	612	274	55	8	9		1		6			
Education	190	361	175	353	13	8	2							
Health/Social Wrk	195	514	158	452	28	53	3	3			1	3	5	3
Other Services	45	16	43	15		1	2							
Total	1594	1216	1434	1137	99	70	42	3	4	0	10	3	5	3

Contd....

Contd Answer to Question 516 of 2001

Table 11: All Employee Jobs by Industry, Sex and Nationality, MoD, October 1998

ALL SECTORS	ALL		GIB		UK		MOR		SPA		OTH EU		OTHER	
	M	F	M	F	M	F	M	F	M	F	M	F	M	F
Public Admin	802	345	699	321	4	10	91	6	5	2	0	1	3	5
Total	802	345	699	321	4	10	91	6	5	2	0	1	3	5

Contd....

Contd Answer to Question 516 of 2001

Table 12 Full-Time Jobs by Industry, Sex and Nationality, Private Sector, October 1998

All Sectors	All		Gibraltarians		UK		Moroccan		Spanish		Other EU		Other	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	192	8	110	6	15	2	15	0	30	0	6	0	16	0
Other Manu.	123	56	64	38	13	10	31	1	11	5	2	0	2	2
Elec/Wtr Supply	114	12	93	12	7	0	9	0	3	0	2	0	0	0
Construction	1146	65	494	50	210	11	177	1	236	2	28	1	1	0
Whste/Retail Tr.	1301	681	744	491	159	98	172	6	136	64	22	9	68	13
Hotels/Restrnrs	346	183	66	45	49	50	123	37	78	39	13	10	17	2
Trans/Comm.	481	132	362	103	60	25	28	2	25	1	5	1	1	0
Fin. Intermed.	384	498	254	367	70	104	0	0	18	9	21	15	21	3
Real Est/Bus.Ac.	452	365	309	233	70	90	22	5	25	19	18	13	8	5
Public Admin	50	60	44	57	6	3	0	0	0	0	0	0	0	0
Education	3	24	3	19	0	4	0	0	0	1	0	0	0	0
Health/Social Wrk	18	125	12	96	3	18	1	3	2	7	0	1	0	0
Other Services	319	141	183	80	44	27	28	4	34	24	6	2	24	4
TOTAL	4929	2350	2738	1597	706	442	606	59	598	171	123	52	158	29

Contd Answer to Question 516 of 2001

Table 12 Part-Time Jobs by Industry, Sex and Nationality, Private Sector, October 1998

All Sectors	All		Gibraltarians		UK		Moroccan		Spanish		Other EU		Other	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	5	6	1	3	2	0	2	2	0	1	0	0	0	0
Other Manu.	4	8	1	7	1	1	2	0	0	0	0	0	0	0
Elec/Wtr Supply	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction	18	19	11	10	3	8	3	0	1	1	0	0	0	0
Whsle/Retail Tr.	111	401	55	288	13	41	14	5	20	46	1	5	8	16
Hotels/Restrnrs	37	79	15	21	5	30	4	6	12	15	1	2	0	5
Trans/Comm.	20	41	15	33	2	5	2	2	1	1	0	0	0	0
Fin. Intermed.	13	92	6	72	4	14	0	2	0	0	2	2	1	2
Real Est/Bus.Ac.	382	102	354	67	19	9	2	4	3	18	4	4	0	0
Public Admin	2	6	2	5	0	1	0	0	0	0	0	0	0	0
Education	5	26	5	18	0	4	0	0	0	2	0	2	0	0
Health/Social Wrk	2	48	2	39	0	7	0	0	0	1	0	0	0	1
Other Services	33	78	25	45	2	6	5	12	1	14	0	0	0	1
TOTAL	632	906	492	608	51	126	34	33	38	99	8	15	9	25

Contd.

Contd Answer to Question 516 of 2001

Table 12 All Private October 1998

All Sectors	All		Gibraltarians		UK		Moroccan		Spanish		Other EU		Other	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	197	14	111	9	17	2	17	2	30	1	6	0	16	0
Other Manu.	127	64	65	45	14	11	33	1	11	5	2	0	2	2
Elec/Wtr Supply	114	12	93	12	7	0	9	0	3	0	2	0	0	0
Construction	1164	84	505	60	213	19	180	1	237	3	28	1	1	0
Whsle/Retail Tr.	1412	1082	799	779	172	139	186	11	156	110	23	14	76	29
Hotels/Restnts	383	262	81	66	54	80	127	43	90	54	14	12	17	7
Trans/Comm.	501	173	377	136	62	30	30	4	26	2	5	1	1	0
Fin. Intermed	397	590	260	439	74	118	0	2	18	9	23	17	22	5
Real Est/Bus.Ac.	834	467	663	300	89	99	24	9	28	37	22	17	8	5
Public Admin	52	66	46	62	6	4	0	0	0	0	0	0	0	0
Education	8	50	8	37	0	8	0	0	0	3	0	2	0	0
Health/Social Wrk	20	173	14	135	3	25	1	3	2	8	0	1	0	1
Other Services	352	219	208	125	46	33	33	16	35	38	6	2	24	5
TOTAL	5561	3256	3230	2205	757	568	640	92	636	270	131	67	167	54

Contd Answer to Question 516 of 2001

Table 11 Full-Time Jobs by Industry, Sex and Nationality, Official Sector, October 1998

All Sectors	All		Gibraltarians		UK		Moroccan		Spanish		Other EU		Other	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Manu.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Elec/Wtr Supply	102	4	97	4	0	0	2	0	3	0	0	0	0	0
Construction	291	12	263	12	1	0	24	0	0	0	3	0	0	0
Whsle/Retail Tr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hotels/Restrnrs	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Trans/Comm.	86	23	84	23	2	0	0	0	0	0	0	0	0	0
Fin. Intermed.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Real Est/Bus.Ac.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Admin	1475	508	1301	484	59	12	100	6	6	2	6	0	3	4
Education	188	240	174	233	12	7	2	0	0	0	0	0	0	0
Health/Social Wrk	193	389	157	336	27	46	3	3	0	0	1	3	5	1
Other Services	45	9	43	8	0	1	2	0	0	0	0	0	0	0
TOTAL	2380	1185	2119	1100	101	66	133	9	9	2	10	3	8	5

Contd Answer to Question 51 6 of 2001

Table 11 Part-Time Jobs by Industry, Sex and Nationality, Official Sector, October 1998

All Sectors	All		Gibraltarians		UK		Moroccan		Spanish		Other EU		Other	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shipbuilding	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Manu.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Elec/Wtr Supply	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction	0	2	0	2	0	0	0	0	0	0	0	0	0	0
Whsle/Retail Tr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hotels/Restrnrs	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Trans/Comm.	2	2	2	2	0	0	0	0	0	0	0	0	0	0
Fin. Intermed.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Real Est/Bus.Ac.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Admin	10	119	10	111	0	6	0	0	0	0	0	1	0	1
Education	2	121	1	120	1	1	0	0	0	0	0	0	0	0
Health/Social Wrk	2	125	1	116	1	7	0	0	0	0	0	0	0	2
Other Services	0	7	0	7	0	0	0	0	0	0	0	0	0	0
TOTAL	16	376	14	358	2	14	0	0	0	0	0	1	0	3

Contd....



Contd Answer to Question 516 of 2001

Table 11 All Official October 1998

All Sectors	All		Gibraltarians		UK		Moroccan		Spanish		Other EU		Other	
	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
Shlpbuilding	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Other Manu.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Elec/Wtr Supply	102	4	97	4	0	0	2	0	3	0	0	0	0	0
Construction	291	14	263	14	1	0	24	0	0	0	3	0	0	0
Whsle/Retail Tr.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Hotels/Restrnrs	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Trans/Comm.	88	25	86	25	2	0	0	0	0	0	0	0	0	0
Fin. Intermed.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Real Est/Bus.Ac.	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Public Admin	1485	627	1311	595	59	18	100	6	6	2	6	1	3	5
Education	190	361	175	353	13	8	2	0	0	0	0	0	0	0
Health/Social Wrk	195	514	158	452	28	53	3	3	0	0	1	3	5	3
Other Services	45	16	43	15	0	1	2	0	0	0	0	0	0	0
TOTAL	2396	1561	2133	1458	103	80	133	9	9	2	10	4	8	8

NO. 517 OF 2001

THE HON J C PEREZ

**BUILDING AND WORKS DEPARTMENT**

Can Government confirm that their position is that they will not open negotiations with the Union over the report commissioned by them into the Buildings and Works Department until they have finalised the on-going negotiations with the Electricity Department?

ANSWER

THE HON THE MINISTER FOR HOUSING

The Government's position is not that stated in the question. The Government will initiate discussions with the Union in relation to the restructure and reform of the Buildings and Works Department when it is ready to do so.

SUPPLEMENTARY TO QUESTION NO. 517 OF 2001

HON J C PEREZ:

When does the Minister expect to be ready to do so?

HON J J NETTO:

This is something which I am not in a position to say when I will be ready. It is far too early in the day to say when I will be ready to do so.

HON J C PEREZ:

Can the Minister say how long the Minister has had the report he commissioned with him?

HON J J NETTO:

The hon Member knows from the previous answer by the Chief Minister, the Government had the report for a while in draft form.

HON J C PEREZ:

Does that mean that the non draft form of the official report has not yet arrived with the Government, is that the position?

HON J J NETTO:

I can confirm that the Government do have the report in the final form.

HON J C PEREZ:

How long have the Government had the report in its final form?

HON J J NETTO:

I know it is recently, but I would not like to say a date. I would daresay weeks but I would have to go and check it out. It is definitely after this same question was asked the last time.

NO. 518 OF 2001

THE HON DR R G VALARINO

**POST OF HOUSING MANAGER**

How long has the position of Housing Manager been vacant?

ANSWER

THE HON THE MINISTER FOR HOUSING

The position has been vacant since 8<sup>th</sup> January 2001. Since that date it has been filled on an acting basis.

SUPPLEMENTARY TO QUESTION NO. 518 OF 2001

HON DR R G VALARINO:

Is there any likelihood of the position being filled within the near future, because at the moment at least five Heads of Departments are on an acting capacity?

HON J J NETTO:

Obviously the vacancy will have to be filled at some time in the future. What I am not in a position to tell the hon Member is when the process will start.

ORAL

NO. 519 OF 2001

THE HON DR R G VALARINO

**GLACIS ESTATE - LIFTS**

Will Government state how many lifts have been installed at Glacis Estate and how many are operational?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 520 to 523 of 2001.

ORAL

NO. 520 OF 2001

THE HON DR R G VALARINO

**GLACIS ESTATE - LIFTS**

Can Government state in what blocks of Glacis Estate have lifts been installed to date?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 519 and 521 to 523 of 2001.

ORAL

NO. 521 OF 2001

THE HON DR R G VALARINO

**GLACIS ESTATE - LIFTS**

Can Government confirm that there has been water penetration in at least two of the newly installed lifts at Glacis Estate?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 519, 520, 522 and 523 of 2001.

ORAL

NO. 522 OF 2001

THE HON DR R G VALARINO

**GLACIS ESTATE - LIFTS**

Can Government state whether the maintenance of lifts at Glacis Estate will be done by Government or a maintenance contract will be put out to tender?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 519 to 521 and 523 of 2001.



NO. 523 OF 2001

THE HON DR R G VALARINO

**VARYL BEGG ESTATE - LIFTS**

Will Government state whether they intend to install lifts at Varyl Begg Estate?

ANSWER

THE HON THE MINISTER FOR HOUSING

Five lifts have been installed at Glacis Estate of which four are operational. The lifts have been installed at Archbishop Amigo House, Brother O'Brien House and between George Don House/Gustavo Bacarisas House, George Jeger House/Portmore House and Goole House/Ironside House. Consequently all floors are served by lifts. Yes, there has been water penetration in two of the lifts installed at Glacis Estate and the maintenance of the lifts at Glacis Estate is being carried out by the contractor as a post installation service. I have here, although things have changed, the long term arrangements are still under consideration by Government, I have to say that since this has been written I am informed that given the extra manual levels that have been employed in the Electrical Department at Wellington Front, there is now a dedicated team of electricians to carry out the maintenance of Government lifts. Finally, Government intend to install lifts at Varyl Begg Estate.

SUPPLEMENTARY TO QUESTION NOS. 519 TO 523 OF 2001

HON DR R G VALARINO:

On a point of order. I put these questions on the 20<sup>th</sup> April for the House today on the 30<sup>th</sup> April, a Government Press Release dated 26<sup>th</sup> April, which appeared in the Gibraltar Chronicle on the 27<sup>th</sup> April, partly answered Question Nos. 519 and 520. I am sure the Chief Minister has not seen this. I am sure it has been his press officer who has done this, but there is a certain thing as Privilege of the House, Erskine May page 68, chapter 5, the general view of parliamentary privilege. Apart from that there is an article of parliamentary updates respecting the House. Ministers have been criticised by two presiding officers for failing to respect Parliament. The Presiding Officer of the Scottish Parliament has prevented a Minister from making a statement in Parliament because its contents had already appeared in the media, Rt Hon Sir David Steel ruled on the 18<sup>th</sup> January that Finance Minister Mr Angus McKay, would answer questions from members but not read his statement as he said its contents were in the morning's newspaper. "We do not expect to read in the newspapers what will be said in Parliament, we expect to read what has been said", commented Sir David. This House has a certain prestige or, shall we call it, duty to not only to us but to every Gibraltarian and I would like a ruling on whether Erskine May privilege has been breached by this press release, which again, I point out is probably not at all the Chief Minister's fault.

HON CHIEF MINISTER:

The hon Member has provoked me beyond what is reasonable. In the first place, the Government's press release does not relate to any of the questions that the Minister has answered. The Government's press release is about the vandalism to lifts.

None of the questions that the hon Member has asked relates to vandalism to lifts. As to the number of lifts that have been installed, it is a matter of public record already how many lifts have been installed. Therefore, the hon Member ought not to have asked that question at all. The fact of the matter is, that if we are going to have a debate here about what is and what is not in breach of Standing Orders, that there is only one bit of information in the Government's press release which relates in any way to any of the questions that the hon Member has asked. That is that it does reveal that the Government have recently installed five lifts. That is two words in a press release comprising one whole side of paper, the rest of which, has absolutely nothing to do with the subject matter of the hon Member's questions. Therefore, even if the hon Member were right which I would not conceive, but it is not up to me, it is up to the Speaker to make rulings, the only content of the Government's press release No.66 of 2000, is the number of lifts installed, five. Therefore, quite apart from the fact that that is a statement, as a matter of public interest, namely the vandalism of lifts almost as soon as they had been installed, not the issues, surprisingly about which the hon Member has chosen not to ask any questions.

HON DR R G VALARINO:

I think the Chief Minister is defending the indefensible. Three of the lifts were vandalised on the 15<sup>th</sup> March, 18<sup>th</sup> March and 29<sup>th</sup> March. That gives the Government more than enough time to have put out a press release.

HON CHIEF MINISTER:

The lifts were not vandalised on those days, the lifts were commissioned on those days. The hon Member has not even read the press release.

HON DR R G VALARINO:

On the 15<sup>th</sup> March, the sensor connections to the door of the lift at Archbishop Amigo was deliberately broken. On the 18<sup>th</sup> March, the external lift door at Gustavo Bacarissas House was forced open. On the 29<sup>th</sup> March, the safety mechanism of the lift at Archbishop Amigo House was tampered with. That is vandalism.

HON CHIEF MINISTER:

The hon Member does not address the issue. The issue is that the hon Member has not asked questions about vandalism to lifts. There are no questions on the Order Paper about vandalism to lifts. So what difference does it make whether, giving the dates in the press release, about vandalism to lifts. The hon Member has not put questions down about vandalism to lifts. That is the point that the hon Member has got to address.

HON DR R G VALARINO:

Question No. 519 of 2001, states as to how many were operational and obviously if lifts are vandalised in this manner, they may or they may not be operational by this date. The fact that the press release may have been unintentional but it is dated the 26<sup>th</sup> April 2001, just before this House has had its meeting on the 30<sup>th</sup> April, it tends one to think that one is trying to patch up the question before the Government's reply. It is not, as the Chief Minister says, it is not up to us, it is the Speaker's ruling on the matter that counts.

MR SPEAKER:

First the Chair is grateful to the Hon Dr Valarino for bringing this question up. Too often and not necessarily in Gibraltar, but in other Parliaments, the Government of the day give information to the press before they give it to the Parliament. This is a border line case because the only thing there is how many lifts. So I will not make a ruling. I am only giving my advise.

HON CHIEF MINISTER:

I wonder if Mr Speaker, will allow me to make a comment on that ruling, which as Mr Speaker knows, I am aware of.

MR SPEAKER:

I have not made a ruling.

HON CHIEF MINISTER:

No. The view about Government's making statements in Parliament. That might be very well in countries where Parliaments are sitting constantly. But in a jurisdiction like Gibraltar where the Parliament only sits for particular meetings, if the Government did not make any public statements except when the House was in session and then when, during question time, during debates or ministerial statements, the Government would never tell the public anything except for four occasions a year. The rule, which is intended, as I understand it, to make sure that the Government make statements to Parliament and not to the media, is of very difficult application in Gibraltar, unless because of, the way our Parliament is structured we are not constantly in session, as is the House of Commons in England.

HON J L BALDACHINO:

Of the two lifts that the Minister has said had water penetration, can we have the blocks where they are situated, because the Minister said Glacis and obviously there are five. The other thing is on the question of maintenance, the Minister said that the Electrical Department of the Government would take it up, I presume that this will be after the guarantee has expired, so what is the guarantee on the lifts?

HON J J NETTO:

The period covers for one year, but it covers for liability on things which are wrong from the manufacturer's point of view, which is separate from the maintenance side. That is what I was referring on the maintenance side, notwithstanding any liability for which the manufacturers or the fitters are responsible for. Recently just after the question was formulated, I found out that in the Electrical Department at Wellington Front, there has been an increase in manning levels, people have been recruited and I am informed that they have put in place a team of dedicated electricians in order to maintain Government lifts within housing estates. In relation to the first question, the first supplementary question, the lifts installed at Goole House/Ironside House suffered water penetration as a result of a faulty water outlet at roof level, this has been rectified and the lift is now operational. The lift at George Jeger House/Portmore House suffered water penetration as a result of wind driven rain causing ponding in the access corridors which penetrated into the lift shaft. Glaze screens have been ordered which when fixed will eliminate the problem. The lift although operational has been stopped for safety reasons.

HON DR R G VALARINO:

When do Government intend to start installing the lifts at Varyl Begg, more or less?

HON J J NETTO:

Well I am not in a position to say when we shall be installing lifts at Varyl Begg, all I can say is that the Government will have or place a rolling program for the installation of lifts and once decided will make it public.

HON DR R G VALARINO:

So Government will be installing the lifts at the same time as Laguna Estate more or less?

HON J J NETTO:

No, Mr Speaker this is not what I am saying. I have not said that we have got a decision yet as to when we are going to be installing lifts in Varyl Begg or elsewhere, all I am saying is that we have got a rolling program to decide and once we have decided upon it, then we will make it public for the next financial year.

ORAL

NO.524 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

Will Government state whether all the remedial works at Bishop Canilla House have now been carried out, and can Government provide the cost of such works?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 525 and 526 of 2001.

ORAL

NO.525 OF 2001

THE HON DR R G VALARINO

**BISHOP CANILLA HOUSE**

Can Government confirm that no fire extinguishers have been installed at Bishop Canilla House?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 524 and 526 of 2001.

NO.526 OF 2001

THE HON DR R G VALARINO

**EDINBURGH HOUSE**

Can Government confirm that fire extinguishers have not been provided for at Edinburgh House?

ANSWER

THE HON THE MINISTER FOR HOUSING

The remedial works at Bishop Canilla House are still on-going. These works are being carried out by the contractor at no cost to Government.

No fire extinguishers have been provided at Bishop Canilla House, although Government expect the management contractor on site to provide them in the new financial year.

No fire extinguishers have been provided at Edinburgh House.

SUPPLEMENTARY TO QUESTION NOS. 524 TO 526 OF 2001

HON DR R G VALARINO:

Was it not a Government commitment to provide fire extinguishers in the landings at Edinburgh House? There are three floors in each block and do Government know that the top windows at Edinburgh House do not open fully so should there be a fire in the centre corridor, it would be a problem for the people to get out and I hope fire extinguishers are quickly installed at Bishop Canilla House because there are a number of elderly people living there and there has already been one sad accident there and we do not want dead Gibraltarians.

HON J J NETTO:

I think the hon Member has been mis-informed. The windows at Edinburgh House have not been constructed as a means of escape.

HON J C PEREZ:

Does the Minister think that the Government are complying with the requirements of the Fire Brigade by allocating flats without proper fire extinguishing facilities as dictated to every other development in Gibraltar?

HON J J NETTO:

I am informed and satisfied that the regulations in question which is British Standard 5588 part 1, section 1 general, refers in my view to the construction of new buildings or the conversion of existing, therefore Edinburgh House does not fall into any of the categories defined thereunder. Section 3 only refers to windows which have been previously identified as a means of escape and not to windows in general. The general use of windows does not come under British Standard 5588 part 1 and are

not designed as an authentic means of fire escape and it seems that we are obviously complying with the legislation given the fact that the defence fire service who originally placed these windows accepted the design of the windows as suitable and fit for its purpose.

HON J C PEREZ

We are not talking about windows, we are talking about fire extinguishers. The Minister has said that there are no fire extinguishers at present at Bishop Canilla House, whereas Bishop Canilla House has already been allocated and there are people living there and in every other case before people live in a flat, in a private development there is an exigency on the part of the Fire Brigade that fire extinguishers need to be provided before houses are allocated. We have a situation where in Bishop Canilla House where the houses are new they have not been provided and in Edinburgh House where it is a conversion given they have been repaired and that construes a reconstruction and a conversion, there have been no fire extinguishers made available and the houses have been allocated and the Minister in replying has talked about glazed windows and windows opening. I mean, we are talking about fire extinguishers not windows.

HON J J NETTO:

It seems to me the hon Member is getting confused, definitely I have not been talking about glazed windows and he is right in relation to Bishop Canilla House, it is a new building and we have to provide fire extinguishers. I have said that the management contractor are expected to provide them at Bishop Canilla but that does not mean that in Edinburgh House which has been a refurbishment not a conversion.

HON J L BALDACHINO:

I think if the Minister were to check the Ordinance and the question of fire extinguishers he will see that all flats have to be provided with fire extinguishers regardless if they are old or new. I remember a case that this happened when the AACR were in Government where all flats, including pre-war houses, had to be provided with fire extinguishers. As a matter of fact, if we were to look at the estimates we would see that there have been provisions under the Fire Brigade Department estimates to provide fire extinguishers for Government tenants. It is a requirement by law immaterial whether they are new or whether they are old. It is a different thing altogether when one comes to construction, obviously in construction one cannot convert an old building to a new requirement under the Fire Brigade Ordinance but in the question of fire extinguishers, if he checks, he will see the requirement for fire extinguishers in all Government flats.

HON J J NETTO:

Yes, he is right that the AACR Government used to provide individual tenants with fire extinguishers but the fact is that this was done away in the GSLP period in Government and it is this Government now that issued a press release where we want to get the tenders out again where individual tenants may apply to the City Fire Brigade once again.

HON S E LINARES:

Can the Minister confirm whether the allocation of Bishop Canilla House was done against the law by giving them when they did not have fire extinguishers?



MR SPEAKER:

Yes, no need to answer that question because you cannot give legal advice, it has got to be put some other way.

HON S E LINARES:

Can the Minister confirm whether or is aware that the allocation to the tenants of Bishop Canilla House was given without fire extinguishers which is against the law?

HON CHIEF MINISTER

The Government pleads the fourth amendment.

NO.527 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

Can Government now state whether the contract for the replacement of the dry risers at Sir William Jackson Grove has now been awarded and when will the work start?

ANSWER

THE HON THE MINISTER FOR HOUSING

The contract for the replacement of the dry risers at Sir William Jackson Grove was awarded on 23 April 2001. The date of commencement on site has still to be agreed with the contractor.

ORAL

NO.528 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

Can Government confirm the purchase of the Option C flats at Sir William Jackson Grove under the present arrangements which involves an increase in ownership at the rate of 2.5 per cent per annum is on the basis of the original value of the flat?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 529 to 531 of 2001.

ORAL

NO.529 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

Will Government state what is the average price of Option C flats giving the original price and the present day value on the basis of the proposed 7 per cent annual increase?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 528 and 530 to 531 of 2001.

ORAL

NO.530 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

How many Option C tenants are eligible to avail themselves of the proposal to purchase their own flats at Sir William Jackson Grove?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 528 to 529 and 531 of 2001.

NO.531 OF 2001

THE HON DR R G VALARINO

**SIR WILLIAM JACKSON GROVE**

How many Government tenants have registered their interest in Government's proposal to offer Option C tenants at Sir William Jackson Grove the possibility to purchase their flats?

ANSWER

THE HON THE MINISTER FOR HOUSING

The answer to Question No 528 of 2001 is yes.

QUESTION NO 529 of 2001

Type K	3RKB	£33,650
Type F	3RKB	£36,250

The average price therefore being £34,950. The price today would be £49,629.

Type D	4RKB	£44,700
Type E	4RKB	£44,700
Type G	4RKB	£49,900
Type L	4RKB	£50,700
Type M	4RKB	£47,100

The average price therefore being £47,420. The price today would be £67,336.

QUESTION NO 530 OF 2001

All tenants who are interested are eligible to avail themselves to the proposal to purchase their own flats.

QUESTION NO 531 OF 2001

Nine tenants have shown an interest.

SUPPLEMENTARY TO QUESTION NOS. 528 TO 531 OF 2001

HON J J BOSSANO:

The original Option C came about as a result of people not being able to obtain mortgages because of the level of their income, so is it then that circumstances have changed for some of those people, are they now in a position to obtain the money to buy which they were not before?

HON J J NETTO:

Yes

NO. 532 OF 2001

THE HON DR R G VALARINO

**HOUSING – POST-WAR FLATS ALLOCATED**

Can Government state how many post-war housing units have been allocated since this question was last asked?

ANSWER

THE HON THE MINISTER FOR HOUSING

The hon Member cannot place the onus on Government to research whether and when this question has been asked in the past.

Since 1 January 2001, 57 post-war housing units have been allocated/under offer.

ORAL

NO. 533 OF 2001

THE HON DR R G VALARINO

**MEDICAL ADVISORY BOARD**

Will Government state, as a result of the reply to Question No. 96 of 2001, how often the Medical Advisory Board has met since this question was last asked?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 534 and 535 of 2001.



ORAL

NO. 534 OF 2001

THE HON DR R G VALARINO

**HOUSING**

Can Government state whether there are any applicants who are medically categorised "A" on the "A" list since Question No. 108 of 2001?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 533 and 535 of 2001.

NO. 535 OF 2001

THE HON DR R G VALARINO

**HOUSING**

Will Government state whether the three cases classified as homeless and who are socially recommended are still in the same position?

ANSWER

THE HON THE MINISTER FOR HOUSING

Two times, on the 5 and 19 March 2001.

Twenty-two medically categorised "A" of which one is still an applicant as well.

Yes. All are known to have temporary addresses.

SUPPLEMENTARY TO QUESTION NOS. 533 TO 535 OF 2001

HON DR R G VALARINO:

I beg your pardon, could I have the answer to Question No 534 of 2001 again because it was in the middle and I missed out.

HON J J NETTO:

Yes. What I said is 22 medically categorised "A" of which one is still an applicant as well.

HON DR R G VALARINO:

So, there are 22 applicants who are medically categorised "A" on the "A" list?

HON J J NETTO:

The last time the question was asked there were none on the "A" category but given that there has been two meetings of the medical advisory board, there are now 22 medical "A's" of which one is also an applicant.

HON DR R G VALARINO:

When I last asked the question he said there was nobody on category "A" which was rather surprising because I have got two letters here, one dated the 29 November and the other one 11 October and both say that they have been categorised "A" and that a further communication will be sent when a suitable flat is identified. This was before the February meeting so that there was then two which did not appear in the answer given to me by the Minister.

ORAL

NO. 536 OF 2001

THE HON DR R G VALARINO

**EDINBURGH HOUSE**

Can Government state whether any meetings have been held between themselves and the committee of Edinburgh House in order to resolve outstanding issues?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 537 of 2001.

NO. 537 OF 2001

THE HON DR R G VALARINO

**EDINBURGH HOUSE**

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

ANSWER

THE HON THE MINISTER FOR HOUSING

The Government meet regularly with the Tenants Association of all Government housing estates which have them.

Nineteen tenants in Edinburgh House enjoy rent relief.

SUPPLEMENTARY TO QUESTION NOS. 536 AND 537 OF 2001

HON DR R G VALARINO:

So from that, I gather that there have been no meetings between Government and the committee of Edinburgh House.

HON J J NETTO:

Yes.

HON J C PEREZ:

Are the grievances reported publicly in the press being brought to the attention of the Minister either through the committee or directly through tenants who are not in the committee?

HON J J NETTO:

Yes they have.

HON J C PEREZ:

In what way, through the committee or through tenants who are not in the committee?

HON J J NETTO:

Through the committee and through individuals as well

HON J C PEREZ:

Other than the public response given by the Government, are there issues pending which the Government are considering?

HON J J NETTO:

Well, I think that perhaps I need to tell hon Members that I meet with Tenants Associations every three months, I meet with all of them and of course there are many many issues that relate to matters in a given housing estate. What we do basically is we look at some of the old items, some of the new items and some of the old items are items which either the Government may or may not agree with, or maybe items in terms of doing certain works for instance, that may require a certain period of time until the actual works are carried out.

HON J C PEREZ:

I am asking the Minister about grievances made publicly by a group of tenants there, which he said he admits has been represented to him by the committee and by members who are not in the committee, whether there are any issues in that list which are awaiting consideration by the Government or whether everything raised in that list has been rejected by the Government? That is what I am asking the Minister, not the day to day running of the estate where people raise different issues all the time in the committees which he meets with.

HON J J NETTO:

No. There is nothing else outstanding from those grievances. Answer has been given to either the individuals or the committees themselves.

NO. 538 OF 2001

THE HON DR R G VALARINO

**OMBUDSMAN REPORT**

Will Government accept the recommendation of the Ombudsman in CS/45 of his Report, paragraph 7, as regards the need to ascertain the veracity of the illness of a tenant and the General Practitioner's recommendations?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 539 of 2001.

NO. 539 OF 2001

THE HON DR R G VALARINO

**OMBUDSMAN REPORT**

Will Government act on the Ombudsman's concern over the intolerable practice of delays in answering letters, which the Ombudsman points out in page 165 of his report had become a common occurrence in the Housing Agency?

ANSWER

THE HON THE MINISTER FOR HOUSING

The Government are studying the First Ombudsman Report and is not in a position to state which of his recommendations the Government will accept and which it will not.

Whilst Government have no doubt that there is room for further improvement in the speed with which letters are answered by the Housing Agency, I have no doubt that the present practice represents a considerable improvement over that suffered by users at the hands of the Residential Services Ltd which was the structure inherited by this Government from the previous administration.

SUPPLEMENTARY TO QUESTION NOS. 536 TO 539 OF 2001

HON DR R G VALARINO:

I think 538 and 539 are totally different. I do accept that 538 covers that, the spectrum which the Chief Minister mentioned before that Government were going to reconsider but 539 is one which is of extreme importance, in fact only in section 4 right at the beginning of the Ombudsman Report it says that out of a total of 760 complaints received by the office of the Ombudsman against Government departments et cetera, et cetera, 177 were against the Housing Agency. It is obvious from the nature of complaints brought to the attention of the Ombudsman that many of these could have been avoided had the agency been more diligent in communicating with members of the general public. So, I stress again that this is a practice which has to be improved, let us not put blame in the past, we have got to look towards the future and could the Minister ensure that letters from complainants are answered more quickly.

HON CHIEF MINISTER:

For a start the 177 complaints against the Housing Agency, frankly I am surprised that it was not more, given that housing is one of the problems that most affects people, the 177 complaints do not all relate to delay in answering letters. A lot of them are complaints about the way their applications were handled in substance. Now, everyone knows that the speed with which we deal with matters and with which we reply to letters is something that can always be improved and as my hon Colleague said in his answer, nothing that the Government say in answer to this question should be interpreted to mean that we do not think that there is room for further improvement but that there has been improvements already is clear and then, as I am sure the hon Member remembers from his days when he was a Minister, people do not accept a ruling. People submit an application, it gets processed in the

usual way that everyone in this House understands, the result is communicated to them and they carry on writing in because they just do not accept the position. This is not maladministration, this is simply that people do not accept the results. They use the Ombudsman like a Court of Appeal. I have looked through the Ombudsman's Report, I have not studied it in minute detail yet but there are threads of things there which strike me as being improvements for the future, for example, it is helpful in my experience of dealing with people, that people are much more likely to be satisfied if they are given not just the results of their application but the reasons for the result of their application and that it really does not take all that much extra work to write out three or four lines just setting out for people the rationale for the adverse decision. The Government chose to set up the Office of the Ombudsman precisely for the purpose of improving the administration, so that there would be an authoritative external assessment of the administration so that that could be used to improve the administration. There was no need for us to make a stick for our own backs as the hon Member can well imagine. He should not doubt for one minute that we will study the Ombudsman's report and where things that he suggests are purely administrative and can be taken on board and they are sensible and can be a moral improvement and can be implemented without a significant escalation in costs, then the Government will do it. Now, where he suggests things which are policy decisions as he sometimes does, that is a different matter. The Ombudsman is as free as anybody else to make policy recommendations to the Government but in principle his statutory remit is maladministration which unless it is for reason of policy, I mean, it is possible for the Government to have a policy that results in maladministration. That is a legitimate area of policy for the Ombudsman to get involved in but not otherwise. So this business of answering letters, I would like to see improvements in not just in the time that it takes to answer a letter but indeed in the nature of the response contained in letters when eventually they are sent. But these things take time, systems take time to change and this is the first Ombudsman's Report, everyone is on a learning curve, including the Civil Service itself. They are not used to being so scrutinised in the administrative detail of how it works and it will take time for these improvements to come through.

HON J C PEREZ:

Whilst accepting everything that the Chief Minister has said and that the report needs to be read and the Government need to take stock of what it says and where to act and where to decide not to act, obviously there is no mechanism to deal with the report because it is the first one but where there are cases where the Government agree with the Ombudsman that there has been individual cases, that there has been an injustice committed, surely there must be a remedy to reverse that injustice wherever possible in individual cases. I am not talking about the general policy of maladministration.

HON CHIEF MINISTER:

Well, absolutely. The hon Member has got to bear in mind that the Ombudsman's Report is in a sense the tip of the iceberg. There are many complaints, many issues which the Ombudsman takes up with the Government, points things out to the Government which the Government then says, yes that is right and gets corrected and it never gets round to the writing of the report. The cases that are in that report are cases which either the Government did not agree with the Ombudsman when it was put or where the Ombudsman has nevertheless wanted to include the report because although the case may have been resolved, there is nevertheless still a valid commentary on the bureaucratic administrative system generally. Many cases are resolved in the way that the hon Member is hoping would be so by the



Ombudsman's intervention and that indeed is one of the more constructive parts of the Ombudsman's office that he does sometimes act as a catalyst to get the administration to reconsider things from a point of view that perhaps it is not considered.

HON J J NETTO:

Can I just go back to the original question by the hon Member in relation where he was citing that particular report in relation to delays in letter writing and I think that we need to put it in the right context in the sense that, at the time when he was making that report there was a number of factors affecting the Housing Agency. The then Housing Manager as we all know, was in St Bernard's Hospital, we had lost another valuable member of staff who had got a job in the private sector, we had additional work by the allocation, all the tenancies had to be prepared for Bishop Canilla House and of course the numbers employed in the Housing Agency are not that many. So all this affected at that precise moment in time to these unacceptable delays in writing back. I am informed however, since then, not just because of the fact that we have a Housing Manager on an acting basis but the Government have employed more people recently in the Housing Agency and that the backlog which had accumulated in terms of writing back has been cleared, this is what I am informed. Finally, in terms of what the Chief Minister was saying that sometimes the reports of the Ombudsman act as a catalyst, well he has done because quite apart of being the Ombudsman we all know in this House that this particular man has a tremendous knowledge of Housing matters and there have been suggestions which he has put to us which we in turn have put to the Government and for which we have agreed at policy level already. So yes, it is very valuable advice at times and one the Government when it is practical agree to it and implements it.

NO. 540 OF 2001

THE HON DR R G VALARINO

**ALAMEDA HOUSE**

Can Government now state whether the five empty units present in February at Alameda Estate have now been awarded and on what criteria?

ANSWER

THE HON THE MINISTER FOR HOUSING

With regard to the five empty units in February at Alameda House the situation is as follows:

Two are at the Electricity Department awaiting attention;  
Two have been allocated; and  
One has recently been brought back to the Housing Agency ready for allocation.

ORAL

NO. 541 OF 2001

THE HON DR R G VALARINO

**COELHO HOUSE**

Are Government now in a position to state when the repairs to Coelho House will be put out to tender?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No. 542 of 2001.

NO. 542 OF 2001

THE HON DR R G VALARINO

**MACMILLAN HOUSE**

Can Government now state when the external refurbishment of Macmillan House will now start?

ANSWER

THE HON THE MINISTER FOR HOUSING

In order to remedy the lamentable state of disrepair into which Government housing buildings have been allowed to fall over the decades as a result of the failure to invest in them by previous Governments, including the one of which the hon Member was a Minister, the Government now have in place an extensive programme of refurbishments as per our manifesto commitments.

These two buildings feature prominently in that programme. Indeed, Coelho House is specifically mentioned in the Government's last election manifesto.

NO. 543 OF 2001

THE HON J C PEREZ

**GBC**

Can Government state how many new employees have been taken on by GBC to date, as a result of the Government approved television relaunch?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question No. 544 of 2001.

NO. 544 OF 2001

THE HON J C PEREZ

**GBC**

Have the Board of GBC made any new recommendations to the Government over the level of the annual Government subvention to the Corporation?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

The Government are not responsible or accountable for the management of GBC or its recruitment of staff. The Government's role in connection with GBC is limited to the provision of funds.

GBC has submitted a bid for an annual subvention this year as it does every year. The extent of Government's proposed subvention will become clear to the hon Member from the Estimates of Revenue and Expenditure for the current Financial Year tabled by the Government at this meeting of the House.

SUPPLEMENTARY TO QUESTION NOS. 543 AND 544 OF 2001

**HON J C PEREZ:**

Is the Minister aware that he has answered questions on the level of employment of GBC in the past in the house and is he not aware that the Chairman of GBC recently in the Chronicle stated that he and the board were reviewing the question of the annual subvention in order to put recommendations to the Government? Is he aware of these factors and does he not realize that the questions arise exactly as the result of this?

**HON LT COL E M BRITTO:**

I read the Chronicle just as the hon Member obviously does. I read many things in it but I do not comment on articles in the press.

**HON J C PEREZ:**

Then the answer is that there have been no new recommendations on the part of the board. Is that the answer?

**HON LT COL E M BRITTO:**

The question has already been answered.

HON J J BOSSANO

With all due respect, the question is, how many new employees have been taken on and he has not answered. Notwithstanding the fact that these employees are paid from the subvention is the House not entitled to know how many there are?

HON LT COL E M BRITTO:

The hon Members are quite at liberty to ask GBC. The Government give a lump sum to GBC and GBC manages that lump sum in the way that it wants to manage. We are not there employing and unemploying people and therefore we are not accountable for directions in this field.

HON J J BOSSANO:

The question is not asking the Minister why did he employ anybody but is asking him how many new employees have been taken on by GBC. It is of course up to us, if we want to ask GBC and presumably it is up to GBC to say they are not under any obligation to give us an answer. The point that I would like the Minister to take into account is, is he suggesting to the House that in fact GBC happily goes on and takes on new people without knowing whether it is going to be in a position to pay their wages, which would be a highly irresponsible way to behave.

HON CHIEF MINISTER:

The matters are not as the Leader of the Opposition describes them. I agree that it would be highly irresponsible for GBC to adopt a management recruitment policy that was not covered by funding, that does not make the Government accountable in this House for the actions of GBC. GBC is not a Government department. GBC is not running according to Government policy. The Government are not responsible for the management and running of GBC and those are the things for which the Government are accountable in this House. For matters of Government policy, for matters for which the Government are responsible, including and I accept this much of what the hon Member has said, including public funds made available to GBC. Now, if the hon Member wants to ask the Government questions about the level of public funding and whether it is too much or too little, or whether it is satisfied that the public funding provided is being tactically used, those are different matters. The Government will not accept to respond in this House for the internal matters of GBC as if it were a Government department and therefore sending the signal to the outside world that these are matters for which the Government are responsible and possibly with which the Government interfere, which they certainly do not and we are not willing to send that signal to the community at large.

HON J J BOSSANO:

I fail to see how the nature of the questions that have been put can be construed as sending a signal of Government interference in GBC. There are people who think there is interference but not because of the nature of the question but because of the nature of the contents of the news but that is not what we are asking. Are Government then saying that when GBC took the decision to employ new people they did not inform the Government and seek from them an indication that if they proceeded the money would be available. Was that done or not?

HON CHIEF MINISTER:

Yes. When GBC want to do something, the effect of which may be to increase their operating deficit in a way which would require an increase in Government's subvention they put their proposals to the Government, not to see whether the Government approve of their proposal but to see whether the Government are willing to fund them and that is what GBC does from time to time, at least once a year in respect of their recurrent budget and from time to time extraordinarily when it has an extraordinary project as was the case of the re-launch last year, when precisely the process that the Leader of the Opposition has described occurred. And as to whether there is interference in GBC, is the hon Member limiting his comments to the news program, or is he extending it to culinary programs as well?

HON J J BOSSANO:

Well I think we will wait until the culinary series is exhausted and then we will see how it develops before we extend it to the culinary series. Were Government then told at the time of the re-launch how many new employees would be required?

HON LT COL E M BRITTO:

That information is a matter of public record at the time of the re-launch, I gave the House full details of what GBC's proposals were.

HON J J BOSSANO:

So it was possible to give the answer then at the time.

HON LT COL E M BRITTO:

The hon Member has just been told by the Chief Minister that Government listen to proposals and agree to fundings, they do not agree to the proposals.

HON J C PEREZ:

Does the Minister not consider that it is fair that given that the re-launch was approved by the Government and that a certain number of employees were going to be employed and that the extra income that was going to be derived from the re-launch has not taken place as we were informed in the House when they came for a supplementary expenditure for this year, that the House ought to know the number of employees extra that need to be funded in order to know the totality of the problem that GBC has, given that the question of the increased income has not happened as the Government informed the House when they came for the supplementary expenditure?

HON LT COL E M BRITTO:

The hon Member is asking me to express an opinion and I am sure the House will agree that that is against Standing Orders.



NO. 545 OF 2001

THE HON J C PEREZ

**ELECTRICITY – POWER CUTS**

Can Government state how many power cuts there have been since 1<sup>st</sup> December 2000, how many districts were affected and for how long?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

There have been five power cuts since 1<sup>st</sup> December 2000. The dates and the number of districts affected and the duration of the power cuts is set out in the written Schedule that I will now hand to the hon Member.

SUPPLEMENTARY TO QUESTION NO. 545 OF 2001

HON J C PEREZ:

Would any or all of these power cuts been avoided had the new system been implemented already, the new system that co-ordinates the Generating Station?

HON LT COL E M BRITTO:

No, the SCADA system is an analytical system that comes into place subsequent to a problem arising and tells us where the problem is, rather than pre-empting the problem. What it should do when it comes into use, is to make the power cut shorter because by diagnosticating the fault faster, we will be able to cure it more quickly.

HON J C PEREZ:

But it will not do away with the power cuts themselves. If I recall correctly and I am not sure of this but I think that when the Minister announced the project, it was said that this would cut the number of power cuts because we would be given a warning system that the power could be cut and pass on the load from one Generating Station to another but I might be wrong I am not sure. The Minister is saying that that is not the case, that the power cut would continue, it is just that they would be for a shorter duration because we would know where the fault is?

HON LT COL E M BRITTO:

That is my understanding of the system but if the hon Member's memory is better than mine and what he says I said is indeed what I did say, then obviously it does do what he says it is supposed to.

Answer to Question 545 of 2001

Date	Districts affected	Duration
3 December 2000	Five	One to eight minutes
27 January 2001	Eight	One to five minutes
3 February 2001	One	Three minutes
5 March 2001	Two	Five minutes
14 April 2001	Total Blackout (20 districts)	Between 3 hours and 4½ hours

NO. 546 OF 2001

THE HON J C PEREZ

**ELECTRICITY – STRATEGIC REVIEW**

Can Government state whether the Unions concerned have agreed to the creation of an Electricity Authority as proposed by the Strategic Review into the Electricity Department commissioned by the Government?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

The Government remain in discussion with the Unions and staff concerning proposals for the restructure of the Electricity Department. It would therefore be inappropriate to comment on the issues under discussion, at this stage.

SUPPLEMENTARY TO QUESTION NO. 546 OF 2001

HON J C PEREZ:

But none of the Union's concerned have rejected the creation of the authority. Is that the case?

HON LT COL E M BRITTO:

Government do not wish to comment at all.

HON J J BOSSANO:

Is the objective of the authority the economics of the operation? Is it that they think that it would be possible to run the electricity generation cheaper through having an authority, or is it not driven by economics?

HON CHIEF MINISTER:

No, the purpose of the authority is not to reduce the operating costs and it will not have that effect, nor is it the intention that it should.

NO. 547 OF 2001

THE HON J C PEREZ

**INCOMING INTERNATIONAL CALLS**

Can Government state what percentage of incoming international calls, excluding calls from Spain, is being received via the 00 34 Spanish route and what percentage is being received via the Gibraltar 350 telephone code?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question No. 548 of 2001.

NO. 548 OF 2001

THE HON J C PEREZ

**INCOMING INTERNATIONAL CALLS**

Can Government state whether any action has been taken to ameliorate the problem of incoming international calls being lost as a result of Spain's non recognition of the 350 code?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

It is currently estimated that 74 per cent of incoming international calls, excluding calls from Spain, are received via the Gibraltar 350 telephone code.

The Government have on a number of occasions brought to the notice of the British Government the problems being encountered of incoming calls being lost as a result of Spain's non recognition of Gibraltar's 350 international code. It is understood that the British Government have brought up the matter with the Spanish Government in bilateral discussions. In addition the Gibraltar Government have raised the issue directly with the EC Commission.

GNC and Gibtel are currently working closely together to try and ameliorate the problem. Discussions are being held with BT Concert and Cable & Wireless, and other major carriers, to encourage them to send traffic directly to Gibraltar instead of using least cost routing techniques.

NO. 549 OF 2001

THE HON J C PEREZ

**PRE-PAID CARDS**

Have Government looked at the possibility of exchanging mobile fixed numbers held by public servants for re-load numbers in order to release more fixed numbers for use by private sector customers?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question No. 550 of 2001.

NO. 550 OF 2001

THE HON J C PEREZ

**PRE-PAID CARDS**

Can Government state, as at 31<sup>st</sup> March 2001, what was the total number of pre-paid cards for mobile telephony activated by Gibtel?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

The introduction of pre-paid cards has resulted in the elimination of the waiting list for customers requiring a permanent fixed number for the Post Paid Service. Since 14<sup>th</sup> March 2001, Gibtel has been able to service without delay all customers requiring the post paid service.

As at 31<sup>st</sup> March 2001 Gibtel had activated 3,291 pre-paid cards.

SUPPLEMENTARY TO QUESTION NOS. 549 AND 550 OF 2001

HON J C PEREZ:

So the suggestion by the Opposition the last time, which the Government said they were going to take on, the Minister is saying it is now no longer necessary because the number of private sector customers that could not be serviced according to the information that was provided in the House the last time, now no longer exists. Is that what the Minister is saying?

HON LT COL E M BRITTO:

That is exactly what the Minister is saying.

HON J C PEREZ:

And is it not perhaps more efficient and better to have a number of numbers aside for people in the private sector that might have to use their communications with Spain much more than public servants and would not this exercise release some of these numbers?

HON LT COL E M BRITTO:

The level of numbers that are available since the date that I gave, the 14<sup>th</sup> March, do not make it necessary to have a number of numbers in reserve. There are well over 50 per month in the rolling over of numbers.

ORAL

NO. 551 OF 2001

THE HON J C PEREZ

**GIBTEL / NYNEX**

Can Government state whether the proposed take-over by Verizon of the shareholding of British Telecom in Gibtel will necessarily mean that Gibtel and Gibraltar Nynex will merge into one company?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question Nos. 552 to 554 of 2001.



ORAL

NO. 552 OF 2001

THE HON J C PEREZ

**GIBTEL / NYNEX**

Can Government state whether Verizon will have any problems in supplying telecommunications between Gibraltar and the United States, in the event that the takeover of the British Telecom shareholding in Gibtel takes place, as a result of the restrictive licensing procedures in existence in the United States?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question Nos. 551, 553 and 554 of 2001.

ORAL

NO. 553 OF 2001

THE HON J C PEREZ

**GIBTEL / NYNEX**

Will the number of posts in Gibtel and Nynex remain at their present level should the proposed takeover of the British Telecom shareholding in Gibtel by Verizon take place?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question Nos. 551, 552 and 554 of 2001.

NO. 554 OF 2001

THE HON J C PEREZ

**GIBTEL / NYNEX**

Can Government state whether they expect local and international telecom charges to be reduced in the event that Verizon takes over the British Telecom shareholding in Gibtel?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

The Government are not aware of any proposal for Verizon to take over the shareholding of British Telecom in Gibtel.

The proposed arrangements do not result in any impediment to telecommunications between Gibraltar and the United States. Nor will the proposed arrangements result in any compulsory redundancies.

The Government envisage the proposed arrangements resulting in significant falls in international telecom charges.

SUPPLEMENTARY TO QUESTION NOS. 551 TO 554 OF 2001

HON J C PEREZ:

Is it the case then, that instead of Verizon taking the shareholder of Gibtel what is envisaged is that Gibraltar Nynex of which the Government is a 50 per cent shareholder, should be the vehicle that takes over Gibtel and that therefore the Gibraltar Government would be financing half of the takeover?

HON CHIEF MINISTER:

Well the first half of what the hon Member is saying is right. The arrangements envisaged that Gibraltar Nynex Telecommunications Limited of which the Government are a 50 per cent shareholder will take over Gibtel but it does not follow that the Government are therefore financing the takeover. The takeover is being financed by Gibraltar Nynex Telecommunications Limited from its own resources [interruption] yes, all right but look I cannot in the answer to a parliamentary question give the hon Member a three year lecture in company law. There is a distinction between the company and its shareholders. The Government are a shareholder in Gibraltar Nynex, Gibraltar Nynex is taking over, or it is envisaged that Gibraltar Nynex will take over Gibtel. The arrangements nevertheless do not envisage that the Gibraltar Government will be in any way involved in the financing of that acquisition and the hon Member has to accept that those are factual statements and therefore the connection that he is making between the Government status as shareholder and as financier are non sequitur, they do not follow and it is not correct.

HON J C PEREZ:

Does the Minister know whether that takeover would mean necessarily, that Gibtel and Gibraltar Nynex will merge into one company or is it envisaged that the two companies could at least for some time operate separately?

HON CHIEF MINISTER

No, this transaction which the Government uses for bringing the two companies together, the concept of the takeover is technically correct but the Government which is a 50 per cent shareholder in both companies use it as the bringing of these two companies together. The exit of one of the partners and the overall structure then being owned by the Government and the remaining partner on the 50 per cent basis. It is envisaged I understand, that the management in due course and I suppose I do not know up to what extent that sort of detail needs to be put to shareholders for approval but my understanding of the intention is that the companies will continue to operate separately and that there may be some re-distribution of activities but that basically there would be a separate wireless company and a separate fixed wire company. I believe that those are the ideas being bandied about but yes, in any event they would continue to operate separately.

HON J C PEREZ:

Notwithstanding the guarantee of employment that the Minister has mentioned, my question dealt with a number of posts in Gibtel and Nynex, that is to say, is it envisaged that notwithstanding the guarantee of employment that there would be voluntary redundancies or voluntary retirements available to those wishing to take them up?

HON LT COL E M BRITTO

We are verging on the same territory as the GBC question. In any case too far away from implementation of that sort of policy to give any authoritative answer to it. The nuts of the problem is that there needs to be a joint management study, approval by the new board and subsequently implementation by management, of which Government will be there as a shareholder and not answerable in this House for employment policy of the company.

HON J J BOSSANO:

Is Nynex buying the 50 per cent shareholding from British Telecom or is it buying 100 per cent of the shares?

HON CHIEF MINISTER:

The plan envisaged and the hon Member must not talk about it as if it was a dumb deal, it is not a dumb deal, it is agreed in outline but it is not a dumb deal but the intention with everything that is envisaged happens is that Gibraltar Nynex Telecommunications will take over the entirety of the shareholding in Gibtel.

HON J J BOSSANO:

And would the Government expect to receive the same price for their shares as British Telecom does for theirs?

HON CHIEF MINISTER:

Well, unless Christmas comes early the answer is yes.

NO. 555 OF 2001

THE HON J C PEREZ

**INTERNATIONAL TELEPHONE CHARGES**

Can Government state why the cheap rate for international telephone calls, normally afforded during the Easter break, has been discontinued?

ANSWER

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

The cheap rate for international telephone calls afforded during the Easter break has not been discontinued.

Telephone calls on Good Friday, throughout the weekend, and on Easter Monday, both for local and international calls have all been charged at the weekend cheap rate.

SUPPLEMENTARY TO QUESTION NO. 555 OF 2001

HON J C PEREZ:

Is it not the case that they have been charged at the weekend cheap rate retrospectively because no such facility was available and that this is the response to complaints from the public to Nynex that no such facility was available? Is that not the case?

HON LT COL E M BRITTO:

No, the hon Member has obviously heard rumblings and he is only partly correct in what he is saying. There was no intention by GNC to do away with the weekend rates but what did happen was, that due to an oversight the cheap rates which were going to be applied were not advertised by GNC. When this was realized, the billing system was immediately adjusted and therefore all calls during that period, as I said in my main answer, had been charged the cheap rates. Steps have been taken to automate the computer system so that a similar oversight does not happen electronically in the future.

HON J C PEREZ:

But the oversight was not just that they forgot to advertise it. The computer was not counting the minutes in the cheap rate. The cheap rate was not implemented and Nynex became aware of it when people complained and people have since received letters from Nynex saying it was an oversight. "We are sorry it was an oversight and you will be compensated by the cheap rate for the weekend." So the Minister is saying that I am wrong in what I am saying and then he is confirming what I am saying. That is what I do not understand.

HON LT COL E M BRITTO:

The inference is what I am saying is wrong, the inference in the question, was that there had been a change of mind by GNC due to complaints by the public and that is what I am making the hon Member realize. That inference if it was there, that inference was wrong. It was never the intention and going further, the indication of the computer counting minutes at the cheap rate is an erroneous one. The computer counts the minutes and then another section of the program allocates a telephone tariff. What was not done due to an oversight was pre-program the computer so that the tariffing would be at the lower rate but I have said it was an oversight.

HON J C PEREZ:

It does not happen until the end of the month

HON LT COL E M BRITTO:

Indeed. It does not happen until the bill is issued at the end of the month. The computer has now been re-programmed, I am led to understand, and this will prevent similar oversights happening in future.

NO. 556 OF 2001

THE HON J C PEREZ

**VISITS ABROAD BY THE MINISTER**

Can the Minister for Public Services, the Environment, Sport and Youth give the dates when he has been away from Gibraltar on Government business in the years 2000 and 2001 to date, giving the event or function attended and the venue, city and country visited?

ANSWER

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

Since January 2000 I have chaired a number of Government Joint Venture Company Board Meetings away from Gibraltar as well as a number of Shareholder Meetings to do with the merger of Gibtel and Nynex. I have also attended a number of events which have included the Special Olympics European Championships, the Cowes Powerboat Festival, an Internet and Telecommunications Expo 2000 Conference, the British Telecom International Mobility Leaders Conference and a Verizon International Regulatory Issues Conference.

The detailed information requested by the hon Member in respect of each event is set out in the schedule that I now hand to him.



Answer to Question 556 of 2001

<b>Date</b>	<b>Country</b>	<b>City</b>	<b>Venue</b>	<b>Event or Function</b>
23/3/00	U.K.	London	Lyonnaise Head Office	Lyonnaise Board Meeting
29-30/5/00	Holland	Groningen	Groningen Sports Facilities	Special Olympics European Championships
22/6/00	U.K.	London	BT Centre, Newgate Street	Gibtel Board & Shareholders Merger Meetings
27/8/00	U.K.	Cowes	English Channel	Cowes Powerboat Festival
19-21/9/00	USA	New York	Jacob K Javits Convention Centre	Internet & Telecoms Expo 2000 Conference
26/9/00	Switzerland	Lausanne	Hotel Conference facility	Gibraltar Philatelic Bureau Board Meeting
6/10/00	USA	New York	Verizon Head Office	GNC, and GNC Networks Board Meetings, GNC Shareholders Merger Meeting
8-9/11/00	China	Hong Kong	Hotel Conference Facility	BT International Mobility Leaders Conference
21/11/00	UK	London	GIB Office	Gibtel Shareholders Merger Meeting
9/3/01	UK	London	GIB Office	GNC Shareholders Merger Meeting, GNC Board Meeting, Verizon/BT/Govt. Merger Meeting
13/3/01	UK	London	GIB Office	Gibtel Board and Shareholders Merger Meetings
14/3/01	UK	Coventry	Marconi Head Office	GNC Meeting with Marconi Communications
4-5/4/01	USA	Washington	Washington Hotel	GNC Shareholders Merger Meeting, Verizon International Regulatory Issues Conference

ORAL

NO. 557 OF 2001

THE HON MISS M I MONTEGRIFFO

**NEW SPORTS CITY**

Are Government now in a position to confirm when they expect the whole of the works for the new Sports City at the area of Bayside to be finalised?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question Nos. 558 and 559 of 2001.

NO. 558 OF 2001

THE HON MISS M I MONTEGRIFFO

**EUROPA SPORTS GROUND**

When can Government expect the hand-over of the Europa Sports Ground to the Government by the MOD to take place?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

Answered together with Question Nos. 557 and 559 of 2001.

NO. 559 OF 2001

THE HON MISS M I MONTEGRIFFO

**VICTORIA STADIUM – SQUASH COURT**

Can Government confirm when they can expect the repairs to the Squash Court at the Victoria Stadium to be finished?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

No.

SUPPLEMENTARY TO QUESTION NOS. 557 TO 559 OF 2001

HON MISS M I MONTEGRIFFO:

Does that mean that the Minister is not in a position to confirm?

HON LT COL E M BRITTO:

The three questions essentially ask me to give dates of completion or of an event happening and the answer to all three is no, both are well ahead in time and for a number of reasons I cannot give a date which is what has been asked.

HON MISS M I MONTEGRIFFO:

I would not hold the Minister responsible for a specific date but if he could give an indication of saying either this year, next year or the following year or the year 2002, 2003.

HON LT COL E M BRITTO:

It brings me to the point that I have answered these three questions, well maybe not the one of the Squash Court that may be only once or twice but the other two I have answered on numerous occasions. The last one, specifically the Europa Sports Ground was answered in March I think it was of this year, in detail and the question is almost the same, and if my memory again does not fail me, it is against Standing Orders to ask the same question within six months. But be that as it may, the question of the Sports Ground is exactly as given in the answer to question 143 of 2001 and I find it unnecessary to repeat it. The question of the sports facilities at the Victoria Stadium, I have again at the budget speech last year and in a number of questions since then, given a detailed answer saying that it is divided over a period of three phases and that one phase is about to finish, that the hockey pitch is about to be ready, I have given details of what is expected during the next phase in the current financial year and in the final phase and the overall completion date is somewhere in the year 2003/2004. The Squash Court, again I gave a detailed answer at the last meeting of the House, works are in progress and once the water proofing is tested to make sure that the water proofing of the roof stands up to the

test before we spend money on what is an expensive exercise in lining up the back wall, the answer is, no, because I cannot give an answer to the questions as phrased.

HON MISS M I MONTEGRIFFO:

Well, he has been a little bit more explicit than he was originally and he has said round about the year 2003/2004 which is something that I was asking him which he was reluctant to provide. Now, the question of the Europa Sports Ground, if I have asked it, is because I really have not had a reply to the question when I put it forward to the House six months ago. So I do not think if my memory serves me right, that I have been given a date as to when the hand-over is expected.

HON LT COL E M BRITTO:

The answer is exactly as given in question 143 of 2001 which was given in March of this year and I have it here in front of me, it is a three page answer. If that is not detailed enough, I would ask the hon Member to go back to Hansard and read it and then she will see that the answer specifically details why I cannot give a date.

HON MISS M I MONTEGRIFFO:

Can Government please confirm whether they are still discussing matters that could be more or less considered to be in dispute between the Government and the MOD in relation to the sports ground, or have all matters now been resolved?

HON LT COL E M BRITTO:

The position remains as given in answer to 143 of 2001.

HON MISS M I MONTEGRIFFO:

So the position is that the Minister announced last year on GBC that there was going to be the hand-over and nearly a year after it has not happened.

HON CHIEF MINISTER:

Absolutely right, absolutely right, yes.

NO. 560 OF 2001

THE HON MISS M I MONTEGRIFFO

**GFA / UEFA**

Are Government aware of the present situation regarding the GFA's application of membership of UEFA in face of Spanish opposition to recognise Gibraltar as a nation in its own right?

ANSWER

THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT,

SPORT & YOUTH

The Government are consulted and informed by many private organisations on many issues. This includes the GFA on the matter of the UEFA membership.

SUPPLEMENTARY TO QUESTION NO. 560 OF 2001

HON MISS M I MONTEGRIFFO:

If the Government are being informed, are the Government pleased with the progress that is being made?

HON CHIEF MINISTER:

The hon Member must be aware just from reading the press of the difficulty that the Greek Football Association has recently got into but she must be aware that the UEFA and FIFA for that matter, take a very serious view of governmental interference in National Football Association matters. If she wants a private indication of what the Government know and how the Government feel, she is very welcome to have it privately in the ante room. I do not think it is right for us to debate across the floor of this House this matter in a way that suggests that this is Governmental business because that can only prejudice the application of the hearing, which incidentally, contrary to what the question suggests, actually does not require them to recognize that we are a nation in our own right.

HON J J BOSSANO:

Does UEFA view the Spanish position in the same line, because my understanding is that the Spanish Football Association bases its entire opposition on the Treaty of Utrecht, which I do not think has anything to do with football.

HON CHIEF MINISTER:

Absolutely right and the Gibraltar side, if I can just call it very loosely, argues that that is wrong and as we argue that that is wrong, one cannot with any credit or merit argue that that is wrong and engage in it oneself. So, the GFA gets that measure of advice which is appropriate and which they request from Government in formulating their own arguments and I think that is as much as we would wish to say publicly but

as I say, anything that they want to discover privately, they are very welcome to share with them all that the Government knows about it.

NO. 561 OF 2001

THE HON J C PEREZ

**GIBRALTAR PORT AUTHORITY**

Can Government state whether there is any single issue holding up the negotiations with the Union over the establishment of the Gibraltar Port Authority?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Union which represents the employees of the Port Department refuse to meet the Official Side to negotiate the transition to the Port Authority until such time as the 1999/2000 pay reviews for Port Department non-clerical employees are as far as they are concerned settled.

SUPPLEMENTARY TO QUESTION NO. 561 OF 2001

HON J C PEREZ:

And is the issue now a different assimilation with UK grades, taking them out of the clerical structure? Is that what is being looked at and reviewed at the moment?

HON CHIEF MINISTER:

No, these issues of on-going industrial relations, discussions and negotiations cannot be discussed in advance other than with the employees concerned and their representatives. At the moment as the hon Member knows, Port Department Officers are analogued to other local grades and that is how the situation is in relation to the 1999/2000 pay review. The Government are open to consider any proposals and to discuss any proposal that any group of their employees may wish to put to the Government and they would be considered against the criteria of whether or not they are consistent or inconsistent with the principle of parity by which the Government are bound and indeed to which they are committed.



NO. 562 OF 2001

THE HON J C PEREZ

**PORT - SECURITY**

Can Government confirm that they intend to contract out the new security arrangements at the Port?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government cannot confirm that they intend to contract out the new security arrangements at the Port. This is one option open to the Government.

SUPPLEMENTARY TO QUESTION NO. 562 OF 2001

HON J C PEREZ:

Is it not the case that part of the negotiation with the Union is that the Port Department should take over the security?

HON J J HOLLIDAY:

Assuming the negotiations continue along the lines of what was being originally envisaged, it is one of the options that is open to the Government.

HON J C PEREZ:

So, what the Minister is saying is that until those negotiations are completed the Government do not know whether it might go out to contract or not? The Minister does not even intend to go out on contract on a short term basis whilst the negotiations take place. Is that the position?

HON J J HOLLIDAY:

That is the position at present.

HON J C PEREZ:

So Government will not go out on contract on a short term basis.

HON J J HOLLIDAY:

No we will not, at present.

NO. 563 OF 2001

THE HON J C PEREZ

**TRANSPORT INSPECTORS**

Can Government state how many Transport Inspectors have been appointed in full time employment and how many have been appointed in an ex-officio capacity?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There is one Transport Inspector in full employment and eight ex-officio Inspectors.

SUPPLEMENTARY TO QUESTION NO. 563 OF 2001

HON J C PEREZ:

And are all the ex-officio Inspectors members of the Tourism Department?

HON J J HOLLIDAY:

There are two members that are from the Ministry of Tourism and Transport, the rest are all from the Gibraltar Tourist Board.

HON J C PEREZ:

And what are the duties expected of the ex-officio Transport Inspectors as compared to the full timers and are they remunerated for these duties?

HON J J HOLLIDAY?

No, they are not remunerated for these duties but there are times when these ex-officio Transport Inspectors would have to take decisions in different circumstances and therefore they need to have the powers to be able to carry out those decisions and duties.

HON J C PEREZ:

But is it the full extent of the powers of the Transport Inspectors that they hold to take decisions at a given time, or are they limited to certain areas?

HON J J HOLLIDAY:

The law actually sets out the duties and powers of the Transport Inspectors and these ex-officio members have exactly the same powers as the full time Inspectors and therefore they are there with their own powers and duties to perform them.

HON J C PEREZ:

And the Government consider it correct that someone that is not fully employed on transport should have to take a decision on transport at a given time, without the full

knowledge of the whole aspect of transport? These people are employed as something different and they are being given powers to exercise the functions of the Transport Inspector at a given time. Does the Minister not see that that could be badly administered by the people concerned, given that they do not know the extent of the job that is involved in Transport Inspector?

HON J J HOLLIDAY:

No, the Government have full confidence in the members of the Ministry and the Gibraltar Tourist Board that have been appointed for this purpose and I must point out, that even though these people do have other responsibilities, they are in a way related to the transport and the running of transport related issues. An example of this is for example the Terminal Manager at the Coach Park, although he has got a tourism function, he does have an administrative function within the cruise or the ferry or coach park and therefore he needs to have the powers to be able to direct transport and take decisions depending on circumstances at a given time.

NO. 564 OF 2001

THE HON J C PEREZ

**TRANSPORT – PARKING TICKETS**

Can Government state how many parking tickets have been issued this year with a breakdown by months and the comparative figures for the same months last year?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The information requested is as follows:

	<u>2000</u>	<u>2001</u>
January	1027	1140
February	913	1877
March	1069	1507
	<u>3009</u>	<u>4524</u>

SUPPLEMENTARY TO QUESTION NO. 564 OF 2001

HON J C PEREZ:

Is there any reason for the large increase in February and March? Is this that there is a greater amount of policing, or is it that there is a certain amount of offences?

HON J J HOLLIDAY:

Well, this is purely a policing matter. I assume that if the police have issued parking tickets, it is because it is justified.

HON J C PEREZ:

Unless it is a policy decision.

HON CHIEF MINISTER:

Well, if it is a policy decision he must be aware that it cannot possibly be the Government, since one of the things that the Gibraltar Government do not have .....

HON J C PEREZ:

No, no but the Attorney-General .....

HON CHIEF MINISTER:

The Attorney-General has got no constitutional responsibility for policing in Gibraltar. He is the prosecution authority. He gets cases brought to him by the police. Frankly, the hon Member should know better, than to ask the Government, at least to ask this

Government, questions in the House about operational matters of the police because he knows that we do not interfere in such matters.

HON J C PEREZ:

Not even in the fishing agreement.

HON CHIEF MINISTER:

Especially not the fishing agreement.

NO. 565 OF 2001

THE HON J C PEREZ

**TRAFFIC - QUEENSWAY**

Have Government now completed their plans to decongest traffic at Queensway, between the junction of Europort Avenue and Waterport roundabout, and if so, will they state what these plans entail?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Government have no plans to alter the traffic arrangements in the place or for the purpose described in the question. Government continue to consider ways of decongesting the entrances to and exits from the Westside area as a whole.

SUPPLEMENTARY TO QUESTION NO. 565 OF 2001

HON J C PEREZ:

So the information that I have been given in the House in the past means, that this would be decongested by virtue of the decongestion of the other areas because this question has been answered in a different way in the past.

NO. 566 OF 2001

THE HON J C PEREZ

**TRAFFIC – WATERPORT ROAD**

Do Government not consider that having two-lane traffic at Waterport Road, with parked cars on either side having to reverse into the road, is not conducive to good traffic management?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 567 of 2001.

NO. 567 OF 2001

THE HON J C PEREZ

**TRAFFIC – WATERPORT ROAD**

Will Government consider creating short-term waiting bays at Waterport Road in the area of Watergardens given the nature of many businesses in the area?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Parked cars have been reversing on to the road on the Watergardens side for many years, even when the hon Member was Minister with responsibility for traffic matters. Indeed, vehicles frequently used to park illegally behind properly parked cars, thereby causing obstruction and restricting the views of drivers exiting from parking bays. To all intents and purposes, Waterport Road operated as two lanes, even though it was not marked out as such.

Now that the two lanes have been widened because the central reservation has been narrowed and a 30 kph speed limit imposed, these new measures actually enhance the traffic safety.

The creation of short-term parking bays is a matter which the Traffic Commission would need to consider. As far as Government are aware no such request has been made to the Commission to consider.

SUPPLEMENTARY TO QUESTION NOS. 566 AND 567 OF 2001

HON J C PEREZ:

Should they not consider it before the works are completed, given that the works have already started in the area?

HON J J HOLLIDAY:

I am sure that those that have designed the road and layout have taken the matter into consideration and that have not thought it fit to provide for this.

HON J C PEREZ:

Is it not the case that this is the first time that Waterport Road has been demarcated two-lane?

HON J J HOLLIDAY:

That is correct, I have said that in my answer.

HON J C PEREZ:

Well, because the Minister is saying that cars used to reverse into the road in my time and in my time it was not two-lane and the standard practice of traffic anywhere



in Europe is that if there is a two-lane the cars do not reverse to get out of the parkings, they come out from the front, which is an impossibility in this situation, that is why I am asking the Minister whether he considers it to be good traffic management. The fact that people might be using it for two lanes when that is not happening is one thing but to demarcate a two-lane when all cars on either side have to reverse into the road, I think is a mistake.

ORAL

NO. 568 OF 2001

THE HON J C PEREZ

**TRAFFIC – UPPER TOWN**

Are Government now in a position to announce their plans for traffic for the Upper Town area?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

NO. 569 OF 2001

THE HON J C PEREZ

**BUS SERVICE**

Has the second bus operator now submitted their proposals to Government in relation to Government's own plans for the bus service?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

I do not know who is the "second bus operator". The Government have now received proposals from both companies currently engaged in the provision of the bus services.

SUPPLEMENTARY TO QUESTION NO. 569 OF 2001

HON J C PEREZ:

The second bus operator is in Hansard the reply that the Minister gave to me when he said that one bus operator had submitted proposals and the second one had not and he was expecting them, that is the second bus operator. So the Minister has now received the proposals from the second operator and has now got both proposals, is that the case?

HON J J HOLLIDAY:

That is correct.

HON J C PEREZ:

And does the Minister envisage when it is that he can announce his own plans in conjunction with the proposals that he has, or after having digested the ideas and proposals he has received?

HON J J HOLLIDAY:

The Government are giving consideration to the proposals that have been made and an announcement will be made as soon as possible.

NO. 570 OF 2001

THE HON J C PEREZ

**TRANSPORT – EU REGISTRATION PLATE**

Have Government now taken a decision on when the new EU format registration plate for Gibraltar is to be introduced?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO. 570 OF 2001

HON J C PEREZ:

Is there anything in particular holding it up? The concern is, that there are people already buying plates with the EU and putting them on and it is not gazetted, it is not standardised, what form it should take. Is there anything in particular holding it up?

HON J J HOLLIDAY:

We are in the process of finalising the details of the relevant legislation that comes into place and as soon as that is ready we will press the button.

ORAL

NO. 571 OF 2001

THE HON J C PEREZ

**NUMBER OF VEHICLES REGISTERED**

What is the total number of new vehicle registrations for this year as at 31st March 2001?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The total number of new vehicles registered for this year as at 31st March 2001 was 704.

NO. 572 OF 2001

THE HON DR R G VALARINO

**17 EUROPA ROAD**

Can Government now state when they will be in a position to issue the tender for the demolition of 17 Europa Road?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The tender for this project was advertised in late March 2001.

SUPPLEMENTARY TO QUESTION NO. 572 OF 2001

HON DR R G VALARINO:

Have Government had any replies since?

HON J J HOLLIDAY:

My understanding is that the tender submissions are currently being assessed and an award of this tender is expected shortly.

NO. 573 OF 2001

THE HON DR J J GARCIA

**PERSONS INTERVIEWED**

Can Government state how many interviews with persons who said that they had not stayed at a hotel have been carried out since December 2000, on a monthly basis, giving the number interviewed each month and where they were interviewed?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 574 to 576 of 2001.

NO. 574 OF 2001

THE HON DR J J GARCIA

**PERSONS INTERVIEWED**

Can Government state, of the number of persons who have been interviewed since December 2000 inclusive, who had not stayed at a hotel, how many were interviewed at the land frontier, how many were interviewed at the airport, and how many were interviewed elsewhere?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 573 and 575 to 576 of 2001.



NO. 575 OF 2001

THE HON DR J J GARCIA

**PERSONS INTERVIEWED**

Can Government state, of the number of persons who have been interviewed since December 2000 who said they had stayed at a hotel, how many were interviewed at the airport, how many were interviewed elsewhere, and in each case what was the average length of stay in hotels?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 573, 574 and 576 of 2001.

NO. 576 OF 2001

THE HON DR J J GARCIA

**PERSONS INTERVIEWED**

Can Government say how many interviews with persons who said that they had stayed at a hotel have been carried out since December 2000, on a monthly basis, giving the number interviewed each month and where they were interviewed?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The extensive factual and statistical information requested by the hon Member is set out in the schedule which I now hand to him.

**Answer to Question 573 of 2001**

The number of interviews carried out in respect of visitors who did not stay at a hotel was as follows:

January	832
February	848
March	689

The interviews were carried out as set out in the answer to Question 574 which follows:

**Answer to Question 574 of 2001**

The information requested in respect of visitors interviewed who did not stay at hotels is as follows:

	January	February	March	Total
Land Frontier	469	476	333	1,278
Airport	48	98	36	182
Elsewhere	315	274	320	909
<b>TOTAL</b>	<b>832</b>	<b>848</b>	<b>689</b>	<b>2,369</b>

**Answer to Question 575 of 2001**

The results from Tourist Survey questionnaires in respect of 2001 are as yet provisional. The figures requested are as follows:

	Airport	Average Length of Stay	Land Frontier	Average Length of Stay	Waterport	Average Length of Stay
January	24	5.3	2	2.6	4	3.3
February	30	6.2	4	2.0	-	-
March	39	4.8	9	2.8	-	-

Answer to Question 576 of 2001

The information requested is as follows:

	Stayed at Hotel	Number of Interviews
January	30	862
February	34	882
March	48	737
Total	112	2,481

	Airport	Frontier	Waterport	Total
January	24	2	4	30
February	30	4	-	34
March	39	9	-	48
TOTAL	93	15	4	112

NO. 577 OF 2001

THE HON DR J J GARCIA

**NUMBER OF HOTEL BEDS**

Have any new parties expressed an interest in making proposals, or actually made proposals, to the Government with a view to increasing the number of hotel beds in Gibraltar, apart from the six given in answer to questions in February?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 578 of 2001.

NO. 578 OF 2001

THE HON DR J J GARCIA

**NUMBER OF HOTEL BEDS**

Do the discussions between the Government and the six parties that have expressed an interest in making proposals to increase the number of hotel beds in Gibraltar continue?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No new parties have expressed an interest in hotel development in Gibraltar. Discussions continue with those parties who have already shown an interest in this matter.

SUPPLEMENTARY TO QUESTION NOS. 577 AND 578 OF 2001

HON DR J J GARCIA:

Is the Minister in a position to say whether the negotiations with the six parties are all at the same stage or are they all at different stages, and if so, at what stage are each?

HON J J HOLLIDAY:

Well, the reality is they are all awaiting developments at a particular area and when that happens negotiations will continue, so basically they are all at similar stages, anyway.

HON DR J J GARCIA:

So we have not got to a stage then, if the Minister could say, where anybody has made specific concrete proposals which the Government are considering, only just loose negotiations.

HON J J HOLLIDAY:

Well, they are not strictly loose negotiations but I think that they would not be in anybody's interest for me to actually openly give information away on this respect at this stage.

HON J J BOSSANO:

Have any possible sites been identified?

Hon J J HOLLIDAY:

As I think I have said in the House before, the Government's vision for the east side may include the development of a hotel and with this in mind we are now waiting for the consultants who are doing the whole feasibility study of the east side to be

completed and they will be able to tell us what sort of construction can actually be done on the reclaimed land and this will then open up opportunities for us to consider which avenue we wish to take in this particular respect and there are a number of interested parties that are awaiting for that sort of level and the stage in our consideration to be made available and made public, but obviously at that stage any interested parties, whether they are in discussions already and have expressed an interest to the Government, or anybody that comes in new, will have the opportunity of being able to look at this. The reality is that there is interest and it is obviously Government policy to keep them warm and interested and that is exactly what I am trying to do at the moment.

NO. 579 OF 2001

THE HON DR J J GARCIA

**HOTEL ASSISTANCE SCHEME**

How much money have the Government paid to hotels since 1 January 2001 in loans and grants under the Hotel Assistance Scheme, or from elsewhere, in chronological order with a breakdown giving the name of the hotels in question and the amount paid?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Only one payment has been made, in the form of £6,438.42 granted to the Continental Hotel.

SUPPLEMENTARY TO QUESTION NO. 579 OF 2001

HON DR J J GARCIA:

Can the Government say, whether this is because nobody has actually requested any funding or whether funding has been requested and been rejected.

HON J J HOLLIDAY:

No, the Hotel Assistance Scheme that was launched in 1997 had the initial submission made by the various hotels, Government considered those, it made decisions as to the level of support that was given in each and every circumstance and now all the hotels have drawn down all that was agreed. The Continental Hotel at that stage was in the process of being sold and never actually made the request. For all intents and purposes the Hotel Assistance Scheme from the point of view of loans is now closed for the time being anyway.



NO. 580 OF 2001

THE HON DR J J GARCIA

**HOTEL ASSISTANCE SCHEME**

What is the total amount owing to the Government by each hotel in respect of loans and grants under the Hotel Assistance Scheme as at 31st March 2001, giving the name of each hotel, the amount of the loan, the repayments made against each loan, and the total amount owing for each hotel?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The extensive factual and statistical information requested by the hon Member has been set out in the schedule which I now hand over to him.

Answer to Question 580/2001

Hotel Assistance Scheme Loans	Loan Approved	Drawdown as at 31 March 2001	Repayment Dates
Bell Hotels Ltd	£1,000,000	£1,000,000	26 02 03
Rock Hotels Ltd	£1,500,000	£1,425,000	23 01 03
G & JB Hotels Ltd (Caleta Palace)	£1,500,000	£1,450,000	21 10 03
Total	£4,000,000	£3,875,789	

No repayments are due to be made until 2003 – five years from the date of first drawing.

NO. 581 OF 2001

THE HON DR J J GARCIA

## **HOTEL ARREARS**

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 March 2001.

### ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The arrears due by hotels stood at £690,000 as at 31st March 2001. These arrears are in respect of amounts due over a number of years dating back to 1991. The breakdown is as follows:

Social Insurance	£197,000
PAYE Tax	£177,000
Electricity	£292,000
Rates	£ 24,000
	<hr/>
	£690,000
	<hr/>

### SUPPLEMENTARY TO QUESTION NO. 581 OF 2001

HON DR J J GARCIA:

The Minister is obviously aware the figure has gone up since we last asked the question in December. Is there any reason for that or is it simply that people have not paid whatever the agreement they had entered into?

HON J J HOLLIDAY:

My understanding is that the figure as it stands as at 31<sup>st</sup> March, the actual arrears was £690,000 but in fact the balance outstanding in respect of the arrears is £613,000. When this question was previously asked, the balance stood at £642,000, so the figure that I have given of £690,000 includes both what is sort of overdue and what is current. The thing is that possibly because hotel occupancy is higher, the actual arrears are up because obviously there is more consumption in terms of electricity and people they employ et cetera, but overall the figure is actually down, even though the figure which I have quoted is higher.

ORAL

NO. 582 OF 2001

THE HON DR J J GARCIA

**HOTEL GRADINGS**

How is the progress being made by the Bristol Hotel, the Caleta Hotel and the Continental Hotel with respect of keeping their provisional star grading being monitored?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 583 of 2001.

NO. 583 OF 2001

THE HON DR J J GARCIA

**HOTEL GRADINGS**

Can Government list the exact detailed specifications that would differentiate a four star hotel from a five star hotel in the assessment of local hotels carried out by Associated Quality Services Ltd?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government are not monitoring progress.

The hotels in question were given a deadline of 1st November 2001 by which time all improvements needed to be in place. Once the deadline expires, the Government will then ascertain whether all the improvements have been made to the required standard.

And in his question in respect of the difference between the four and five star criterias, I am handing over a factually detailed resume of the difference between the two different gradings.

## ANSWER TO QUESTION 583/2001

All hotels to comply with statutory obligations - where applicable these include the following  
- Fire Precautions, Price Display Orders, Food Safety, Licensing, Health and Safety and Public Liability Insurance Cover.

### FACILITY REQUIREMENTS FOR A MINIMUM 1 STAR RATING.

- A minimum of 6 letting rooms.
- 75% of rooms to be en-suite or with a designated private bathroom.
- A restaurant (or eating area) for the service of both dinner and breakfast (lunch optional).
- Dinner to be available for residents and their guests (last orders no earlier than 6.30 p.m.)
- A lounge or easy seating area with television if not in every bedroom.
- A residential liquor licence.
- Service may be informal.
- The issuing of a bedroom key to guests.
- Decor, Furnishings, Fixtures and Fittings in both Public Areas and Bedrooms may have more of a domestic quality than that associated with specialist/larger hotels.
- Optional room service.
- All bedrooms and bathrooms to be cleaned daily, with beds made daily (sheets and duvets to be changed every 4 days and for each new guest).

All bedrooms and bathrooms should have sufficient space to allow guests freedom of movement - minimum floor areas should be -

Single 5.6 sq m/60 sq ft.

Double 6.4 sq m/90 sq ft.

Twin 10.2 sq m/110 sq ft.

- All bedrooms to have at least minimum sized beds -  
Single - 190 x 90 cms/6'3" x 3'.  
Double - 190 x 132 cms/6'3" x 4'6".
- All rooms to be provided with fixed heating and adequately lit - (160 watts in single and 220 watts in double).
- All windows to have opaque curtains.

## Contd Answer to Question 583 of 2021

- All bedrooms to have a dressing table, mirror, wardrobe (or clothes hanging space), bedside table (with light controllable from both the bed and door), a minimum of one chair in single rooms and two chairs or one chair and a stool in double rooms and a hand and bath towel and bath mat with fresh soap for each new guest.
- At least one bath, shower room and a separate WC. for every six resident guests (other than guests in bedrooms with en-suite facilities).

### QUALITY STANDARD REQUIREMENTS FOR A MINIMUM 1 STAR RATING

A minimum of 90 % of all scores to be "Fair" or better.

## Contd Answer to Question 583 of 2001

### FACILITY REQUIREMENTS FOR A 2 STAR RATING.

In addition to the minimum 1 Star rating requirements, the following will be expected at 2 Stars -

- Normally small/medium sized hotels.
- Management and staff more smartly and professionally presented with service skills more evident than at 1 Star level.
- Decor, Furnishings, Fixtures and Fittings with less of a domestic quality than usually seen at 1 Star level, with evidence of co-ordinated furnishings, fabrics and decor within bedrooms. Bedroom chairs to be upholstered seat and back, with or without arms.
- Bedroom sizes to exceed the minimum 1 Star dimensions.
- Last orders at dinner no earlier than 7.00 p.m.
- A colour television provided in every bedroom (at no extra cost).
- 100% of bedrooms to be en-suite or with 'private' facilities comprising a bath or shower.
- A clearly designated reception area to be provided (a bar used for reception purposes is not acceptable).

### QUALITY STANDARD REQUIREMENTS FOR A 2 STAR RATING

A minimum of 85% of all scores are likely to be "Good" and better, with probably 30% of all scores at least "Very Good". Normally no scores of "Acceptable".



FACILITY REQUIREMENTS FOR A 3 STAR RATING

In addition to the minimum 1 and 2 Star rating requirements, the following would be expected at 3 Stars -

- May be medium sized hotels with significantly greater quality and range of facilities and services than usually seen at 1 and 2 Star levels.
- A higher degree of public access, with the public areas and bedrooms usually more spacious than at 1 and 2 Star levels.
- A higher staffing level than usually seen at 1 and 2 star levels, with staff smartly and professionally presented and usually uniformed. A more formal style of service, with staff demonstrating good levels of product knowledge, restaurant staff applying correct service methods and bar staff preparing a range of drinks competently.
- A dedicated receptionist on duty.
- Last orders at dinner no earlier than 8.00 p.m.
- Room service to be available and advertised with menus available (including continental breakfast).
- Laundry service available with details advertised.
- Better quality bedroom furnishings with less evidence of self assembly and melamine topped surfaces. All bedrooms to be well lit and have sufficient free space to allow for the provision of the appropriate level of room service.
- Bedding should be co-ordinated.
- Individually controlled thermostatic heating (preferably 24 hours).
- Curtain materials, when used, should be substantial, fully lined and of contract quality. Similarly carpeting should also be of heavyweight contract standard.
- A kneehole dressing/writing table to be provided in all rooms.
- Single rooms to have one easy chair, with two easy chairs or one easy chair and stool in all twins/doubles.
- A better range of good quality beverage making facilities.
- A radio to be provided in each bedroom, with televisions provided with a remote control.
- A direct dial telephone to be provided in each bedroom.
- A hair dryer to be provided in each room.
- 100% of bedrooms to have en suite bath or shower and WC and to be more spacious with more shelf space and decorated to a high standard (ie tiled walls and fitted floorings). A full sized washbasin to be located within the en suite bathroom.
- Shampoo and/or bath/shower gel to be provided as a minimum.
- A higher quality of food served with evidence of fresh foods used - more emphasis on quality rather than extensive menus.

## Lord Answer to Question 583 of 2011

- Breakfast to include a range of hot and cold items with a choice of good quality accompaniments (i.e. jams, marmalades, ground and decaffeinated coffee, teas etc.).
- Public rooms generally more spacious and offering a greater range with all furnishings, fittings and decor of good quality and in good condition.
- A dedicated reception area with desk, counter or desk. (a bell to be provided when receptionist is not present).
- The restaurant also to be of good quality, including the standard of decor and furnishings and tableware - all commensurate with hotel ware quality.
- A lift required in all establishments with 3 floors or more, including the ground floor.
- A pay phone to be provided.
- Convenient public area located separate Ladies and Gents public WC's.
- A residential and restaurant liquor licence.

### QUALITY STANDARD REQUIREMENTS FOR A 3 STAR RATING

80% of all scores are likely to be "Very Good" and better, with probably 20% of all scores "Excellent" or better. Normally no scores of "Fair" or "Acceptable".

## Lord Answer to Question 583 of 2001

### FACILITY REQUIREMENTS FOR A 4 STAR RATING

In addition to the minimum 1, 2 and 3 Star rating, the following would be expected for a 4 Star rating -

- In order to provide the expected level of quality and range of facilities and services, hotels will be expected to have extensive accommodation and usually with spacious and very well appointed public areas, with bedrooms offering superior quality than in 1 to 3 Star hotels. Could also include smaller, luxury hotels.
- A formal, professional service structure, with smartly presented, uniformed staff.
- A strong emphasis on food and beverage with a serious approach to cuisine.
- Extra facilities, depending on location and style of operation, such as conference and banqueting, business centre, health and leisure, second eating option etc..
- Reception manned 24 hours per day, with express check out facilities provided where appropriate. There may well be a dedicated reservations department with an efficient formal bookings procedure in place. Well trained reception staff professionally presented, with staffing levels commensurate with the size of hotel.
- Porterage to be available by uniformed staff, with a night porter also available.
- At least one restaurant open to residents and non residents for all meals 7 days per week.
- A breakfast menu to be provided, although a buffet style is acceptable if table service is also provided.
- Lunch to be provided in a restaurant, bar or brasserie.
- An extensive choice of hot and cold dinner dishes with a comprehensive list of wines.
- Last dinner orders no earlier than 9.00 p.m.
- Light refreshments and snacks to be available during the day and evening, with service easily available without having to order at reception or bar.
- Provision of full room service meals to be eaten in comfort, possibly on a dining table and chairs or a trolley service. A procedure in place to remove trays/trolleys.
- Room service of both continental and full cooked breakfast, lunch and dinner (during restaurant hours) to be provided and advertised with drinks, refreshments and light snacks to be available 24 hours per day
- Consider an air conditioning requirement?

### QUALITY STANDARD REQUIREMENTS FOR A 4 STAR RATING.

75% of all scores are likely to be "Excellent" and better, with probably 10% of all scores "Exceptional" Very few scores will be less than "Very Good" No scores of "Fair" or "Acceptable"

## Contd Answer to Question 583 of 2001

### FACILITY REQUIREMENTS FOR A 5 STAR RATING

In addition to the minimum 1, 2, 3 and 4 Star rating, the following would be expected at 5 Stars.

- Spacious, luxurious establishments, offering the highest International standards of accommodation, facilities, services and cuisine.
- Very spacious, luxurious accommodation throughout, with a range of extra facilities.
- Flawless guest services by professional, attentive staff, with a formal and structured team of impeccably presented staff with technical and social skills of the highest order.
- Highly trained reception staff, immaculately presented. First time guests, at the very least given an escort by reception staff or management to their room. A multilingual service provided. A dedicated reservations department displaying the highest levels of customer care and telephone manner.
- Porterage offered by uniformed staff, with luggage handling on arrival and departure. A doorman or means of greeting guests, provided at the hotel entrance. A full concierge service provided.
- Staff to show a serious commitment to and enthusiasm for food and wine. The quality of dinner menu and wine list presentation of a very high standard.
- A wide selection of drinks, including cocktails, to be available in a bar or lounge. Table service of drinks to be provided.
- A full lunch service to be provided in a restaurant.
- Last dinner orders no earlier than 10.00 p.m.
- Full afternoon teas to be served.
- Room service menus to be provided in each room, with a dedicated room service/staff.
- A shoe cleaning service to be available and advertised.
- 24 hour laundry service (dry cleaning week-days only) and full valet service.
- Bedrooms to be of excellent quality with a luxurious standard of furnishings, fittings and decor.
- All beds made daily, with bed linen, including duvet covers changed every day. An evening turn down service normally provided.
- Single beds exceeding the 3' minimum size.
- Bedrooms to be exceptionally well lit, with additional lighting likely to be provided e.g. armchair reading light, wardrobe lighting etc.
- Single rooms to have an easy chair and one desk chair and a double/twins to have two easy chairs and one desk chair.
- Satellite or cable and/or TV channels to be provided.

## Lord Answer to Questions SRB of 2011

- All rooms to have direct dial telephones at both bedside and writing table. Additional fax and computer points may be available.
- A 48 hour laundry and dry cleaning service (weekdays only).
- All bedrooms to be of very good quality with a superior standard of decor, furnishings and fittings. It is unlikely that there will be any self assembly melamine topped or space saving furniture, as all furniture will need to be of a good contract standard as a minimum.
- In addition to beds being made daily and for each new guest, all bed linen (including duvet covers) to be changed at least every two days.
- All bedrooms and bathrooms to have an obvious degree of spaciousness, allowing ample ease of movement and which will significantly exceed the minimum dimensions.
- A range of bed sizes incl. standard doubles (6'3" x 4'6") and queen (6'6" x 6" etc.) to be available. All beds to be of very good quality with superior headboard attached and dressed to a very high standard, including immaculately laundered quality and co-ordinated bedding.
- Bedroom heating to be individually thermostatically controlled and operable 24 hours.
- High quality lighting, including the room lights to be controllable from the bedside and with twin beds to have two bedside lights (and bedside tables - not shelves).
- High quality window and floor coverings, co-ordinating with surrounding fabrics and soft furnishings.
- A wider range of hangers to be provided, suitable for all types of clothes.
- One easy chair to be provided in single rooms with two easy chairs in doubles/twins (a substantial chair at the writing deck in addition to an easy chair may be acceptable).
- Bedroom televisions to be of high quality with generously sized screens.
- Some bedrooms to have the telephone capable of being used at both bedside and desk.
- Writing materials, including stationery to be provided in all bedrooms.
- A least one bedroom suite with separate sitting room, reached as a minimum, through an arch from the main area.
- A face cloth to be provided for each new guest, changed daily and a range of high quality guest toiletries to be provided.
- 100% of bedrooms to be en-suite with a bath and fixed overhead shower and WC. Bathroom suites would be expected to be matching with showers preferably thermostatically controlled. Very good shower curtains or glass screen to be fitted.
- A wider range of menus and dishes to be offered, although the emphasis will be on food quality rather than extensive menu. A range of dietary and vegetarian options to be available for each meal and at breakfast a wider range of accompaniments (e.g. butters, spreads, jams, marmalades, ground and decaffeinated coffees, teas etc.) would be expected.

## Could Answer to Question 583 of 201

- A clearly designated reception area, with a formal desk, or counter provided. If appropriate the foyer may well contain a separate porters desk.
- The restaurant, regardless of style, to be appointed to a very good standard with quality tableware and comfortable seating. tables to be reasonably well spaced.
- A sitting area provided at all times. The bar and lounge may be combined.
- A full liquor licence.
- A number of permanent luxury suites to be available.
- Bath sheets to be provided for each new guest, changed daily. Bathrobes to be provided.
- Extensive public areas, with the lounge areas and restaurant with excellent quality furnishings and fittings and having an air of luxury.
- \* Consider an air conditioning requirement, 24hr availability ?

### QUALITY STANDARD REQUIREMENTS FOR A MINIMUM 5 STAR RATING

Mostly "Exceptional" scores. No scores less than "Very Good".

### A SUMMARY OF 5 STAR QUALITY INDICATORS

#### *Bedrooms/Bathrooms/Public Areas*

- The highest standards of floor coverings, furnishings, fittings and decor.
- Attention to guests expectations, comfort and needs evident in the amenities provided.
- All fittings and furnishings to complement the overall design, style and decor of any given area.
- Bedrooms to be amply proportioned in order to accommodate the facilities and services available.
- All areas to be exceptionally well lit.

#### *General Services*

- The highest levels of customer care skills and telephone manner.
- Service to be flawless, with technical and social skills of the highest order.

#### *Food and Beverage*

- Outstanding levels of product knowledge and service skills in food and wine.
- All staff to be unobtrusive, polite and courteous.
- Menu presentation of the highest order.

## Contd Answer to Question 533 of 2001

- Guest preferences accommodated without question.
- All meals prepared with a high level of technical skill.
- All food to be freshly prepared and of the highest quality.

NO. 584 OF 2001

THE HON DR J J GARCIA

**FLIGHTS – GIBRALTAR / TANGIER**

When in the year 2000 was the last flight between Gibraltar and Tangier and are there plans to establish a service other than those on which the Opposition have been briefed privately?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The last flight was on 28 July 2000. Since then, Regional Air Lines has been examining the option of the Tangier service, amongst other routes, which the hon Member has been briefed privately. A new operator has recently come forward who is also exploring the possibility of servicing the Tangier route.

SUPPLEMENTARY TO QUESTION NO. 584 OF 2001

HON DR J J GARCIA:

In relation to the new operator, the Minister has mentioned Tangier, obviously at present the situation is there are no air links between Gibraltar and Morocco. Is the possibility of opening routes to other Moroccan cities also available?

HON J J HOLLIDAY:

This is something that obviously Regional Airlines had been considering. The new operator which I have mentioned in my answer is not a Moroccan operator. I do not really know where they are from, I think they are probably British. They have asked the Gibraltar Government for certain assistance and this has not been forthcoming in the light of certain commitments that we do have with Regional Airlines and others. However, our communications do remain open, in fact it is only this morning that I have had communications with them on this, in that they irrespective of our position, they are currently giving consideration to the Tangier / Gibraltar route.

HON DR J J GARCIA:

Does the Minister have any information in relation to the frequency of the route and the type of aircraft which they envisage to use or has it not got to that stage yet?

HON J J HOLLIDAY:

No, I am afraid that I do not have concrete information. They were talking of the service twice a day on a very very small little aircraft but the reality is that the aircraft does not exist and they were about to consider the leasing of an aircraft and it is not really an operation which is firm on the ground and so we are concerned as to opening up our cheque book without really knowing where we are going.



NO. 585 OF 2001

THE HON DR J J GARCIA

**MONARCH AIRLINES**

Are the talks still on-going between the Government and Monarch Airlines to re-establish flights between Gibraltar and Manchester Airport?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 586 to 591 of 2001.

NO. 586 OF 2001

THE HON DR J J GARCIA

**NEW AIRLINES**

Do the discussions continue with the two new airlines who were interested in flying to Gibraltar according to the information supplied by the Government at the last question time in this House?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 585 and 587 to 591 of 2001.

NO. 587 OF 2001

THE HON DR J J GARCIA

**NEW AIRLINES**

Have any new airlines expressed an interest in flying to Gibraltar other than those referred to in the answer given this February?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 585, 586 and 588 to 591 of 2001.

ORAL

NO. 588 OF 2001

THE HON DR J J GARCIA

**REGIONAL AIRLINES**

Has any payment been made to Regional Airlines this year and if so what amount and when?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 585 to 587 and 589 to 591 of 2001.

ORAL

NO. 589 OF 2001

THE HON DR J J GARCIA

**REGIONAL AIRLINES**

Do discussions continue between the Government and Regional Airlines on a Draft Memorandum of Understanding?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 585 to 588 and 590 to 591 of 2001.

ORAL

NO. 590 OF 2001

THE HON DR J J GARCIA

**NEW AIRLINES**

Is the airline that was very keen in starting flights to Gibraltar in April 2001 going to do so?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 585 to 589 and 591 of 2001.

NO. 591 OF 2001

THE HON DR J J GARCIA

**AIRLINE ASSISTANCE SCHEME**

How much has been paid from the Airline Assistance Scheme and to what airlines since February 2001 on a monthly basis, giving the amounts and the dates when the payments were made?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Discussions continue with two new airlines who are interested in flying to Gibraltar. No other airlines are in discussions with the Government, beyond those referred to previously in this House. Indeed, one airline – Fly Europa – has now filed an application to operate a service from Stansted to Gibraltar and from Manchester to Gibraltar. This was the airline that was keen to commence operations in April or May this year. Government nevertheless would wish to encourage Monarch Airlines to continue considering operating the Gibraltar/Manchester service as it is felt there is demand for this route.

A draft Memorandum of Understanding with Regional Air Lines is close to being agreed. However, no payments have been made to this airline in the year 2000. The only payments made in respect of airline assistance since February 2001 was the sum of £21,500 paid to Monarch Airlines on the 15<sup>th</sup> March 2001.

SUPPLEMENTARY TO QUESTION NOS. 585 TO 591 OF 2001

HON DR J J GARCIA:

With respect to the Monarch application which the Minister says is on-going, is the Government aware whether Monarch Airlines have a base at Manchester Airport, which would make it easier for them to operate from there?

HON J J HOLLIDAY:

Monarch have headquarters in Luton, however, they are expanding their operations in to Manchester as well, in fact they do operate a Manchester/Malaga flight which they started very recently, when they were giving consideration to the Manchester/Gibraltar route. They told me that they would not be putting on a Manchester/Gibraltar flight this summer, basically because of the non availability of aircrafts in that they take commercial decisions as to what priorities they have on certain routes as against others. This is why I insisted that when Fly Europa was considering the daily flight from Stansted to Gibraltar, I insisted that they should cut down to five, seeing that they could only travel to Gibraltar once a day I insisted that they put on a Manchester route because I felt there was demand of market there. They have obviously followed the recommendations that the Government have made and in their applications to the C A A only last Tuesday, they applied for five flights a week from Stansted and two from Manchester. I think this is an important development and something that the Government welcomes.

HON DR J J GARCIA:

It has long been the policy of the Opposition that there should be more airlines flying to more routes from Gibraltar airport, particularly since the situation at present was that there were less airlines flying less routes during the last four or five years, so obviously it is something that we would like to see. Can the Minister confirm in relation to airlines and air routes whether the introduction of the seven flights to Heathrow by British Airways or GB Airways recently was accompanied by a cut back of four flights to Gatwick in the evening during the week?

HON J J HOLLIDAY:

In order to accommodate Government's request to operate out of Heathrow and the fact that Government wish to see a daily flight from Heathrow to Gibraltar, the initial schedule finally agreed with GB Airways is that they would do a daily W rotation including Gatwick and Heathrow with Gibraltar, so all those daily flights summer and winter leaving Heathrow in the morning, coming in to Gibraltar, flying out through Gatwick at lunch time, returning back to Gibraltar in the early part of the afternoon from Gatwick and then flying back to Heathrow. And that W rotation will remain throughout the year. In addition to that, as they jiggle around with schedule, the actual number of flights to Gatwick would probably be increased back to their original number subsequent to the change of this schedule. Let me add that Fly Europa will add a different dimension to the whole routing as they intend to fly out from Gibraltar in the morning and return back to Gibraltar in the evening, both through Stansted and Manchester and will over night in Gibraltar. So it will mean that they would be promoting a new product in that they would actually be leaving Gibraltar early in the morning. This would mean that people would be able to go to London or to Stansted for a day trip if required. It would fly out at 8 o'clock in the morning and return back in the evening.



NO. 592 OF 2001

THE HON DR J J GARCIA

**“PRIDE OF GIBRALTAR”**

Have the owners or operators of the vessel “Pride of Gibraltar” which is providing dolphin sightseeing trips from the new port in La Linea received any EU (via Gibraltar) or Gibraltar Government funding, and if so how much and on what date was such funding paid?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No public funding has ever been given to the “Pride of Gibraltar” venture.

SUPPLEMENTARY TO QUESTION NO. 592 OF 2001

HON DR J J GARCIA:

Does that include any type of concession in relation to for example, to import duties or anything like that in the vessel?

HON J J HOLLIDAY:

No.

HON DR J J GARCIA:

No, it does not include it?

HON J J HOLLIDAY:

No, no subsidy or grant or anything were ever granted to the Pride of Gibraltar.

HON DR J J GARCIA:

In relation to the wider question of this vessel, have the Government been able to establish what the operators of the vessel mean by offering rapid frontier access to people who use the services?

HON J J HOLLIDAY:

No, I think it is possibly a selling gimmick that does not actually materialize but no, is the answer.

HON DR J J GARCIA:

So are the Government aware then, whether the people who use these services are put in coaches which then jump the queue at the border on the Spanish side?

HON CHIEF MINISTER:

No, the Government are not aware of any such practice, what the Government are aware of is what he has himself said in the press and that is, that his customers are walked across the border to rejoin a bus that has been queuing up without them. That is what he has said in the interview, which is not the same thing as the hon Member has just described. Certainly the Government are not aware of what the hon Member is saying, does not believe that it is happening and indeed doubts that this gentleman would have the ability to procure that sort of access on the other side of the border. I mean, I know more influential people than the dolphin safari provider who appeared to be unable to gain for themselves that sort of priority on the other side of the border.

HON S E LINARES:

Then the Chief Minister is not aware of the fact that there are two loops in the other side of the frontier and of which one of the loops is jumped by the coaches themselves, even though they are full?

HON CHIEF MINISTER:

Well, it is implicit in what I have said, that I am not aware. Nor do I accept either the tone or the construction of the hon Member's sentence which is intended to give the impression that what he is saying is necessarily correct. I have no knowledge of it and nor do I accept, unless I have it properly confirmed by the authorities in Gibraltar, that that is happening. The hon Member is suggesting that that is happening. I will have the matter investigated but certainly no-one has ever pointed out to the Government that that is happening.

HON S E LINARES:

I am now suggesting it to him, could he investigate it.

HON CHIEF MINISTER:

Well, if it is happening I am surprised that his party leader and the Opposition Spokesman on Tourism that has just finished questioning the Minister for Tourism on this very subject, appears not to have been aware of it himself either. Or if he was aware of it, has chosen not to raise it in this House. It is surprising that it should be raised by the Opposition Spokesman for Education, immediately after the Opposition Spokesman for Tourism has finished debating the matter.

HON S E LINARES:

The fact is that I was in the queue myself and I saw it and it was not him that saw it, that is why I brought it up myself. He did not know that I had seen it. He does not travel with me all the time. I travel with my family. When I travel with my family, I note these things and that is why I brought it up to the attention of the Chief Minister.

HON CHIEF MINISTER:

What the hon Member is bringing up to my attention something that he claims to have seen on one occasion. Well even if he has seen it on one occasion and it remains to be established what exactly he has seen, he has not seen it necessary or relevant to bring this to his party leader's attention, it still would not justify the

formulation of his original supplementary, which was that there was some established system of a second loop in which all buses jump the queue from. I mean, that even if he has seen this happening once, it does not render factually correct the supposition in his question. The Government keep under constant review the arrangements that take place on the other side of the border because the hon Member is aware that from time to time rumours emerge about whether different arrangements are going to be made for cross frontier workers, or that cross frontier workers are going to get a special fast track and these things are not acceptable to the Government and therefore there is an element of keeping the situation constantly under review to ensure that there is no discrimination against local users of the border in the way the border is operated. None of the things that the hon Member has described has been brought to the Government's attention by anybody, any of the various official sources that operate in and around the border and I would be very very surprised if the matters that the hon Member was describing or insinuating, or implying to his question were actually the case and now that he has raised it, certainly I will have it looked into to make sure that the Government's view, that it is very unlikely to be correct, is actually itself correct.

HON DR J J GARCIA:

Do the Government share the Opposition's concern that tourist orientated industries which are set up and based in Gibraltar choose to leave Gibraltar, set up in La Linea and compete with Gibraltar from there?

HON CHIEF MINISTER:

The Government do not believe that La Linea is capable of constituting a threat to Gibraltar's touristic product. We co-operate with La Linea, we would have no difficulty in helping them indeed develop their own tourism product, the Government of Gibraltar do not see Gibraltar as being in competition with La Linea. If we can both do business, the Government would have no difficulty with helping La Linea develop tourism products for the benefit of the whole region but the suggestion that Gibraltar's own touristic product is somehow threatened by anything that can be done in La Linea is simply not a view which the Government think is worthy, enjoys the degree of seriousness and credibility that the Government could share. For Government, the location of businesses in Gibraltar is important. The gentleman in question still has a boat established in Gibraltar. I suppose that the dolphins that they go to see are the same dolphins, I do not think there are dolphins marked Gibraltar and dolphins marked La Linea, swimming out there in the sea. Look, I hope the hon Member can accept that no-one that is holidaying up the Costa del Sol gets into a coach, travels down a motorway for an hour or an hour and a quarter in order to go to La Linea to view dolphins. If what they want to do is view dolphins, they can have dolphin excursions in Marbella, they do not have to come down to La Linea to do it. The hon Member ought to glean from the situation that there are issues involved in this particular operator which have caused him to do what he has done for reasons which the Government chose not to remedy and there are things in the nature of conditions as to what the Government could or could not do with others in relation to other people who want to run dolphin safaris from Gibraltar. The Government have chosen not to engage in this debate in public but the hon Member presumably has deduced that if somebody decides to go to La Linea with his boat, at the end of the day there are still dolphin safari providers in Gibraltar and the extent to which one operator contributes significantly to the economy of Gibraltar is limited. He would nevertheless had been very welcome to stay. He still has one boat in Gibraltar I understand of the two that he operated but he has to stay on ordinary market conditions that allow others to join that marketing competition and the Government of

Gibraltar are not willing to create cartels or monopolies for the benefit of individual businesses and if there are people that are not willing to participate in the domestic economy of Gibraltar on those open basis, then they had better go elsewhere because the Government are not in the business of protecting anyone's monopoly.

NO. 593 OF 2001

THE HON DR J J GARCIA

**“NAUTILUS IV”**

What steps do Government intend to take to introduce a special regime of safety measures for inshore tourist-type craft in Gibraltar, as is the case in the United Kingdom, following the situation that has arisen with the semi-submersible vessel Nautilus IV?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government are considering introducing the Class VI regime for vessels of this type.

SUPPLEMENTARY TO QUESTION NO. 593 OF 2001

HON DR J J GARCIA:

Can the Government confirm that the vessel is now operating on the basis of such certificates from the United Kingdom?

HON CHIEF MINISTER:

The Government's understanding and of course we would need notice of the question for it to be administratively accurate but the Government's understanding is that all certificates to Gibraltar registered boats in Gibraltar Harbour Craft are issued by the Gibraltar authorities and not by the United Kingdom. They may be issued to United Kingdom standards, in other words, the requirements may mirror United Kingdom safety standards but the certificates themselves, I think is how the hon Member formulated his supplementary, the certificate itself is issued locally under the Merchant Shipping Ordinance or the Port Ordinance, or whichever of the two it is.

HON DR J J GARCIA:

Can Government clarify the position then. Is the vessel still operating under the original licence issued in Gibraltar, whereby it can only have 12 passengers or is it now licenced to carry 49?

HON J J HOLLIDAY:

The vessel is now able to carry 49 passengers.

HON DR J J GARCIA:

When I raised the issue in February, I think it was the Chief Minister who advised that there was a vacuum in our local legislation and that we actually were unable to licence this type of vessel because of this gap in our law. It simply had never happened before, either treating it in the sense of as we would a commercial or a port vessel or some other type of craft. Is it that we now have that vacuum filled in

Gibraltar, or is it that they can now carry 49 passengers because of the licence that they have which is a UK licence and not a Gibraltar one?

HON CHIEF MINISTER:

In the first place, the Government do not accept that there is a vacuum in the law. The Government believe that the Gibraltar Port Authorities have an over-riding duty to ensure public safety above all else and that they have done so and the Government are not willing to discuss this matter in any further detail given that legal proceedings have either been initiated or are threatened against the Government for what has happened in protection of public safety. We do not know whether those proceedings are going to be pursued but certainly they have been initiated and therefore it would be inappropriate for Government to make statements here which may prejudice the outcome of that.

HON DR J J GARCIA:

I understand and appreciate that but I will put the question and perhaps the Chief Minister can see whether it is possible to answer it or not. The information the Opposition is trying to obtain, is whether the vessel can now operate with 49 passengers. In February it could not and what has changed in the interim to allow that to happen?

HON CHIEF MINISTER:

Well what has changed is that they have now been issued with a licence following the incorporation of certain additional safety measures on the boat. They have now been issued with a licence that entitles them to carry 49 passengers which was not available to them back in February or whatever month he mentioned, which I have forgotten.

NO. 594 OF 2001

THE HON DR J J GARCIA

**SCHOOL OF MARITIME STUDIES**

Are Government now in a position to say when the new school of maritime studies will be opened, where it will be located, or whether the idea has now been definitively abandoned?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No. However, I must emphasise that the concept most certainly has not been abandoned. This is a project that the Government would like to see come to fruition, during this current term of office.

NO. 595 OF 2001

THE HON DR J J GARCIA

**NUMBER OF PORT OPERATORS**

Are Government now in a position to say how many port operators there are and how many have applied for licences showing those who have been successful and those who have been unsuccessful?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The licensing regime will be put in place shortly. It is not therefore possible to answer this question at this stage.



ORAL

NO. 596 OF 2001

THE HON DR J J GARCIA

**NUMBER OF PRIVATE MOTOR VEHICLES**

What was the value and number of private motor vehicles imported by individuals for each month from 2001 to date inclusive?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 597 of 2001.

NO. 597 OF 2001

THE HON DR J J GARCIA

**NUMBER OF PRIVATE MOTOR VEHICLES**

What was the value and number of private motor vehicles imported by licensed dealers for each month from January 2001 to date inclusive?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The extensive factual and statistical information requested by the hon Member is set out in the schedule which I now hand over to him.

Answer to Questions 596 and 597 of 2001

**Licensed Dealers**

**2001**

	<u>Quantity</u>	<u>£(million)</u>
January	695	7.04
February	571	6.15
March	670	6.40
TOTAL	1,936	19.59

**Individuals**

**2001**

	<u>Quantity</u>	<u>£(Thousand)</u>
January	17	68.2
February	13	40.3
March	15	35.4
TOTAL	45	143.9

NO. 598 OF 2001

THE HON DR J J GARCIA

**COURSE IN HOTEL, CATERING AND HOSPITALITY SERVICES**

How many persons applied for training places in the course in Hotel, Catering and Hospitality Services in response to the Government's official notice published on 13<sup>th</sup> February 2001, how many places were available and how many trainees have been taken on?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were 15 places, 22 persons applied and 11 were taken on.

SUPPLEMENTARY TO QUESTION NO. 598 OF 2001

HON DR J J GARCIA:

Were the other people not considered suitable for the course or did they withdraw voluntarily?

HON J J HOLLIDAY:

I understand the remaining 11 applicants were not considered suitable.

HON J J BOSSANO:

Are these courses for people who are already in the industry or for people who are unemployed and wanting to join the industry?

HON J J HOLLIDAY:

I am not sure, I have not got that information available. They are all young applicants which I assume may probably have never had jobs, I am not sure but that is just my own gut feeling from the list of applicants but the interview panel obviously thought that they were not suitable for the type of training that was required. I believe the course is one year.

HON J J BOSSANO:

And they spend part of that time working in hotels, do they?

HON J J HOLLIDAY:

Absolutely. I have not actually got that information readily available yet but they do spend a part of their training, not just in hotels but in catering establishments as well in order for them to widen their experience in the different areas of training.

HON J J BOSSANO:

Has in fact the course already started for the 11 that were taken on?

HON J J HOLLIDAY:

The one that we are talking about here? Yes, I believe it has started already. There is sort of a rolling on program in that I think the courses are actually started at six monthly intervals, so possibly the next one will start in about September and then by that time, those that have started would have been half way through the course and those that started last September will have finished. So, there is usually I think, three courses going on at any one time, obviously at different levels of their training.

NO. 599 OF 2001

THE HON DR J J GARCIA

**GTB – GRADE 1 OFFICER**

How many persons have applied for the post of Grade 1 Officer in the Gibraltar Tourist Board in response to the Gibraltar Development Corporation notice published on the 22nd February 2001, how many places were available and how many have now been filled?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 600 and 601 of 2001.

ORAL

NO. 600 OF 2001

THE HON DR J J GARCIA

**TERMINALS ASSISTANT**

Can the Government say whether and if so when the two vacancies for Terminals Assistant have now been filled?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 599 and 601 of 2001.

NO. 601 OF 2001

THE HON DR J J GARCIA

**VISITOR INFORMATION PATROL OFFICERS**

Can the Government say whether and if so when the two vacancies for Visitor Information Patrol Officers advertised in the Official Notice published in January have now been filled?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

There were seven applicants for one post of Grade 1 officer in the Gibraltar Tourist Board. The successful applicant started work on the 2nd April 2001.

The successful applicants for the two vacancies for Terminal Assistant commenced work on the 5th February 2001.

The successful applicants for the posts of Visitor Information Patrol Officers started work on the 1st March 2001 and 26th March 2001, respectively.



NO. 602 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR TOURIST BOARD – MINI-GUIDE**

How many parties have submitted a tender for a Mini-Guide for the Gibraltar Tourist Board the closing date for which was the 6th April, who are they and what have they quoted?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The notice that was issued on the 27<sup>th</sup> March was not a tender notice. It invited proposals from interested parties for the production of a Mini-Guide to be produced at no cost to the Gibraltar Tourist Board. Those companies that contacted the Tourist Board with a view of submitting a proposal were informed about the publication that had to be produced, and told that they should cover their production costs by selling advertising space on the Mini-Guide.

Two proposals were actually received:

1. Copywrite Advertising
2. Target Marketing Services Ltd

After presenting their proposals to the Tourist Board, Target Marketing have since withdrawn their proposal. Copywrite Advertising will be reverting to the Gibraltar Tourist Board shortly with their final proposal.

SUPPLEMENTARY TO QUESTION NO. 602 OF 2001

HON DR J J GARCIA:

Can the Minister say why Target Marketing withdrew the proposal?

HON J J HOLLIDAY:

I am afraid I cannot. I was just informed that they had withdrawn their proposal but I do not know why.

NO. 603 OF 2001

THE HON DR J J GARCIA

**TENDER FOR WARDEN CONTROL CABINS**

What was the cost to the Government of the warden control cabins for the coach park as submitted by the two tenderers in response to the original advertisement, and has the tender now been awarded and if so to whom and for how much?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 604 to 610 of 2001.

ORAL

NO. 604 OF 2001

THE HON DR J J GARCIA

**TENDER FOR PASSENGER SEATING**

Who were the three companies that submitted tenders for the supply of passenger seating at the coach and ferry terminal and what offers did they make?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 603 and 605 to 610 of 2001.

ORAL

NO. 605 OF 2001

THE HON DR J J GARCIA

**TENDER FOR 'GIVE-AWAYS'**

Has the tender for "Give-Aways" advertised on the 5<sup>th</sup> May 2000 now been awarded and what reasons are there for the long delay that has ensued?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 603, 604 and 606 to 610 of 2001.

ORAL

NO. 606 OF 2001

THE HON DR J J GARCIA

**TENDER FOR 'GIVE-AWAYS'**

With respect to the tender for "Give-Aways" advertised on the 5<sup>th</sup> May 2000, can Government list the tenderers from which additional information has been requested, and what that information is?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 603 to 605 and 607 to 610 of 2001.

NO. 607 OF 2001

THE HON DR J J GARCIA

**TENDER – WORLD WAR II TUNNELS**

Can Government now say who has been awarded the tender for works to develop a visitor attraction within the World War II Tunnels and when is phase one of the project expected to commence?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 603 to 606 and 608 to 610 of 2001.

NO. 608 OF 2001

THE HON DR J J GARCIA

**TENDER – WORLD WAR II TUNNELS**

Can Government say how many parties have expressed an interest in the tender for works to develop a visitor attraction within the World War II Tunnels, listing the parties in question and indicating which are established Gibraltar businesses and which are not?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 603 to 607 and 609 to 610 of 2001.

NO. 609 OF 2001

THE HON DR J J GARCIA

**TENDER – MAIN STREET BEAUTIFICATION**

Can Government say what the “Extension to Main Street Beautification Works” tender notice published on the 1<sup>st</sup> March 2001 entails, and how many tenderers have applied, listing the tenderers and the amounts quoted?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question Nos. 603 to 608 and 610 of 2001.



NO. 610 OF 2001

THE HON DR J J GARCIA

**TENDER – ROSIA BAY**

Can Government say why invitations to tender for the development of Rosia Bay have not been issued given the length of time that has elapsed since four parties put forward pre-tender proposals?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The extensive factual and statistical information requested by the hon Member is set out in the schedule that I now hand over to him.

SUPPLEMENTARY TO QUESTION NOS. 603 TO 610 OF 2001

HON DR J J GARCIA:

When do the Government expect to award the tender in respect of the cabins for the coach park?

HON J J HOLLIDAY:

I do not know whether the tender for the cabins at the coach park will be awarded or alternative ways of erecting these may be considered as the costs of these were totally prohibitive, so therefore the Government decided that it would reconsider their position and a decision has not yet been taken.

HON DR J J GARCIA:

In relation to Question 610 of 2001 which was the one about Rosia Bay, the delays according to this answer is because some of the pre-tender proposals have a heritage impact. I am not mistaken when I say that I think the issue of Rosia Bay has been raised at practically every question time in the House of Assembly and the actual pre-tender notice itself came out in December 1999. Although there is a heritage consideration and although the heritage trust or whoever has to be consulted and involved, are the Government satisfied given the long delay that has ensued?

HON J J HOLLIDAY:

The fact that no progress has really been made on this, there is concern as to the heritage implication of some of the proposals that have been received by the Government and therefore a decision has yet not been taken as to the way forward taking into consideration the sensitivity of the area.

HON DR J J GARCIA:

Given that in relation to Question 605 of 2001 a tender which came out in May of 2000 which is now a year ago, the answer the Government give is that they are not

satisfied with the quotations submitted by the tenderers. Are the Government proposing now to scrap that and put it out to tender again, or what is the position?

HON J J HOLLIDAY:

I think as I have explained in this House, the decision was not taken as a result of the fact that there were budgetary restraints as to whether money would be available. If hon Members have a look at some of the out-turn of our marketing budget last year, we have just underspent the amount, so therefore no funds would have been available for this anyway. In addition to that, we requested further information as can be seen from my answer to Question 606 of 2001 from some of the parties that had produced some items which might have been of interest and in fact no replies were actually forthcoming from these people themselves, so we basically abandoned the idea for the time being, although we would have to reconsider because it is something that is required as part of our marketing activities but generally speaking the response that we had was not really very positive.

**Answer to Question 610 of 2001**

Question 603

This tender has not yet been awarded

Question 604

The three tenderers, and the sums offered were:-

(1)	Gibral-Flora	£2,507.75	
(2)	Interbuild	£3,430.00	
(3)	Portman	Offer 1.	£3,164
		Offer 2.	£3,304
		Offer 3.	£2,436
		Offer 4.	£2,576

The tender was awarded to Portman, and offer 4 was the option chosen.

Question 605

This tender has not yet been awarded, as the Government is not satisfied with the offers made by tenderers.

Question 606

Additional information requested was as follows:-

Zenith Printers-	Costs for various items requested No reply has been forthcoming
Vogue Ltd	- Prices for mouse pads requested. No reply has been forthcoming
Mr R B Simonsen	- Samples of souvenirs requested. The tenderer has indicated he cannot supply these unless a firm order is placed.

Question 607

The tender has just been awarded to Amco. The project will commence shortly.

Question 608

Two tenders were received, from Amco and Sharrock Shand, both established Gibraltar businesses.

Question 609

The works involve the beautification of Library Street from its junction with Cannon Lane to its junction with Main Street, Main Street from its junction with Library Street to its junction with Governor's Lane and the east side of Cathedral Square from its junction with Secretary's Lane to its junction with Bomb House Lane.

Cont...

### **Contd Answer to Question 610 of 2001**

The tender has not been awarded, so it is not possible to give the details requested. There were two tenderers.

### **Question 610**

There have been delays in this matter because some of the pre-tender proposals have a heritage impact, which is being assessed.

- 2 -

NO. 611 OF 2001

THE HON DR J J GARCIA

**TENDER – MISS GIBRALTAR 2001 BEAUTY CONTEST**

How many parties have applied for the tender to organise, produce and stage the Miss Gibraltar 2001 Beauty Contest, who were they and what did the offers made consist of?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Three entities applied for the tender to stage the Miss Gibraltar contest 2001. The tender is in the process of adjudication. Once it is awarded the entity which has been successful and the amount bid, will be published as a matter of course. The identity of other tenderers will then be given.

NO. 612 OF 2001

THE HON DR J J GARCIA

**BEAUTIFICATION WORKS AT THE LAND FRONTIER**

What is the expected duration of the refurbishment and beautification works at the land frontier?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The works are scheduled to be completed by September 2001.

SUPPLEMENTARY TO QUESTION NO. 612 OF 2001

HON DR J J GARCIA:

Is the Minister also intending to beautify the frontier fence, or is that outside the scope of these works?

HON J J HOLLIDAY:

This is outside the scope of this particular project.

NO. 613 OF 2001

THE HON DR J J GARCIA

**FEASIBILITY STUDY – EASTERN BEACH / CATALAN BAY**

What were the conclusions of the Dutch experts who in February 2001 looked at the options available with regard to the feasibility study into the extension of Eastern Beach and Catalan Bay?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Consultants engaged by Government to advise on this project have yet not completed their work.

SUPPLEMENTARY TO QUESTION NO. 613 OF 2001

HON DR J J GARCIA:

Do the Government have an indication by when the work will be completed and the reports made to them?

HON J J HOLLIDAY:

The feasibility study should be made available to the Government by the end of May and then the Government will need time to consider the details and make decisions.

NO. 614 OF 2001

THE HON DR J J GARCIA

**CONTAINER TRANSHIPMENT PROJECT**

When do Government expect Phase 1 of the Container Transhipment Project for the port, being the commissioning of the technical and marketing feasibility studies, to be completed?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Transaction Adviser appointed by the Government has now prepared a draft report consequent on receipt of the technical and marketing feasibility studies. The final reports, which will be considered by Government, will follow shortly.



NO. 615 OF 2001

THE HON DR J J GARCIA

**ST MICHAEL'S CAVE – SOUND / LIGHT SYSTEM**

How long is the installation of the new sound and light system at St Michael's Cave expected to take?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The works are scheduled for completion on the 8th July 2001.

SUPPLEMENTARY TO QUESTION NO. 615 OF 2001

HON DR J J GARCIA:

Can the Minister say whether the works have actually commenced at this stage?

HON J J HOLLIDAY:

Yes. The works have definitely commenced and I understand that they are ahead of schedule.

HON DR J J GARCIA:

When we raised the issue in February, we raised the question as to whether the company which is an outside firm would be sub-contracting work to local businesses or local electrical companies. Are the Government aware or in a position to say whether that has happened or not?

HON J J HOLLIDAY:

I cannot really give an answer on this, I am afraid.

NO. 616 OF 2001

THE HON DR J J GARCIA

**NUMBER OF VISITORS TO PARSON'S LODGE / 100 TON GUN**

Following the introduction of a new ticketing system on 1 February 2001, are Government now in a position to give the number of visitors to Parson's Lodge and the 100 Ton Gun on a monthly basis since then?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Information on visitor numbers to Parson's Lodge is not available to the Government as this site is not operated by the Gibraltar Tourist Board.

Entry to the 100 Ton Gun is included within the Upper Rock admission ticket and no records are kept of visitor numbers.

NO. 617 OF 2001

THE HON DR J J GARCIA

**COACH TERMINAL**

Can Government provide a breakdown of the £19,154.36 it cost for the lighting in the new coach terminal indicating to whom the payments were made and on what dates?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

All payments were made on the 31st January 2001, as follows:-

British Steel Ltd	£ 8,328.06
Groupe Schneider	£ 6,888.00
Trident Freight	£ 335.40
Batt Cables	<u>£ 3,602.90</u>
	<u>£19,154.36</u>

SUPPLEMENTARY TO QUESTION NO. 617 OF 2001

HON DR J J GARCIA:

The reasons for querying the amounts is that it seems quite high for lighting in a building of this kind to cost nearly £20,000.00. Is it a special kind of lighting or is it just normal lighting?

HON J J HOLLIDAY:

I am afraid I am not briefed on the issue. I have assumed that that is the cost but obviously there are technical people within the Government who assess the cost of items like this and bring it to the attention if there is something that does not look right. In this case, I really cannot comment.

NO. 618 OF 2001

THE HON DR J J GARCIA

**VISITS ABROAD BY THE MINISTER**

Can the Minister for Tourism give the dates when he has been away from Gibraltar on Government business from the 1st February 2001 to date, giving the event or function attended, the venue, the city and the country visited?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

I have been away on two occasions, from the 25<sup>th</sup> to 27<sup>th</sup> of February and from the 22<sup>nd</sup> to the 24<sup>th</sup> April 2001. On both occasions, I travelled to London to attend a series of meetings.

SUPPLEMENTARY TO QUESTION NO. 618 OF 2001

HON DR J J GARCIA:

Is it possible for the Minister to say meetings in relation to what, to any specific project or event?

HON J J HOLLIDAY:

When I say I left on the 25<sup>th</sup>, and came back on the 27<sup>th</sup> I was only in London on the 26<sup>th</sup>, it is only one day and on the 26<sup>th</sup> of February I went to London for a special UK GTA meeting where the Gibraltar Tourist Board made a presentation to tour operators who are members of the UK GTA and the airlines themselves, in order for them to be fully informed as to what the Government strategy was for this coming financial year and allow them the opportunity to input into that before a final decision was taken in time for the budget. In respect of the 23<sup>rd</sup> April, I had meetings with the container transshipment advisors. I also had a meeting with the media buyers for the Gibraltar Tourist Board in order for them to be fully briefed as to what strategy we wanted, following on from the previous visit to the UK. I also had a meeting with Unique Commerce Company who were doing a certain amount of advertising for us as well, which is the new strategy which the Tourism Board will be undertaking this year as part of their overall strategy and I also had a meeting with Fly Europa in the lead up to their applications to the CAA. I take this opportunity to remind the hon Member that everything that I have said in the House today in respect of Fly Europa is still pending that CAA application and whether there are objections and whether it actually gets approved and therefore I put that proviso because I felt a bit optimistic as I was speaking earlier on in the afternoon but there are still the pending question as to the final approval.

HON J J BOSSANO:

Have the Government decided whether it is going to support in the CAA the application?

HON J J HOLLIDAY:

Yes. The Government will be supporting the application and therefore highly likely that it will get approved.

ORAL

NO. 619 OF 2001

THE HON DR J J GARCIA

**TOURISM ADVISORY COUNCIL**

How often and on what dates has the Tourism Advisory Council met in 2001?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Tourism Advisory Council has met twice since January 2001.

Meetings have been held on the 9<sup>th</sup> February and 19<sup>th</sup> April 2001.

NO. 620 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR / MOROCCO FORUM**

Have there been any more meetings of the Gibraltar/Morocco forum since that held in Gibraltar in October 2000?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO. 620 OF 2001

HON DR J J GARCIA:

Can the Minister elaborate as to why not?

HON J J HOLLIDAY:

This is very much a DTI led forum, although obviously members of the Gibraltar Tourist Board participated in this forum, it was one of the previous meetings that were held I believe in Tangiers and obviously we played a major role because in the lead up to the possible coming back of original airlines on the Tangier/Casablanca route and we wanted to promote that. Nothing has happened since and I believe that the last meeting was actually some time in October, if I do not recollect incorrectly and I believe that was held in Gibraltar, where major participation was held by the finance centre sector. There has not been any further meetings. I really cannot give a reason as to why there has not been any meeting but I do not think that the idea of this forum is to meet as regularly as that. I think that possibly twice a year would be acceptable, probably having one meeting in Gibraltar and another one in Morocco, so I presume that there is another meeting scheduled. I do not know whether my hon Colleague is able to enlighten me on this but if he is not, I assume that there will be a meeting shortly and that will possibly take place back in Morocco again.

NO. 621 OF 2001

THE HON DR J J GARCIA

**'WHICH REGISTER? WHICH FLAG?' CONFERENCE**

What was the cost of attending the 'Which Register? Which Flag?' conference in London on 5<sup>th</sup> to 6<sup>th</sup> April 2001, providing a breakdown of the sum involved?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The cost was £235.00, for the installation of the stand. The attendees at this event were the Principal Secretary of the Ministry for Tourism and Transport, who was in London to attend other meetings and the Chief Executive of the Port Authority, who was also in London attending other meetings, and the Maritime Administrator, who was an invited speaker at this event. The House may recall that I was due to attend the meeting but decided to remain in Gibraltar, the result of on-going issues that I felt compelled me to stay in Gibraltar at the time.



NO. 622 OF 2001

THE HON DR J J GARCIA

**COACH PARK - CHARGES**

How much revenue has been raised to date on a monthly basis as a result of charging coaches that use the coach park?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

It is not possible to provide the hon Member with the information which he requests, namely the revenue raised on a monthly basis since 1985 from charging coaches that use the Coach Park. What the Government have at their disposal is details of the revenue raised from this source since Sights Management contract was terminated.

SUPPLEMENTARY TO QUESTION NO. 622 OF 2001

HON DR J J GARCIA:

Can the Minister supply that information then, given that he has it?

HON J J HOLLIDAY:

Yes. I will now pass on the information going back to February 1999. I wish to bring to the hon Member's attention that the figures for April this year do not cover the whole month, they cover only a specific part of the month, I think it is the 24<sup>th</sup> of the month. I have not kept a copy of what I have just given him here on file but I wish to bring it to his attention.

1999	Coaches	Rate	Total
Jan-99	0	£ 5.00	£ -
Feb-99	186	£ 5.00	£ 930.00
Mar-99	749	£ 5.00	£ 3,745.00
Apr-99	900	£ 5.00	£ 4,500.00
May-99	1032	£ 5.00	£ 5,160.00
Jun-99	942	£ 5.00	£ 4,710.00
Jul-99	845	£ 5.00	£ 4,225.00
Aug-99	875	£ 5.00	£ 4,375.00
Sep-99	1151	£ 5.00	£ 5,755.00
Oct-99	1160	£ 5.00	£ 5,800.00
Nov-99	830	£ 5.00	£ 4,150.00
Dec-99	480	£ 5.00	£ 2,400.00
<b>TOTAL</b>	<b>9160</b>		<b>£ 46,760.00</b>

\* February 1999 Supplied as from 19/02/99

2000	Coaches	Rate	Total
Jan-00	413	£ 5.00	£ 2,085.00
Feb-00	699	£ 5.00	£ 3,495.00
Mar-00	1021	£ 5.00	£ 5,105.00
Apr-00	1019	£ 5.00	£ 5,095.00
May-00	1214	£ 5.00	£ 6,070.00
Jun-00	1135	£ 5.00	£ 5,675.00
Jul-00	1077	£ 5.00	£ 5,385.00
Aug-00	1028	£ 5.00	£ 5,140.00
Sep-00	1396	£ 5.00	£ 6,975.00
Oct-00	1488	£ 5.00	£ 7,440.00
Nov-00	897	£ 5.00	£ 4,985.00
Dec-00	634	£ 5.00	£ 3,170.00
<b>TOTAL</b>	<b>12120</b>		<b>£ 60,600.00</b>

2001	Coaches	Rate	Total
Jan-01	592	£ 5.00	£ 2,960.00
Feb-01	724	£ 5.00	£ 3,620.00
Mar-01	1173	£ 5.00	£ 5,865.00
Apr-01	1015	£ 10.00	£ 10,150.00
<b>TOTAL</b>	<b>3504</b>		<b>£ 22,595.00</b>

\* April 2001 supplied from 1st to 27th April.

ORAL

NO. 623 OF 2001

THE HON DR J J GARCIA

**HEAD 6A, SUB-HEAD 8**

How much of the estimated £750,000 for 2000/2001 tourism budget for marketing has been spent in Head 6A, Sub-Head 8?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Answered together with Question No. 624 of 2001.

NO. 624 OF 2001

THE HON DR J J GARCIA

**UPPER ROCK - FEES**

What are the Government's forecast for increased revenue to be derived as a result of the increase in entrance fees to the Upper Rock?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The hon Member will receive this information requested and in fact has already received the information requested with the Estimates of Revenue and Expenditure for the current year, which include the forecast outturn of expenditure for last year and the estimated revenue for this year.

SUPPLEMENTARY TO QUESTION NOS. 623 AND 624 OF 2001

HON J J BOSSANO:

Is it not correct that from the figure that is provided in the estimate it is not possible to deduce the numbers paying that is to say, is the figure based on a higher yield because of the higher payment with the same numbers, or does it assume an increase in numbers, because the question deals with the effect of the increase?

HON CHIEF MINISTER:

The estimated figure for the forthcoming year, for the current financial year already started, makes a substantial allowance for the increase in fees but it is not symmetrical, in other words it does not say, last year there were so many people, multiplied by the new fee and it is not estimating the amount on the basis that we get the same number of tourists.

HON J J BOSSANO:

The effect of the revenue increase presumably would be on the assumption that one gets at least as many people, that there is not going to be a decline, or are the Government assuming a lower number of people paying a higher amount?

HON CHIEF MINISTER:

Well, it is possible to interpret the figure in that way but it is not because the Government think there is going to be a fall in numbers, it is because it is an estimate, it is a prudent estimate and we are not assuming that we are going to get the whole benefit of the fee increase for the whole year, so that if we do get the same number of passengers paying the increased fee, the actual amount collected will be higher than estimated.

HON J J BOSSANO:

I am not very sure but would the forecast outturn show any effect at all of the higher fees, or would that all be on the old rate?

HON CHIEF MINISTER:

It started on the 1<sup>st</sup> April. The Government have already said publicly that we are going to keep a close eye on the effect that the higher fees have on passenger numbers, on visitor numbers. Obviously the Government have an interest, we are not the only interest group that has a position on this matter but certainly the Government have no interest in seeing visitor numbers fall, so we are keeping a close eye. What we said in our last statement, following a visit that I had from the Taxi Association, was that the Government could not form a view on the effect of that, just on the figures that we had so far relating to April. First of all April had not yet then finished, although it has now, secondly April has been a disruptive month because of action that was taken by various transport contractors and therefore it is not until we have a set of normal statistics that we could see. If it turns out that this increase in fees has an adverse effect on the numbers and on the revenue and on the general level of business, the Government will not be shy to review the matter. I mean, it is just a question but until we have evidence of that or unless we have evidence of that, the Government's position is that it should try to maximise the contribution to Government coffers by visitors, who generate a lot of cost, a lot of people are employed whose salaries would otherwise ought to be paid by the ordinary tax payer in Gibraltar and if visitors can be made to contribute higher amounts of money to Government revenue, this is money that the local tax payer is relieved of having to pay. Now, the Government have got to balance against that desirable objective, the fact that we do not want to kill the goose that lays the golden egg and it is just a question of keeping both in balance. What we do not think is reasonable is that the Government should be expected to pursue the judgement of a private interest group out there. I think the Government are entitled to make their judgement which we have made, see whether the judgement has been a right one or not, so long as the Government are then big enough to recognise if it has made a miscalculation to back track and the Government will have no difficulty in doing that, if that turns out to be what the evidence shows. But Government do not think that anyone is justified in calling on the Government to take that action now, on the basis of their speculation, on what they think is going to happen.

NO. 625 OF 2001

THE HON DR J J GARCIA

**GOVERNMENT ASSISTANCE TO CONFERENCES**

Can Government say how many conferences they have assisted, sponsored or co-sponsored this year to date, giving the dates, the venue, the number of participants and the subject matter of each conference?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government sponsored the "Which Register? Which Flag?" Conference which took place at the Café Royal in London on the 4th and 5th April 2001. The subject matter of this conference was to review the political, economic and business issues associated with vessel registration and flagging. There were approximately 80 attendees.

The Government co-sponsored an e-commerce conference. "Taking E-Commerce Offshore", that took place on the 21st and 22nd February 2001 at the Meridien Waldorf Hotel in London. There were about 110 delegates present.

No Government assistance was given to any conference.

NO. 626 OF 2001

THE HON DR J J GARCIA

**CO-OPERATION AGREEMENT ON TOURISM**

Can Government say whether the co-operation agreement on tourism between Gibraltar and La Linea has now been signed and if so will a copy be made available to the Opposition?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The co-operation agreement on tourism between Gibraltar and La Linea has not yet been signed.

SUPPLEMENTARY TO QUESTION NO. 626 OF 2001

HON DR J J GARCIA:

If and when it is signed, will a copy be made available to the Opposition and secondly, can the Minister expand on the reason why it has not yet been signed?

HON CHIEF MINISTER:

Well, rather than when and if, perhaps the hon Member should have said if and when. The Government are certainly willing to sign the agreement, indeed the model proposed is the same one as we signed in Los Barrios and any Ayuntamiento in the Campo who wants to enter with the Government of Gibraltar, any of the agreements that the Government of Gibraltar has entered into with Los Barrios, the Government of Gibraltar are perfectly amenable and that applies to the tourism agreement in relation to La Linea as to any other agreement that we have entered into with Los Barrios. I cannot offer an explanation as to why it has not been signed yet, I suspect it is just sort of general inertia in relation to the issue but there is certainly no specific reason and certainly no specific reason as far as we are concerned why it should not be signed.

HON DR J J GARCIA:

In the light of the dolphin boats controversy that we discussed earlier, are the Government still of the view that Gibraltar does not have very much to gain or lose with this kind of co-operation?

HON CHIEF MINISTER:

Yes, absolutely. Look, in the real world where at least as far as the Government are concerned Gibraltar lives, whether individuals choose to moor their dolphin excursion boat against a wharf in Gibraltar or against a wharf in La Linea, depends on the fact that people have freedom of choice, it does not depend on whether Gibraltar signs or does not sign a Tourism Co-operation Agreement with La Linea. Gibraltar has to keep businesses here on our merits and the day that the economy of Gibraltar still less, the tourism industry in Gibraltar depends on Gibraltar beaver away to

frustrate La Linea getting even a dolphin safari boat, I think we would then be in that degree of jeopardy but frankly, the dolphin safaris would be the very least of our problems. I think this matter has got to be kept in perspective and those that wish to create a climatology of crisis around the fact that one gentleman has taken one of his two dolphin boats away from Gibraltar to La Linea, can do it all by themselves. The Government have not the remotest intention of participating in any such silly debate.

HON DR J J GARCIA:

By implication then, are the Government saying that the Traders Association like the Chamber, the FSB, the GLVA are all indulging in silly debates?

HON CHIEF MINISTER:

Well, certainly the GLVA constantly indulges in silly debates. Indeed, I want to know who the GLVA is because I have yet to find a reputable licenced victualler that claims to have any connection with it at all. I want to know who the committee is, who elected them, when they last held a general meeting, or whether the organisation has been hi-jacked by one or two individuals with well known political connections and are using that long established historical organisation for reasons that have nothing to do with the general interest of licenced victuallers in Gibraltar. All of whom are constantly applauding the Government for many other things that we are doing, for example in relation to Casemates and many of these projects which are creating massive amounts of new business for licenced victuallers in Gibraltar. Now, what the Licence Victuallers Association think that they have at stake by what the upper rock entry fee is, is something which no-one has yet been able to explain to me. They issued a statement immediately in support of the Taxi Association on the question of the upper rock entry fee. I am not aware that any licenced victualler has any establishment in the upper rock, so why the sort of self-appointed spokesman of whoever the Licence Victuallers Association may in fact turn out to be, I have my own suspicions on the matter but anyway what interest they have on the level of entry fee to the upper rock, is not immediately obvious to the Government but yet they make statements and very aggressive statements on the matter, all of which suggests to the Government that this is just a front for people with very different agendas. This is fine, it does not worry the Government unduly but the Government deal with them accordingly and as far as other organisations that have expressed the views concerned, I am not aware that any serious organisation in Gibraltar has adopted the position that they feel that tourism in Gibraltar is threatened by La Linea, or that tourism in Gibraltar is threatened by the fact that La Linea now offers a dolphin excursion boat. I think most people in Gibraltar, most serious organisations in Gibraltar understand that Gibraltar's tourism product is considerably broader, deeper and indeed more sophisticated than to rely on the existence of dolphin safaris which are a useful part of Gibraltar's general tourism but people do not come either to Gibraltar or to La Linea to see dolphins. People come to Gibraltar because it is an interesting place and whilst they are here, amongst the other things that they might do, is go and see the dolphins but I cannot imagine that anybody comes all the way to Gibraltar just to see dolphins, and if they did, they are still able to see dolphins from boats in Gibraltar. So, I just wish the hon Member would agree with the Government that the matter of the dolphin safari boat, quite apart from the fact that I would hope that the hon Members could agree that the issues that have arisen between that particular operator and the Government, which I gave an indication earlier, are not issues that the Government can just collapse in the face of and therefore, however undesirable it is for people to leave Gibraltar, there are certain circumstances in which the Government are left with no option but to allow it to happen and that nothing that results from the signing of a Tourism Co-operation



Agreement between Gibraltar and La Linea will result in a single person that would otherwise had visited Gibraltar not visiting Gibraltar. Nor will it result, at least not with the co-operation and not by the act of the Government of Gibraltar, not will it result in any valuable economic activity for Gibraltar being with the support or assistance of the Gibraltar Government dislocated to the La Linea economy.

NO. 627 OF 2001

THE HON J J BOSSANO

**'BARTHON QUEEN'**

Can Government confirm that the vessel "Barthon Queen" recently found with three tons of cocaine with an estimated street value of £122 million, is on the Gibraltar Shipping Registry?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

No.

SUPPLEMENTARY TO QUESTION NO. 627 OF 2001

HON J J BOSSANO:

Is it that it has been removed recently and was there before or that it has not been there at all?

HON J J HOLLIDAY:

The vessel was registered in the Gibraltar Yacht Registry.

HON J J BOSSANO:

Is it still then in the Yacht Registry?

HON J J HOLLIDAY:

I believe it is, yes in the Yacht Registry.

HON J J BOSSANO:

Given the fact that it has been, I think found, I do not know whether it has to be convicted or not but really they found the stuff on board, so I do not see how they can deny the use to which it was being put. Does that give us grounds for wanting to have it removed from the registry?

HON J J HOLLIDAY:

Yes.

HON J J BOSSANO:

I take it that this is something that Government will want to do, since we do not particularly want to have our name mentioned in connection with people carrying tons of cocaine about the world, if one can help it.

NO. 628 OF 2001

THE HON S E LINARES

**RELOCATION OF ST BERNARD'S SCHOOL**

Can the Minister for Education state at what stage is his review on the relocation of St Bernard's School?

ANSWER

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

The Government are not currently actively considering the relocation of St Bernard's School.

SUPPLEMENTARY TO QUESTION NO. 628 OF 2001

HON S E LINARES:

Does the Minister not think that St Bernard's School is a priority like mentioned in the House last time?

HON DR B A LINARES:

No. Moving this school might be desirable for the reasons that we have discussed earlier in this House, but after the refurbishment works carried out recently to the tune of £80,000, which involved work on the roof, the enlargement of the playing area, which is one of the intrinsic problems of the school and the creation of extra teaching spaces, at this moment the facilities have been greatly improved and therefore I have to say it is not of immediate priority.

ORAL

NO. 629 OF 2001

THE HON S E LINARES

**COLLEGE OF FURTHER EDUCATION**

Can the Minister for Education state why the Resource Room in the College of Further Education is not available to students?

ANSWER

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

Answered together with Question No. 630 of 2001.

NO. 630 OF 2001

THE HON S E LINARES

**COLLEGE OF FURTHER EDUCATION**

Can the Minister for Education state why the Library in the College of Further Education has been closed for so long?

ANSWER

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

The computer facilities in the Student Resource Centre were dismantled in order to improve the centre facilities and to develop a new library.

All the computers were transferred to other rooms and a new teaching suite created. Students were able to use these computers at all times, either for teaching purposes or as supervised additional work.

The furniture for the library arrived in late summer and was assembled. The College has since spent approximately £20,000 in new books which are currently being catalogued and made available but this is a slow process which, hopefully, will be complete by the end of this summer and the beginning of the new academic year.

Students have had access all the time to the Resource Centre Library when accompanied by lecturers, so the facilities have been available, albeit not on a self-service basis.

NO. 631 OF 2001

THE HON S E LINARES

**GOVERNMENT BUSINESS IN SPAIN 1998/2001**

Can the Minister for Education give the dates when he has been away from Gibraltar in Spain on Government business in 1998, 1999, 2000 and 2001 to date, giving the event or function attended, the venue, the city and the cost?

ANSWER

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

The Government are not willing to answer questions in respect of periods prior to the last general election, that is the 10<sup>th</sup> February 2000.

I have during the period from 10<sup>th</sup> February 2000 to date visited Spain on official business on countless occasions. These visits have been to Cadiz, La Linea, Los Barrios, Algeciras and San Roque. I have attended conferences related to educational and cultural matters, I have held meetings with authorities such as the President of the Diputacion de Cadiz, Don Rafael Roman, the Rector and Professors of Cadiz University and the mayors of the Campo area and held discussions with relevant officials in the field of education and culture. I have attended functions, concerts, exhibitions to which I have been officially invited. But I do not keep a log of these visits so I cannot give the hon Member details of dates et cetera.

As regards costs, these have been minimal since on most occasions I have travelled to Spain in my own car and I do not claim a mileage allowance. When it has been appropriate for me to travel in an official car the cost to Government is that of petrol and whatever payments are made to the driver. There has been no subsistence allowance given to me since generally I am fed sumptuously at the expense of my hosts in Spain.

ORAL

NO. 632 of 2001

THE HON S E LINARES

**YOUTH EXCHANGES**

Can the Minister for Education list the youth exchanges between Gibraltar and Spain in 1998, 1999, 2000 and 2001 to date?

ANSWER

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

Answered together with Question No. 633 of 2001.

NO. 633 OF 2001

THE HON S E LINARES

**EDUCATIONAL EXCHANGES**

Can the Minister for Education list the educational exchanges between Gibraltar and Spain in 1998, 1999, 2000 and 2001 to date, giving the actual dates, cost and what they involved?

ANSWER

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

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him and the total cost for these exchanges for the financial year 2000/2001 was £663.20.



Answer to Question 633 of 2001

Summary of Exchange Visits and events re Spanish and Local Schools

18 February 2000	3 Teachers from Bayside/College of FE visit Los Barrios instituto.
25 February 2000	I.E.S. Juan Antonio, Melilla, students visited Westside.
3 <sup>rd</sup> March 2000	Juan-Jose Cuadrado Fuentes, Técnico de Educacion visited Governor's Meadow, Bishop Fitzgerald, Westside and Youth Centre.
9 March	Visit by adult students to waterworks, Moorish Castle, Generating Station and Desalination Plant (42 persons) for their project under the general term 'water'.
21 March	C.P. Gloria Fuentes, Guadiaro, on Rock Tour (1 coach) First Group
28 March	C P Gloria Fuentes, Guadiaro, on Rock Tour (1 coach) Second Group
29 March	Bayside/Westside choir performance in Los Barrios. Also on programme Banda Municipal.
7 April	Mr Sergio Ballantine, Bayside held meeting in Los Barrios with Heads of Languages on Resources and Teaching methods.
Friday 12 May	Reps from the 4 Middle Schools and one from T Joseph's First together with Mrs P Scott, Dr D Fa, Mr R Beiso and Mr Juan-Jose Cuadrado from Los Barrios visited the Laboratorio de Arqueologia, near Chiclana, Cadiz.
Wednesday 17 May	9 teachers from Los Barrios visited Governor's Meadow, Bishop Fitzgerald and Westside.
Thursday 18 May	8 teachers from Los Barrios visited St Joseph's Middle and Bayside
Monday 22 May	8 teachers from Los Barrios visited St Paul's Notre Dame and Westside.
Tuesday 23 May	CP Cristo Rey from San Pablo de Buceite, Jimena visited Gibraltar on a Rock Tour. There were 19 pupils and 2 teachers

## **Contd Answer to Question 633/2001**

<b>Wednesday 24 May</b>	16 pupils and 2 teachers from C P Virgen de Guadalupe from Palmones, Los Barrios, were hosted to a Rock Tour.
<b>Thursday 15 June</b>	43 pupils and 3 teachers from C P San Garcia in Algeciras visited St Joseph's Middle in the morning and were then taken on a Rock Tour.
<b>Tuesday 22 August</b>	Señor Manuel Gomez from Selwo made a presentation on the Park to Mrs Scott and R Beiso.
<b>Thursday 31 August</b>	<p>Meeting at the Department to review and renew areas of collaboration between Los Barrios and Gibraltar.</p> <p>In attendance Señor Miguel Angel Rodriguez Palomo, Consejal de Educación de Ayuntamiento de Los Barrios and Señor Juan-Jose Cuadrado Fuentes, Técnico de Educación. Mr Lester and Mrs Scott represented the Department of Education. Also attending Mr R Beiso.</p>
<b>Thursday 7 September</b>	Señor Manuel Gomez from Selwo delivered a presentation on the Park to Heads of Departments of local schools at Bleak House.
<b>Friday 29 February</b>	Government sponsored trip to ERA (Laboratorio de Arqueologia Esperimental) of 44 pupils and 5 teachers from St Joseph's First.
<b>Wednesday 11 October</b>	<p>Launch of the 'Curso de Experto' at Bleak House, Experto Universitario en Comercio Internacional – Run by the University of Cadiz with the collaboration of the Department of Education, Government of Gibraltar.</p> <p>Official Opening by the Hon Minister for Education, Dr Bernard Linares and the Secretario General de la Universidad de Cadiz. Señor Miguel Checa Martinez</p>
<b>Friday 20 October</b>	Government sponsored trip to ERA of 46 pupils and 4 teachers of pupils from St Joseph's Middle School.
<b>Wednesday 8 November</b>	Government sponsored trip to ERA of 49 pupils and 4 teachers of Sacred Heart School
<b>Tuesday 14 November</b>	Government sponsored trip to ERA of 44 pupils and 3 teachers of St Anne's Middle School

**Contd. Answer to Question 633/2001**

<b>Tuesday 21 November</b>	Posted letters from Bayside and St Joseph's Middle School pupils to Secretario de Alcalde de Pruna in response to the request initially made by the Alcalde for collaboration between Pruna and Gibraltar received by the Chief Minister.
<b>Friday 24 November</b>	25 teachers from the Province of Malaga on a planguage project for the University of Cadiz visited local schools.
<b>Thursday 30 November</b>	Meeting – Mrs Scott and Mr Juan-Jose Cuadrado Fuentes to discuss outstanding projects for co-operation.
<b>Wednesday 17 January 2001</b>	Señor Fernando Mariscal from the Conserjería de medio ambiente delivered a talk to Middle School pupils participating in the reforestation programme 'Bosque Vivo'
<b>Monday 27 January</b>	Bishop Fitzgerald visit ERA on government funded trip (50 pupils).
<b>Thursday 1 February</b>	"Bosque Vivo" reforestation programme. 48 pupils from Middle Schools participated.
<b>Tuesday 13 February</b>	Headteachers Mrs G Beiso/Ryan and Mrs T Beiso visit C P Luis La Madrid and San Ramon Nonato in Los Barrios
<b>Tuesday 20 March</b>	Meeting in Los Barrios between Mrs Scott and Mrs Sacramento with Mrs Yolanda Peinado, concejala de asunto sociales to discuss Special Needs provision.
<b>Thursday 29 March</b>	Mrs Ryan/Beiso, Mrs Beiso and Mrs. Scott attend a workshop for parents at San Ramon Nonato in Los Barrios.
<b>Tuesday 3 April</b>	Government funded trip to ERA by St Paul's pupils (30 pupils)
<b>Tuesday 17 April</b>	C P Cristo Rey (22 pupils), San Pablo de Buceite, on Rock Tour

**Contd. Answer to Question 633/2001**

**Monday 23 April**

6 Teachers from Los Barrios visit Governor's Meadow, Westside and St Martin's/

**Tuesday 24 April**

Mrs Towills, Mrs Viales and Mrs Abudarham visit San Ramon Nonato and C O Juan Gonzalez in Los Barrios

NO. 634 OF 2001

THE HON S E LINARES

**CULTURAL EXCHANGES**

Can the Minister for Education list the cultural exchanges between Gibraltar and Spain in 1998, 1999, 2000 and 2001 to date, giving the actual dates, cost and what they involved?

ANSWER

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

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

## **ANSWER TO QUESTION 634 OF 2001**

The following cross frontier cultural activities were undertaken during 200/2001:

### **27 January 2000**

Performance in the Teatro Municipal 'La Velada' of La Linea de la Concepcion of the Calpe Singers.

(No expenses involved)

### **29 March 2000**

Concert by Gibraltarian school children in Los Barrios.

(No expenses involved)

### **5-9 April 2000**

Participation of the Gibraltar Arts and Crafts Association in the Nuevo Futuro Rastrillo in Los Barrios.

(£70 – Hire of tables)

### **6 May 2000**

Concert in the Cathedral of St Mary the Crowned, Gibraltar by the Orquesta de Camara 'Ciudad de La Linea' organised by Enclave XXI.

(£70 – Hire of van for transportation of musical instruments).

### **19 May 2000**

Concert in the Convent, Gibraltar by Sarah Barnes and Vortie Ashkenazy organised by Enclave XXI.

£283.84 spent as follows:-

£50.00 - Tuning of Piano  
£120.00 - Setting up of chairs etc.  
£ 25.00 - Insurance  
£88.84 - Drinks

### **20-22 October 2000**

VI Jornadas de Historia del Campo de Gibraltar held in the John Mackintosh Hall.

(Total expenses: £28,866.90)

### **2-4 November 2000**

Symposium of the Multi-border Societies of the Straits of Gibraltar held in Gibraltar and La Linea de la Concepcion.

(Total expenses - £9,919.60)

NO. 635 OF 2001

THE HON S E LINARES

## **RISK ASSESSMENTS**

Can the Minister for Education state if suitable and sufficient risk assessments have been carried out throughout the Department of Education and have significant findings been recorded?

ANSWER

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

On the same basis as between 1988 and 1996. Teachers carry out their own risk assessments in laboratories, workshops, gymnasiums and in other situations where risks are identified. Appropriate departmental support is then provided. Some work, for example, the inspection of gym equipment is contracted out and is done on a regular basis. The lack of major incidences in our schools is proof that risks assessments are continuously carried out, recorded and appropriate action is taken.

SUPPLEMENTARY TO QUESTION NO. 635 OF 2001

HON S E LINARES:

Is the Minister aware that there is a Management and Health and Safety at Work regulation which started in 1996?

HON DR B A LINARES:

I am aware of that.

HON S E LINARES:

The Minister has mentioned since 1988 onwards and the regulation sets out new criteria and new things for health and safety. Therefore it is not a question of saying that is what used to happen from 1988 onwards as if there was something wrong. The regulation has been put in place by his Government. Is the Minister aware?

HON DR B A LINARES:

The regulations says minimal standards and what I was saying was that those minimal standards were kept even before 1996. They have been updated by the regulations in 1996 and I believe the practice in schools is perfectly in tune with those regulations.

ORAL

NO. 636 OF 2001

THE HON S E LINARES

**HEALTH AND SAFETY**

Is the Minister for Education satisfied at the amount of information being given to employees of the Department of Education in relation to Health and Safety?

ANSWER

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

Answered together with Question No. 637 of 2001.



NO. 637 OF 2001

THE HON S E LINARES

**HEALTH AND SAFETY**

Can the Minister for Education state who are the Health and Safety Competent Persons for the Department of Education?

ANSWER

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

In answer to Question No.636 of 2001 I have to say that Health and Safety courses delivered by the Environmental Agency and the Gibraltar College of Further Education, have been attended by members of staff of all schools, including Heads and Deputies and officers from the Main Office. Information gained is passed on to the rest of the staff. Further courses are currently being offered by the Gibraltar College of Further Education through the accredited organisation known as the Institution of Occupational Safety and Health aimed at staff and management.

In answer to Question No.637 of 2001 about the Competent Person, the Higher Executive Officer in the Department of Education is considered as the Health and Safety Competent Person and the equivalent in the schools are those who attended the training courses.

SUPPLEMENTARY TO QUESTION NOS. 636 AND 637 OF 2001

HON S E LINARES:

Can the Minister state what qualifications the Higher Executive Officer has to do the Health and Safety assessments?

HON DR B A LINARES:

The qualification that was gained by attendance and by successfully completing the courses that I have referred to.

NO. 638 OF 2001

THE HON S E LINARES

**CHANGE OF SCHOOL HOURS**

Can the Minister for Education state how many formal meetings have been held by the Working Group set up to study all aspects of the change of school hours since it was formed in February 1998 giving dates and names of persons attending?

ANSWER

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

Answered together with Question Nos. 639 to 645 of 2001.

NO. 639 OF 2001

THE HON S E LINARES

**CHANGE OF SCHOOL HOURS**

Can the Minister for Education state how many formal meetings have been held between the Department of Education and the Royal Gibraltar Police in relation to the change of school hours giving dates and names of persons attending?

ANSWER

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

Answered together with Question Nos. 638 and 640 to 645 of 2001.

NO. 640 OF 2001

THE HON S E LINARES

**MEETINGS - PARENTS ASSOCIATIONS**

Can the Minister state how many formal meetings have been held between the Department of Education and the Parents' Associations, giving the names of the schools to which the said associations belong?

ANSWER

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

Answered together with Question Nos. 638, 639 and 641 to 645 of 2001.

NO. 641 OF 2001

THE HON S E LINARES

**CHANGE OF SCHOOL HOURS**

Can the Minister for Education state how many formal meetings have been held between the Department of Education and the Transport Commission in relation to the change of school hours in 1998, 1999, 2000 and 2001 to date giving dates and names of persons attending?

ANSWER

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

Answered together with Question Nos. 638 to 640 and 642 to 645 of 2001.

NO. 642 OF 2001

THE HON S E LINARES

**CHANGE OF SCHOOL HOURS**

Can the Minister state at what stage they are in in relation to recruiting staff to supervise the lunch break once the school hours change in September 2001?

ANSWER

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

Answered together with Question Nos. 638 to 641 and 643 to 645 of 2001.

NO. 643 OF 2001

THE HON S E LINARES

**SCHOOL HOURS - SURVEY**

Will the Minister give the results of the survey conducted in January/February 2001?

ANSWER

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

Answered together with Question Nos. 638 to 642 and 644 and 645 of 2001.

NO. 644 OF 2001

THE HON S E LINARES

**QUESTIONNAIRE ON SCHOOL HOURS**

Can the Minister state when the new questionnaire on school hours will be ready with the results and conclusions?

ANSWER

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

Answered together with Question Nos. 638 to 643 and 645 of 2001.



NO. 645 OF 2001

THE HON S E LINARES

**FACILITIES FOR PACKED LUNCHES – SCHOOLS**

Can the Minister give a breakdown of the facilities that are to be put in place in each school for the children to have their packed lunches giving the exact nature of the works in each school?

ANSWER

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

The working group met on six occasions throughout 1998. Exact dates are not available. The persons attending were:-

1. Mr Brian Gonzalez – Gibraltar Teachers' Association  
(Mr Edwin Reyes for two of the meetings)
2. Mrs Christine Reyes – Gibraltar Women's Association
3. Mrs Pam Baker – Parents' Associations
4. Mrs Maria Luisa Towills – representing the collectivity of Headteachers
5. Mr B Clark – Traffic Commission
6. Chief Inspector Danino – Royal Gibraltar Police
7. The Director of Education and Training, Mr Leslie Lester, chaired the meetings

Discussions with the RGP were held always in the context of the working group. The discussions with the representatives of the Parents' Association similarly were held in the context of the working group. Discussions with the representative of the Transport Commission were also held in the context of the working group. Discussions however have also taken place between the Department of Education and Training, the Personnel Department and the Transport and General Workers Union on the question of employing supervisors, carers to undertake lunchtime supervision. I cannot tell the hon Member when the forthcoming questionnaire addressed to parents will be exactly issued and the extensive factual and statistical information sought by the hon Member on the question of the previous survey and on the works carried out to make the schools suitable for the purpose is given in the schedule, which I will now hand to him.

SUPPLEMENTARY TO QUESTION NOS. 638 TO 645 OF 2001

HON S E LINARES:

The Minister is actually stating that there has not been individual meetings with the organisations or associations that I have mentioned, but that they are all under the

umbrella of the working group, for example, they have met since 1998 six times. Is that correct?

HON DR B A LINARES:

Yes. Why should there be individual meetings when they were all formally represented in the collectivity of the working group. When the working group failed to reach consensus, then all the individual representatives and bodies were asked to submit their own particular representations in writing.

HON S E LINARES:

Is it possible to pass on their proposals? Did the actual groups have proposals as such on the change of school hours, written proposals presented in the working group?

HON DR B A LINARES:

No. These representative bodies were reporting and making representations to the Government, to the Department of Education and Training. I am not at liberty to make public whatever submissions they made directly to us.

HON S E LINARES:

In relation to the Parents' Association, does the person mentioned in the working group represent all the schools, because as far as I am aware the Parents' Association belongs to a specific school. Each school has their own Parents' Association. Does that person represent the whole of the Parents' Association?

HON DR B A LINARES:

May I correct the hon Member? Not all schools have Parents' Associations. All schools have school committees. Some schools have voluntary Parents' Associations and in direct answer to the question, Mrs Pam Baker, reported repeatedly in the working group that she was in constant contact and she was voicing the views of her colleagues in other Parents' Associations. She was actually appointed and elected by the Parents' Associations to represent formally.

HON S E LINARES:

Is that the case with the rest of the people that I presume they all represent their own groups?

HON DR B A LINARES:

Of course.

Answer to Question 6.43 of 2001

# PARENTS

		MIDDLE SCHOOLS								FIRST SCHOOLS												SECONDARY							
		SA		BF		SJM		SH		SJF		GM		SP		SB		SM		ND		B		W		Heb		Nur	
		No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
A) Not staying for lunch	Option A	8	2%	9	2%	5	2%	7	3%	6	2%	1	0%	5	2%	4	3%	2	1%	4	2%	22	5%	20	5%	0	0%	2	5%
	Option B	23	6%	31	7%	21	7%	16	6%	15	5%	6	2%	21	9%	10	7%	14	9%	20	8%	53	11%	43	10%	10	26%	3	7%
	Other	14	4%	14	3%	9	3%	7	3%	12	4%	20	7%	6	2%	6	4%	6	4%	13	5%	28	6%	47	11%	8	21%	8	19%
	Total	45	12%	54	13%	35	12%	30	11%	33	11%	27	9%	32	13%	20	14%	22	15%	37	15%	103	21%	110	25%	18	47%	13	30%
B) Staying for lunch	Option A	61	16%	50	12%	52	19%	26	10%	71	23%	45	15%	30	12%	25	17%	26	17%	42	16%	107	22%	58	13%	2	5%	3	7%
	Option B	257	66%	278	67%	172	61%	206	76%	188	61%	189	65%	164	68%	93	64%	90	60%	158	62%	226	47%	170	39%	18	47%	19	44%
	Other	20	5%	19	5%	13	5%	4	1%	11	4%	16	5%	10	4%	5	3%	8	5%	13	5%	34	7%	51	12%	0	0%	1	2%
	Total	338	86%	347	83%	237	84%	236	87%	270	88%	250	86%	204	84%	123	84%	124	83%	213	84%	367	76%	279	64%	20	53%	23	53%
C) No decision	Option A	2	1%	1	0%	3	1%	0	0%	2	1%	2	1%	2	1%	0	0%	0	0%	1	0%	1	0%	3	1%	0	0%	1	9%
	Option B	6	2%	5	1%	2	1%	3	1%	0	0%	6	2%	3	1%	0	0%	0	0%	2	1%	6	1%	3	1%	0	0%	2	5%
	Other	0	0%	9	2%	4	1%	2	1%	1	0%	7	2%	1	0%	3	2%	3	2%	2	1%	6	1%	41	9%	0	0%	1	2%
	Total	8	2%	15	4%	9	3%	5	2%	3	1%	15	5%	6	2%	3	0.021	3	2%	5	2%	13	3%	47	11%	0	0%	7	16%
Grand Total		391		416		281		271		306		292		242		146		149		255		483		436		38		43	

Total returns = 3749

Total not staying for lunch = 579 = 15%

Total staying for lunch = 3031 81%

No decision = 139 4%

	First schools		Middle Schools		Secondary Schools		Hebrew		Nursery		All schools	
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
Option A	268	19%	261	19%	211	23%	2	5%	9	21%	751	20%
Option B	979	70%	1020	75%	501	55%	28	74%	24	56%	2552	68%
Other	143	10%	115	8%	207	23%	8	21%	10	23%	483	13%
Total	1390		1359		919		38		43		3749	

# TEACHERS

	SECONDARY				MIDDLE						FIRST										Total	%
	W/S	B/S	Sec	%	SJM	BF	SH	SA	Mid	%	SP	ND	SB	SM	SJF	GM	First	%	H	N	Total	%
A	3	4	7	9%	0	5	2	1	8	10%	5	0	9	0	1	1	16	16%	0	3	34	13%
B	3	0	3	4%	0	0	2	1	3	4%	6	1	1	0	0	6	14	14%	0	0	20	8%
CD	26	34	60	76%	17	12	12	18	59	73%	3	17	1	0	3	12	36	37%	4	0	159	60%
OTHER	5	4	9	11%	0	7	1	3	11	14%	4	0	0	12	15	0	31	32%	1	0	52	20%
TOTAL	37	42	79		17	24	17	23	81		18	18	11	12	19	19	97		5	3	265	

Grand Total = 265 represents about 84% of the teaching complement

Answer to Question 645 of 2001

Works being undertaken to provide facilities to enable children to have packed lunches

- Bayside - 2-storey building on site of portakabins. Top floor dining area; ground floor to provide facilities previously available as portakabins.
- Westside - Hall being constructed at the western end of the school – to double up as dining area during wet weather.
- Bishop Fitzgerald - building of store to release space in Hall to be used during wet weather.
- St Anne's - refurbishment of ex-gym in 'old' building.
- St Joseph's Middle - new gymnasium being constructed on tennis court to the east of the playground to release existing gym for dining purposes.
- Sacred Heart - refurbishment of "vandalised area" and provision of roofs to provide covered areas.
- Governor's Meadow - provision of covered areas – existing Hall can be used in wet weather.
- St Bernard's - no works required.
- Notre Dame - Dining room/Hall being built on playground.
- St Mary's - existing vacant rooms to be refurbished to enable children to have packed lunches and provision of covered area in playground.
- St Paul's - provision of covered areas in playground.
- St Joseph's First - new gymnasium and adjacent dining area to release existing gym for the provision of extra classrooms given increasing numbers on roll.

NO. 646 OF 2001

THE HON S E LINARES

**SCHOOL FOCUS VISIT REPORTS**

Can the Minister state if the school focus visit reports are made available to teachers?

ANSWER

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

The report of the school focus visits is made available to the Headteacher, who then exercises discretion as to who else reads the report within his or her school.

The Department insists however, that subject co-ordinators and Heads of Departments have access to that part of the report for which they have a management responsibility and immediate feedback is provided for every teacher at the end of the observed lesson.

SUPPLEMENTARY TO QUESTION NO. 646 OF 2001

HON S E LINARES:

Is the Minister satisfied that every Head actually informs Heads of Departments and teachers directly about the reports?

HON DR B A LINARES:

I have not checked on them but knowing the professionalism of the Heads, I would think very definitely that they would actually transmit to whoever they think appropriate the contents of the school focus report.

HON S E LINARES:

Does the Minister not think that it is advisable that if the teacher has been assessed or has had a focus visit, that that teacher gets a report on what has actually been written about them?

HON DR B A LINARES:

The feedback comes to the teachers even before the written phase of the report. Straight after the observed lesson the teacher will meet with the observer and will get verbally a very frank and open report.

HON S E LINARES:

Can the Minister state on these school focus visits whether the person actually visiting is assessing the teacher's performance or are they assessing the curriculum that they are delivering rather than the performance of the teacher?

HON DR B A LINARES:

Everything. Obviously the performance is a key element in the observation but the performance is based on preparation on a curricula content and all these elements are assessed globally by the assessors.

HON S E LINARES:

Can the Minister confirm that these visits are actually to assess the teacher's performance?

HON DR B A LINARES:

Yes indeed. The teacher's performance is a key element in the assessment.

NO. 647 OF 2001

THE HON S E LINARES

**TRUANT CHILDREN**

Can the Minister state if he has looked at the legal position on truant children with a view to establishing what changes are needed?

ANSWER

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

The Department is currently drafting legislation with the support of the Legislation Support Unit, aimed at criminalising – I do not like that word – but it is stated in a purely legalistic sense, persistent truants who are causing mischief in the community and leading others astray. This legislation will be modelled on current UK legislation.

SUPPLEMENTARY TO QUESTION NO. 647 OF 2001

HON S E LINARES:

What is the time limit between the actual process of trying to draft out legislation and the actual Bill presented in the House?

HON DR B A LINARES:

The draft legislation will be put to the Council of Ministers for a policy decision. The Hon Member asked me what stage and the stage is precisely that. The drafting is now almost complete.



NO. 648 OF 2001

THE HON S E LINARES

**KEY SKILLS PROGRAMME - BAYSIDE**

Can the Minister state when Bayside will be implementing in Year 12 the key skills programme?

ANSWER

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

The Year 12 key skills programme will be implemented in Bayside in September 2001. The teacher responsible has already undergone a preliminary course in the UK in order to put in place an induction course for other key members of staff who will be contributing to the implementation of this programme.

NO. 649 OF 2001

THE HON S E LINARES

**INFORMATION TECHNOLOGY – WESTSIDE**

Can the Minister state when Westside will be offering Information Technology at GCSE and 'A' Level?

ANSWER

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

Westside will be offering Information Technology at GCSE and 'A' Level as soon as it is determined that there is sufficient demand from students wishing to do this subject at these levels. However, the Department is actively considering the opportunity of offering Information Technology courses currently on offer already at the Gibraltar College of Further Education to 16-18 year old girls, who will be taking other A/S and 'A' Levels at school. It will also feature as part of the key skills provision.

SUPPLEMENTARY TO QUESTION NO. 649 OF 2001

HON S E LINARES:

When saying we are waiting for numbers to come up, if the students do not know that this is going to be offered, then they will not put their names down. I am sure that there are many girls who would like to do GCSE and 'A' Level in Information Technology. The thing is that they know that the school is not offering those two subjects and therefore they will not even put their names down, how do they know that there is a course? Would it not be better to say, here is the course put your names down?

HON DR B A LINARES:

That is not the way it works in Secondary Schools because very often courses can only be offered if the demand is already there, but there are ways in which the school surveys response and demand from the pupils without actually putting the menu before them.

HON S E LINARES:

In Bayside this subject is very popular and I do not see why it should not be popular in the Girl's Comprehensive. May I urge the Minister to try and offer the girls the IT at GCSE and 'A' level. The courses should be quite simple to put forward, they are already there in Bayside.

HON DR B A LINARES:

Yes, the hon Member may urge me to attend to those value judgements but I assure him that I am quite aware of the importance of Information Technology in the curriculum, but there are different ways of providing Information Technology across the curriculum. For instance, the girls at Westside will now be resuming the RSA courses, which are based on computer literacy and Information Technology and the

school offers a very broad curriculum involving Information Technology in all subjects.

HON S E LINARES:

Is Bayside getting also the RSAs that Westside is?

HON DR B A LINARES:

The Oxford and Cambridge and RSA Examination Board has decided that Gibraltar students and candidates will be able to take that examination and Bayside will be offering these OCR exams, which are validated by the RSA.

HON J L BALDACHINO:

Why is it that Bayside has got it in their curriculum and Westside cannot have it on their curriculum? Why is it that they need to go to the College of Further Education, why is it not incorporated at Westside as well?

HON DR B A LINARES:

The girls in Westside will have every opportunity of doing GCSE and 'A' level courses in Information Technology. It remains to be seen whether it is more viable to do that within the resources of the school or within the resources already there in the College of Further Education. At present we are studying to what extent the different institutions catering for 16-18 education can actually support each other instead of multiplying and duplicating resources.

HON S E LINARES:

What the Minister is now actually confirming is that as an option in Westside, Information Technology will be included.

HON DR B A LINARES:

Yes indeed.

ORAL

NO. 650 OF 2001

THE HON S E LINARES

**PURCHASE OF STATIONERY**

Can the Minister state how they have worked out how much to give schools over and above what is given in capitation for purchasing stationery locally?

ANSWER

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

Answered together with Question No. 651 of 2001.

NO. 651 OF 2001

THE HON S E LINARES

**STATIONERY**

Can the Minister state how much more it is costing Government to pay for stationery bought locally as opposed to schools buying them via catalogues?

ANSWER

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

On the basis of a sample of items, the Department estimates that overall stationery costs would be approximately 3 per cent higher than if purchases were made directly from the UK. Given the differential use of resources at different levels (first, middle and secondary) the Department provided with compensatory funding according to use. It has cost, as I have just explained, approximately 3 per cent more to buy locally. The Government have now taken a decision to revert to the previous system since the delivery time for some items was unacceptably long leading to shortages and also because of the further reason to save costs.

ORAL

NO. 652 OF 2001

THE HON S E LINARES

**POST THRESHOLD SALARIES**

Can the Minister state when the Post Threshold Salaries will be implemented?

ANSWER

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

Answered together with Question Nos. 653 to 655 of 2001.

NO. 653 OF 2001

THE HON S E LINARES

**POST THRESHOLD SALARIES**

Can the Minister state how the Post Threshold Salaries fit in within the global context of the Civil Service?

ANSWER

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

Answered together with Question Nos. 652 and 654 to 655 of 2001.

NO. 654 OF 2001

THE HON S E LINARES

**POST THRESHOLD SALARIES**

Can the Minister state whether teachers will be given feedback as to why they are not successful in obtaining higher points in their salary scales once the Post Threshold Salaries start?

ANSWER

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

Answered together with Question Nos. 652, 653 and 655 of 2001.



NO. 655 OF 2001

THE HON S E LINARES

**POST THRESHOLD SALARIES**

Can the Minister state what sort of appraisal scheme will be put in place for the teachers after the Post Threshold Salaries are introduced?

ANSWER

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

Post Threshold Salaries will be implemented for all successful applicants with effect from 1<sup>st</sup> September 2000. Teachers salaries in Gibraltar are identical to the UK salaries. This position has arisen given that the Gibraltar Teachers Association submitted a claim for parity with the UK. This means the introduction of appraisal of performance for all teachers at all levels. Other civil servants opted not to have their performance appraised and hence a local package was devised. At present, only the first point of the Upper Pay Scale over the threshold is available to teachers. The second point is available as from 1<sup>st</sup> September 2002 and details of the standards required to progress to this point are not available yet in the UK. Given that the performance management framework envisaged locally is open, in keeping with the policy of transparency, there is absolutely no reason for not providing feedback to unsuccessful teachers. Since the performance management philosophy is one of professional development aimed at improving standards, it is expected that teachers will have ample opportunity to meet the demands in the two-year cycle of assessment within the upper pay scale. The Department has already circulated to GTA a FIRST draft of the appraisal framework for Gibraltar. This is essentially the UK model.

SUPPLEMENTARY TO QUESTION NOS.652 TO 655 OF 2001

HON S E LINARES:

When the Minister speaks about the appraisal model, is he aware that there will have to be many more teacher inspectors in order to ascertain whether the teacher is actually meeting those criteria which are set down, or is it just meeting the criteria with the Head and then getting the point. Can the Minister explain?

HON DR B A LINARES:

In no way does it mean a multiplication, a myriad of inspectors and assessors. There is a chain of accountability. Teachers will be assessed by their Head Teachers in the school and there may be an element of validation of that assessment through one of the external advisers from the department.

HON J C PEREZ:

Is the Minister not aware that the first stage of the implementation of this was done on the basis that the appraisal was not done and that is why they have one point and not three like in the UK, because it goes across the board and it applies to all teachers on the basis that it is one point and there is no appraisal? Is it that the

policy has changed now and in order to get point 2 of the three points that are available in the UK, there is now a system of appraisal in Gibraltar that there was not before.

HON DR B A LINARES:

I am not sure that I understand exactly what the hon Member is asking. All I can say is that the system is very clearly laid down. There is a threshold, once a teacher arrives at a maximum of the main scale and will pass on to the first point through an assessment, an appraisal system that will qualify or not qualify the teacher to pass on to the first point. The second point is not yet elaborated in the UK.

HON S E LINARES:

The Minister is actually satisfied that these teachers are going to be assessed by the Head and that somebody from the Department will come in and look at what the Heads report? Are the teachers going to be made aware of all the reports done on them, it is a two way process, because we have been discussing before teacher promotion and this is a completely new way of actually assessing the wages of teachers. Therefore, I am asking the Minister whether he is satisfied at the way that the teachers are going to be appraised because in the UK there are standardised ways of appraising. There is OFSTED, HM Inspectors, all these people who come in to assess the teachers in order to give them their wages.

HON DR B A LINARES:

I am afraid that the hon Member, I cannot find any other way of saying this, he is really not knowledgeable. The system which is already implemented in the UK, I have before me the official document on threshold assessment application form with all the information that teachers have to give about their knowledge and understanding, about their teaching and assessment, about pupil progress in their classrooms, about wider professional effectiveness and development, about professional characteristics and in each of these sections, the teacher will make his or her case and this will be validated by the Head Teachers as having met those targets or not met those targets. If there is any necessity for an appeal, then the external advisers will come into play. The whole thrust of the performance appraisal is a positive one, it is one of supporting the teachers to attain those targets, which he or she sets before himself or herself and actually giving as much feedback as possible. I agree with the hon Member that the philosophy behind it is one of transparency and of the information to the teacher to see and be able to self assess himself or herself in that context.

HON S E LINARES:

Can the Minister state whether it will be the Head as a recommendation or the Head actually giving the teacher or the department the authority to add on a point, or is it going to be the department then going back to the Head to justify the sort of reporting that they have done or the criteria they used in order to give their point? Can the Minister state which will it be, whether it will be a recommendation by the Head only or just that the Head actually does inform the department, this teacher has got an extra point?

HON CHIEF MINISTER:

In the first place I would like the hon Member to be aware, if he is not already aware given that the hon Member is still a member of the Teachers Association, that it is the teachers themselves that have asked the Government to do this. It is the teachers themselves and frankly the Government are full of admiration for their boldness and their commitment to their own professional standards, it is the teachers themselves the first group of workers in Gibraltar, that have asked the Government to subject them to a performance related system of pay increment. They are entirely aware of what the system is in the UK. They have asked for the system and the Government are committed to giving the system as they have in the UK. There is no issue as between the teachers and the Government on this issue. The system for performance assessment is the same one as occurs in the UK and I will sit down and yield to the Minister to answer it. My understanding is that the initial assessment of teachers is done by the Head Teacher and then the department engages in a random auditing of selected assessments just to make sure that the criteria have been properly applied.

HON S E LINARES:

I appreciate the Chief Minister telling me that the teachers have been the first. I am a teacher myself and I have never shrugged away with whichever Government on appraisal on teachers. I can guarantee the Chief Minister this because I actually put it to the GSLP then, as the President of the GTA, that the teachers were never afraid of appraisal. That is a fact. Not only that, I will also add that in the UK schools are governed by governing bodies, there are grant maintained schools, there are local authorities schools, there are different types of schools. The one that we are talking about would be local authorities schools, which is the Blue Book, which I am aware of the Blue Book, which states the pay and conditions of teachers. This Blue Book, which the Chief Minister might not be aware of, is what regulates the teacher.

HON CHIEF MINISTER:

Are you aware of the Blue Book?

HON S E LINARES:

Of course I am aware of the Blue Book, it is the Chief Minister who is not aware of the Blue Book it seems. I have asked this specific question, "Will the Head only recommend as going up the scale of the pay, will the Head recommend or will the Head actually give that point, or will other people be assessing it?" That is the question, nothing to do with whether the teachers are being professional, I know that, I am one myself.

HON DR B A LINARES:

I have before me the form for threshold assessment and as I have explained, it is one box in which the teacher is given the opportunity of making a case for himself or herself in terms of certain standards to be met and targets to be arrived at. Below that box there is another box which says "Assessment by Head Teacher". Teachers know perfectly well what is meant by an assessment. In fact they are being now inducted into processes of assessment, taking account of each aspect above, that is the case made by the teacher and noting any areas for further improvement. The Head Teacher has to sign either 'standard met' or 'standard not yet met'. The assessment falls and weighs upon the Head Teacher 100 per cent.

HON CHIEF MINISTER:

All of which is clearly set out in the Blue Book, which I have read but it is clear from the hon Member's question that he has not. All the things that the hon Member is asking are clearly set out in the Blue Book.

HON DR B A LINARES:

I can assure the hon Member that the Chief Minister knows the Blue Book inside out because we have been discussing it, reading it, analysing it with the Director of Education and with the Union itself, but the point that the Chief Minister was trying to make before and I want to reinforce, is that the hon Member seems to be questioning the validity and the intrinsic merits of the assessment form and then the point is made. We have not invented this wheel, it has been the GTA, the teachers themselves who have put before the Government this claim involving the mechanics of this assessment process, which the hon Member is questioning.

NO. 656 OF 2001THE HON S E LINARES**PERIPATETIC TEACHER**

Can the Minister state if he has completed the study in order to employ an extra peripatetic teacher?

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

Yes. The Department is convinced that there is a need to develop the Behaviour Support Service. Government have placed considerable emphasis on improving pupil behaviour and working preventively by identifying problems early. It has not been possible to recruit as yet an experienced and well qualified teacher from the existing supply pool. Most of our qualified and experienced staff are actually employed in our schools and we are reluctant to deprive a class of its teacher for this purpose. We are however, the hon Member will be glad to hear, optimistic that the recruitment difficulty can be resolved in good time for the forthcoming academic year.

SUPPLEMENTARY TO QUESTION NO. 656 OF 2001**HON S E LINARES:**

Is it that the Minister cannot find suitable teachers as I stated in the House last time? Should not the Government be looking into the fact that the teacher who is actually doing this work will get a plus 1, plus 2, on their wage rather than a normal teacher. I think the problem, as the Minister is stating, is the recruiting of a suitable person.

**HON DR B A LINARES:**

The problem is not one of recruiting or inviting or attracting applications. The problem has been that within the supply pool, I have just explained that we do not want to draw from the established complement in the schools, because that would be depriving a class of a qualified and experienced teacher, so we have to look to the supply pool and within the supply pool we have not found a teacher with sufficient expertise and experience in this particular and very difficult and complex area of behaviour modification.

**HON S E LINARES:**

Would it not be logical that the Minister gets some teachers from the classroom and gets a supply teacher to go into the classroom?

**HON DR B A LINARES:**

It is not as easy as all that and I would have thought that the hon Member would know that from his experience in schools. One cannot just take a teacher out of a classroom and deprive those children of the relationship that has already been established and sometimes just plonking another teacher from outside. These aspects are weighed seriously and sensitively by the department and nevertheless

the department assures me that for the next academic year they are very hopeful to have identified a suitable teacher.

NO. 657 OF 2001

THE HON S E LINARES

**EDUCATIONAL PSYCHOLOGIST**

Can the Minister state at what stage is the review on the workload of the Educational Psychologist?

ANSWER

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

The workload of the Principal Educational Psychologist is reviewed on a regular basis.

SUPPLEMENTARY TO QUESTION NO. 657 OF 2001

HON S E LINARES:

What is that finding that we need another Educational Psychologist or not?

HON DR B A LINARES:

Ideally Government would want to employ several Psychologists, but we need to be realistic. We are looking at areas involving special educational needs, which need to be done, which need not be done directly by an Educational Psychologist. We now have a special adviser for special educational needs. We also employ a behaviour support service – we have just been talking about that – we pay for qualified Psychologist to counsel some parents on the advise of our Principal Education Psychologist. We enhance our staff in ratio and train our teachers in counselling skills to provide good psychological backup. The great inroads that we have made in the training of our special needs co-ordinators has also gone a long way into optimising the time allocated by the schools psychological service.

HON S E LINARES:

The Minister stated in answering the question that sometimes an Educational Psychologist is brought over on contract by parents? To counsel parents?

HON DR B A LINARES:

I did not say on contract. I said that we actually ask other visiting Psychologists, sometimes those come in for the Services children, to do some counselling at all levels.

HON S E LINARES:

By actually having this the Minister is admitting that we need another Educational Psychologist. I know that ideally the Minister would like to employ seven or eight. I am referring to the question that I asked in the previous House where the Minister mentioned that I asked how many referrals there were. The Minister mentioned that there were 2,417 at the time and I said that in the UK they had 750 which is the

maximum that an Educational Psychologist had. That is where I am drawing the question from. There seems to be enough evidence that there is a need for another Educational Psychologist.

HON DR B A LINARES:

What I am admitting is that those needs are being met adequately without the employment of another Educational Psychologist. I have described all the resources, all the strategies that we are employing precisely to meet those needs without having actually to appoint another additional Psychologist here and now at this stage, although it would be desirable, but as I say, at this stage not an immediate priority.



NO. 658 OF 2001

THE HON S E LINARES

**SPEECH AND OCCUPATIONAL THERAPISTS**

Can the Minister state how many speech and occupational therapists are currently available to the Department of the Education?

ANSWER

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

The Department of Education and Training does not employ any speech therapists or occupational therapists, but therapists employed by the GHA work with school children in schools and in Health Authority clinics. The Chief Speech and Language Therapist and two Senior Speech and Language Therapists support children in schools individually and within groups and offer advice to teachers as part of their regular workload, as does one Senior Occupational Therapist and one Physiotherapist.

SUPPLEMENTARY TO QUESTION NO. 658 of 2001

HON S E LINARES:

That is why I have directed my question and said currently available.

HON DR B A LINARES:

I just wanted to clarify that for the record.

HON S E LINARES:

Is the Minister satisfied that it has to come from the pool of the Health Authority and not from the Department of Education?

HON CHIEF MINISTER:

The hon Member would employ more of those as well?

HON S E LINARES:

If I could of course.

HON DR B A LINARES:

I am totally satisfied particularly now that very soon we are going to have two additional Occupational Psychologists and Occupational Therapists and one additional Physiotherapist. The pool within the GHA is precisely to work in liaison with the schools. I am perfectly satisfied with the present system.

HON S E LINARES:

The number that the Minister has mentioned is the number that the whole of Gibraltar has, the pool is the whole of Gibraltar, we are talking about. Not that the Health Authority have certain Speech and Occupational Therapists on their own and the Department, but that is the whole pool?

HON DR B A LINARES:

Yes.

NO. 659 OF 2001

THE HON S E LINARES

**EDUCATION - DISCRETIONARY GRANTS**

Can the Minister state whether the 43 students who obtained discretionary grants were the initial ones who applied, or the 43 include some reversals as a result of appeals?

ANSWER

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

Of the 43 students who obtained discretionary grants, five of them were granted following appeals to the Scholarship Awards Committee. In a previous question by the Leader of the Opposition I was only able to answer some will have been. I can now confirm that the exact figure is five.

NO. 660 OF 2001

THE HON S E LINARES

**NURSERIES**

Can the Minister state at what stage he is in, in relation to regulating Nurseries?

ANSWER

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

The first draft of the Nursery Regulations Ordinance has been prepared by the Department and the Legislation Support Unit. This is in the process of being considered by the Council of Ministers.

SUPPLEMENTARY TO QUESTION NO.660 of 2001

HON S E LINARES:

The answer is exactly the same as the last time. When does the Minister think that the regulation will either be presented to the House or put in place for it to happen?

HON DR B A LINARES:

The Council of Ministers has an extensive agenda. It is difficult to set datelines of that nature.

HON J L BALDACHINO:

Is the answer that has been given by the Minister saying that it is now ready and only awaiting the decision of the Council of Ministers?

HON DR B A LINARES:

Consideration and decision by the Council of Ministers.

HON S E LINARES:

Is it on the Agenda for the Council of Ministers?

HON B A LINARES:

Indeed it is.

NO. 661 OF 2001

THE HON S E LINARES

**EDUCATION - EDINBURGH HOUSE**

Can the Minister state how many children who are of school attending age live in Edinburgh House?

ANSWER

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

One hundred and thirty-eight school children now live in Edinburgh House.

SUPPLEMENTARY TO QUESTION NO. 661 OF 2001

HON S E LINARES:

Was the Minister aware of this number before or after the houses were given?

HON DR B A LINARES:

Obviously after the houses were given.

HON S E LINARES:

Can the Minister state before or after they were living there?

HON DR B A LINARES:

The department is perfectly aware and they have gone into great detail. I have all the figures here, which is not a schedule, but if the hon Member likes I will pass it on to him. Exactly the number of children in all the first schools, all the middle schools and the comprehensives, who are actually living in Edinburgh House.

HON S E LINARES:

I would appreciate the breakdown, thank you.

ORAL

NO. 662 OF 2001

THE HON S E LINARES

**THEATRE ROYAL**

Can the Minister state what will be the capacity of the Theatre Royal once the refurbishments are completed?

ANSWER

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

Answered together with Question Nos. 713 to 715 of 2001.

NO. 663 OF 2001

THE HON MISS M I MONTEGRIFFO

**PRIMARY CARE CENTRE**

Can Government state whether once again they intend to relocate the Primary Care Centre, on this occasion to the Europort Building?

ANSWER

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

The Government have no such intention.

SUPPLEMENTARY TO QUESTION NO: 663 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister say whether at some stage the Government have been contemplating the idea and discarded it for some reason?

HON CHIEF MINISTER:

It is bad enough that the hon Lady comes to ask in this House a question based on complete rumour. I do not know where she has got the idea that the Government might have been intending to relocate to Europort Building. We have nevertheless treated the question seriously, but frankly to ask what the hon Member is now asking for is taking it a bridge too far. The Government have no intention of operating the Primary Care Centre anywhere else when the Government have just spent quite a lot of money relocating it.

NO. 664 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Is the Minister for Health now able to provide information he undertook to make available in relation to Question No. 287 of 2001?

ANSWER

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

The cost of prescriptions dispensed in 1999/2000 was	£4,048,698.45
The amount paid to pharmacists in respect of the 15% on cost basic price and which is included in that figure is	£ 261,650.73
The yield from £2.35, not the £2.50, the dispensing fees to chemists at that time, now it is £1.80 was	£ 310,448.50



NO. 665 OF 2001

THE HON MISS M I MONTEGRIFFO

**PRIMARY CARE CENTRE**

Are Government aware that there are numerous complaints by the general public that it is very difficult in obtaining appointments over the telephone at the Primary Care Centre?

ANSWER

THE HON. THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH

The matter was resolved successfully last December, when a so called 'forcing call' system was installed. The telephone is permanently manned from 8.30 am to 3.30 pm with the caller automatically coming through to the operator's headset. If there is more than one caller on the line the system queues the callers and a recorded message asks them to hold the line and the calls will eventually come through in chronological order. No complaints about this service have been received since the change.

SUPPLEMENTARY TO QUESTION NO. 665 OF 2001

HON MISS M I MONTEGRIFFO:

I personally have been approached with formal complaints, which I will be happy to pass on to the Minister later on. The last time that I brought here complaints generally about the Health Authority, I was told by the Government that why did I not inform them. That is what I am doing. I am informing the Minister so that he knows exactly the nature of the complaints that are being received. In fact, only this morning I had a gentleman coming to see me saying that he wanted to get to the advance appointments number and that he was unsuccessful. He had to go there personally and since 9.30 am the advance appointments was closed and he was told that it was a matter of there being a shortage of staff. There are other complaints of people who want to ring, like a lady came to see me about one week ago, it took her one whole week to get through and she ended up going herself, in order to get the results of an x-ray. These are the nature of the complaints that we are receiving.

HON DR B A LINARES:

The main difficulty, there may be some confusion here. Some people still have difficulty in obtaining an appointment with a particular doctor, but that is not related, not intrinsic to the telephone difficulties. As the hon Lady will know, the doctors have a slot of 10 appointments out of 20 for advanced bookings and some of the more popular doctors have a waiting list. They have difficulty in getting an appointment with a particular doctor. I will be glad to hear what the complaints are because the system has been working quite successfully from all accounts.

HON MISS M I MONTEGRIFFO:

I will definitely pass on the complaints and I would also like to draw the attention of the Minister to the GHA's Annual Report and perhaps he could confirm whether what

it says is in fact occurring and I will quote from it, "A much needed and long awaited post of a receptionist to deal with the heavy and growing demand for telephone appointments was created during the quarter of 1998". Is there a receptionist there in place?

HON DR B A LINARES:

The difficulties that the hon Lady is referring to and reported in the Annual Report go back to 1998. I am saying that the matter was resolved successfully with this 'forcing call' system, which has been installed with someone from 9.30 am to 3.30 pm, with headsets actually receiving calls but of course on a first come first served basis. This is a very common system in busy institutions everywhere, not just in Gibraltar, where one has to wait until ones call comes through when the line is extremely occupied. This is the situation at the moment, but as far as I know from all the people there, there is certainly not a generalised dissatisfaction.

HON MISS M I MONTEGRIFFO:

I will pass on the complaints to the Minister.

NO. 666 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - NUMBER OF COMPLAINTS**

Can the Government state the number of complaints that are being received through the GHA's complaint procedure, for each month since it was instituted?

ANSWER

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

The factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to her.

SUPPLEMENTARY TO QUESTION NO. 666 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister give me his views on the comments made by the Ombudsman in his Annual Report reference the complaints being received by the Gibraltar Health Authority, where he says, "Complainants have remained dissatisfied with the outcome of the GHA's investigation into their complaints. To date the Ombudsman has only been able to conduct three formal investigations involving administrative complaints made against the GHA. He has not been able to formally investigate any of the clinical complaints brought to his attention. The reason being that the investigations into these complaints have been held up in the GHA complaints procedure and none have been concluded. It seems that instead of the complainant exhausting his/her avenue of redress, the GHA complaints procedure exhausts them. Needless to say, these excessive delays give rise to anger and frustration amongst complainants". Does the Minister agree with all this?

HON DR B A LINARES:

I do not agree entirely with this. The complaints procedure has had its teething problems, mostly based on the question of being able to respond to the fact that we have opened up an avenue for complaints. Therefore we need the resources to meet that demand and precisely that is what is being done at the moment and the Ombudsman is being kept informed of the steps that we are taking to actually expedite these matters.

HON MISS M I MONTEGRIFFO:

Will the Government be taking into consideration the Ombudsman opinion that it should be an independent body that looks into the complaints of the GHA?

HON CHIEF MINISTER:

The Government are considering the Ombudsman's Report as a whole, not just insofar as it relates to health. This is a learning kerb for us all. Of course, one of the things that struck me when the hon Lady was asking her last question, is that it is really interesting that she should be complaining or asking questions about delay in

the Ombudsman ability to investigate things and a thought crossed my mind that at least there is now an Ombudsman for people to complain to. In the hon Member's day there was neither a Health Authority complaints procedure nor an Ombudsman to complain to when it went too slowly. However badly off the hon Member may think people are now, it strikes me that they must necessarily be better off than they were when she had the stewardship of the Health Authority. More seriously, we are going through the Ombudsman Report to see which of his suggestions – of course the Ombudsman statutory function is to investigate maladministration. I suppose maladministration occurs as a result of things that can only be cured by policy, it is perfectly acceptable for the Ombudsman to make policy suggestions, of course otherwise policy suggestions are not in the Ombudsman's statutory remit. Nevertheless, we are looking through his Report and to the extent that his suggestions are commonsense and viable politically and financially, the Government will be deciding which of his suggestions the Government wish to take on board on the policy side. On the administration side, it is a matter for the administrative machinery in Government and for the Heads of Departments to take on board his criticism of purely administrative functions of Government. Insofar as he makes policy suggestions, the Government will be digesting at leisure his Report and see which of his policy suggestions the Government would wish to adopt as their own policy and implement as necessary. The hon Lady will see, she is not the only one who has asked similar questions from amongst her colleagues, that we are not taking at this stage, individual questions about individual suggestions made by the Ombudsman in any of the areas where hon Members have shadow responsibility.

The total number of complaints for the period January 1999 to date is 209 broken down as follows:-

Month	1999	2000	2001	Total
January	5	8	1	14
February	7	9	6	22
March	11	8	0	19
April	12	7	4	23
May	7	4	-	11
June	15	7	-	22
July	19	3	-	22
August	10	3	-	13
September	8	7	-	15
October	6	5	-	11
November	9	8	-	17
December	13	7	-	20
TOTALS	122	76	11	209

NO. 667 OF 2001

THE HON MISS M I MONTEGRIFFO

**NUMBER OF 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 in respect of 10, 11, 12 and 13 of 2000/2001?

ANSWER

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

Answered together with Question Nos. 668 to 670 of 2001.

NO. 668 OF 2001

THE HON MISS M I MONTEGRIFFO

**NUMBER OF 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 periods 6, 7, 8, 9, 10, 11, 12 and 13 of 2000/2001, in respect of which £2.50 per item 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. 667, 669 and 670 of 2001.

NO. 669 OF 2001

THE HON MISS M I MONTEGRIFFO

**DISPENSING FEES**

Can Government say what was the amount paid to pharmacists in the financial year 2000/2001 and how much of this was due to prescriptions dispensed in that financial year and give a breakdown of the yield of 15 per cent on cost of the basic price of medicines and of the £2.35 per item prescription charged in respect of the medicines to which the sum applied?

ANSWER

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

Answered together with Question Nos. 667, 668 and 670 of 2001.



NO. 670 OF 2001

THE HON MISS M I MONTEGRIFFO

**PRESCRIPTION CHARGES**

Can Government state how much revenue the Gibraltar Health Authority has raised from 1<sup>st</sup> January 2001 to end of March 2001, 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

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to her.

I must add that in relation to Question No.668 of 2001, I have given the full details about the items on the prescriptions in respect of which charges are payable by patients. It is not however possible to answer the question that the hon Member is asking because there are some items within the same prescriptions that do not attract a charge, that is to say, prescriptions with more than three items. What I mean is that the prescription can have five items, now which of these five items at different prices for each of the items, which of these three among five actually attract the £2.50. That is mathematically impossible to answer that question.

SUPPLEMENTARY TO QUESTION NOS. 667 TO 670 OF 2001

HON J J BOSSANO:

Is the information being provided showing the cost of all the items on the prescriptions?

HON DR B A LINARES:

That is right.

Answer to Question 667 of 2001

2000/2001

PERIOD	10	11	12	13
SCRIPTS	11566	12208	12920	12179
ITEMS	35903	36396	37964	36926
COST £	340930.40	350696.50	361660.18	362926.18

Answer to Question 668 of 2001

1999/ 2000 PERIOD	6	7	8	9	10	11	12	13
Week	22/8/99	19/9/99	17/10/99	14/11/99	12/12/99	9/1/00	6/2/00	5/3/00
Scripts	4319	5374	5079	5579	5290	5933	5591	5616
Items	8311	10805	10698	11326	11089	12257	11638	11649
COST £	67806.26	87016.25	92775.22	90808.09	88894.56	98810.24	95853.65	95334.30

2000/ 2001 PERIOD	6	7	8	9	10	11	12	13
Week	22/8/00	17/9/00	15/10/00	12/11/00	10/12/00	7/1/01	4/2/01	3/3/01
Scripts	5298	5595	5803	5464	5276	5799	6144	5669
Items	11085	11803	12350	11767	11636	12347	12893	12286
COST £	99324.03	105984.92	112926.32	107408.50	107566.69	111666.19	117882.88	116228.7

Answer to Question 669 of 2001

The amount paid to pharmacists in 2000/2001 was £4,773,702.69.

Answer to Question 670 of 2001

The actual revenue raised for the periods 11 to 13 ie week ending 7 January to week ending 25 March in respect of the £2.50 charge was £79,545 00

The previous formula would have yielded £45 271.20 in respect of the £1.20's and approximately £9671 80 in respect of the 20p's that would have been payable by pensioners.

The additional revenue is therefore calculated as being £24.602 (approx)

ORAL

NO. 671 OF 2001

THE HON MISS M J MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state since the 1<sup>st</sup> January to the end of March 2001, what was the total number of patient referrals to the UK?

ANSWER

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

Answered together with Question Nos. 675 and 678 of 2001.

NO. 672 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what is the latest available cost to the UK of treating patients referred to UK for treatment in respect of 1998?

ANSWER

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

Answered together with Question Nos. 673, 674, 677, 679 and 686 to 688 of 2001.

ORAL

NO. 673 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what is the latest available cost to the UK of treating patients referred to UK for treatment in respect of 1999?

ANSWER

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

Answered together with Question Nos. 672, 674, 677, 679 and 686 to 688 of 2001.

NO. 674 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what is the latest available cost to the UK of treating patients referred to UK for treatment in respect of 2000?

ANSWER

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

Answered together with Question Nos. 672, 673, 677, 679 and 686 to 688 of 2001.

NO. 675 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what was the total number of sponsored patients treated in the UK for the period 1<sup>st</sup> January to the end of March 2001, with the costs being met by the UK and what was the cost?

ANSWER

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

Answered together with Question Nos. 671 and 678 of 2001.

NO. 676 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government confirm that sponsored patients and the escorts are free to choose whatever accommodation they wish in the UK, should Calpe House be full, and that the Government will provide them with the necessary allowance?

ANSWER

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

Sponsored patients and their escorts are free to choose whatever accommodation they wish in the UK. The allowance payable is dependent on the means test and on whether they are paying for their own accommodation.

SUPPLEMENTARY TO QUESTION NO. 676 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm why there is a family that have been told that they have rented private accommodation in the UK, which is not registered with the Health Authority and they have been forced to repay the allowance pertaining to the accommodation they chose?

HON DR B A LINARES:

The private accommodation that would qualify for a refund has to be recognised and registered by the London Tourist Board.

HON MISS M I MONTEGRIFFO:

When did this condition come into force?

HON DR B A LINARES:

I understand that that has always been the system.

HON MISS M I MONTEGRIFFO:

Not prior to 1996.

HON DR B A LINARES:

Do you mean to say that prior to 1996 a person could go into any accommodation, whatever the cost and then claim back from Government?

HON MISS M I MONTEGRIFFO:

That is the case. We never told sponsored patients that the accommodation had to be recognised by the London Tourist Board.



HON DR B A LINARES:

The point of this system is precisely to avoid abuse. People could actually stay with their own families and then bring up a receipt from some non registered accommodation, there have been cases of that, and in order to prevent that we demand receipts from recognised and registered accommodation by the London Tourist Board, which seems to me a very sensible and honest and fair way of dealing with this.

NO. 677 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Have the costs of sponsored patients treated in the UK for the period 1<sup>st</sup> January 2000 to the end of July 2000 with the fees being met by the UK Government now been received?

ANSWER

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

Answered together with Question Nos. 672, 674, 679 and 686 to 688 of 2001.

NO. 678 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what was the number of sponsored patients treated in the UK from 1<sup>st</sup> January to the end of March 2001 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 AND HEALTH

There were 216 referrals during the period 1<sup>st</sup> January to the end of March 2001.

There were 24 sponsored patients during the same period for which the costs were met by the UK Government. The costs are as yet unavailable.

There were 163 ex-quota patients treated during the same period. The medical costs invoiced to date amount to £38,426.

NO. 679 OF 2001

THE HON MISS M I MONTEGRIFFO

**PATIENT REFERRALS TO UK**

Can Government state what was the total cost of the quota patients treated in the UK during the period 1<sup>st</sup> August 2000 to the end of December 2000?

ANSWER

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

Answered together with Question Nos. 672 to 674 and 686 to 688 of 2001.

NO. 680 OF 2001

THE HON MISS M I MONTEGRIFFO

**DIALYSIS UNIT**

Can Government state what their position is on the setting up of a dialysis unit, following representations they have received from dialysis patients?

ANSWER

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

The Government's position is as already stated in this House in answer to Question No.309 of 2001.

SUPPLEMENTARY TO QUESTION NO.680 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm reports in the press whether it is a fact that he has had meetings with a Mr Huntly of Nerco Ltd?

HON DR B A LINARES:

I can confirm that I have had meetings with Mr Huntly of Nerco Ltd.

HON MISS M I MONTEGRIFFO:

Can the Government confirm that the Government have already taken a decision as to which company they will choose in order to run the dialysis unit in Gibraltar?

HON CHIEF MINISTER:

The hon Lady has to listen to the answer to the original question, which was that the Government's position is as already stated in this House in answer to Question No.309 of 2001. That is whether we yet had arrived at a position of the setting up of a dialysis unit. If we have not arrived at a position about the setting up of a dialysis unit, how can we have decided what company to use to set it up?

HON MISS M I MONTEGRIFFO:

I remember that the Chief Minister said in the last House of Assembly meeting, "Whatever facilities there were in La Linea, they will be provided in Gibraltar". If there are reports in the press by the Association of Dialysis Patients saying that they have had a very fruitful meeting with the Hon Dr Linares and they are asking the Minister to contract the services of this company, I think it is only legitimate that I ask the question whether Government will consider this company or not? That is all that I am asking.

HON CHIEF MINISTER:

With the greatest of respect to the hon Lady, first of all, I have never said and certainly never in this House, that we will provide what there was in La Linea. If I had said that, then we would already have fixed our position as to the setting up of the dialysis unit in Gibraltar and the answer that the hon Lady has got to her question would be nonsensical. Certainly it is perfectly open to the hon Lady to ask my hon Colleague as to how many fruitful meetings that he has with people in order to give them the opportunity to express their views to him, and indeed those people did mention that company to the Minister and he has told the hon Lady that he has spoken to that company, but that is not the last supplementary that the hon Member has asked. The last supplementary that the hon Member has asked is not any of that, all of which is perfectly reasonable, but whether the Government are now in a position to state which company the Government are going to choose to set up the dialysis unit. That is the last supplementary that the hon Member has asked.

HON MISS M I MONTEGRIFFO:

So what is the answer, do I get a no or a yes?

HON CHIEF MINISTER:

The answer is that the question is nonsensical, because if the Government have not yet decided what dialysis we are going to have in Gibraltar, how can we have chosen the company to do it? That is what I have explained to the hon Member. In the hon Member's last supplementary, she is overlooking the answer that the hon Member has had to the principal question.

HON J C PEREZ:

Is the Minister saying that there could still be a possibility that the Government decide not to provide any dialysis unit when they transfer St Bernard's Hospital to the new building?

HON CHIEF MINISTER:

The Government have not yet fixed their position on the provision of dialysis services in the new hospital in Gibraltar. We have certain commitments, as the hon Member knows, generally in relation to dialysis. The answer to the hon Member's question is that the Government have not yet fixed the Government's position on the extent or the manner to or in which dialysis could be provided in the new hospital.

HON J C PEREZ:

But one can take it that a certain level of dialysis will be provided. I can take it from the Minister's intervention?

HON CHIEF MINISTER:

The hon Member can certainly take that there will certainly be some provision of dialysis in the new hospital.

ORAL

NO. 681 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1996?

ANSWER

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

Answered together with Question Nos. 682 to 685 of 2001.

NO. 682 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1997?

ANSWER

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

Answered together with Question Nos. 681 and 683 to 685 of 2001.



NO. 683 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1998?

ANSWER

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

Answered together with Question Nos. 681, 682, 684 and 685 of 2001.

ORAL

NO. 684 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1999?

ANSWER

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

Answered together with Question Nos. 681 to 683 and 685 of 2001.

NO. 685 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 2000?

ANSWER

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

The average cost of treating pensioners in the UK for 1996 and 1997 was £1831.58 and £1903.84 respectively. Costs beyond 1997 are not available. The figures for 1998 because I had occasion earlier to state that these figures have to be audited by the Audit Board of the European Commission and I understand that the figures for 1998 and 1999 will be presented to the Audit Board of the European Commission this week.

SUPPLEMENTARY TO QUESTION NOS. 681 TO 685 OF 2001

HON J J BOSSANO:

In arriving at the 120 quota in 1998, was it the 1997 figure for the cost of pensioners in the UK that was used?

HON DR B A LINARES:

It is the only figure that the Government have.

HON J J BOSSANO:

I was just wondering because when the Minister was giving an explanation before he said that the quota had come down because the cost per pensioner had gone up.

HON DR B A LINARES:

The patient yes.

HON J J BOSSANO:

The cost of providing health care for a pensioner in the UK.....

HON DR B A LINARES:

For a patient. That is one of the factors in the formula.

ORAL

NO. 686 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING TEMPORARY VISITORS IN UK**

Can Government state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 1998?

ANSWER

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

Answered together with Question Nos. 672 to 674, 677, 679, 687 and 688 of 2001.

NO. 687 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING TEMPORARY VISITORS IN UK**

Can Government state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 1999?

ANSWER

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

Answered together with Question Nos. 672 to 674, 677, 679, 686 and 688 of 2001.

NO. 688 OF 2001

THE HON MISS M I MONTEGRIFFO

**COST OF TREATING TEMPORARY VISITORS IN UK**

Can Government state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 2000?

ANSWER

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

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to her.

SUPPLEMENTARY TO QUESTION NOS. 672 TO 674, 677, 679, 686 TO 688  
OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether the GHA has at all received any settlement fees in respect of the reciprocal agreement since it was signed?

HON DR B A LINARES:

Yes. Some of the information is given in this schedule in answer to Question No.674 of 2001.

HON MISS M I MONTEGRIFFO:

The information the Minister has handed me are the fees in respect of cost of referred patients and the cost of temporary visitors. What I am asking the Minister is, "In the reciprocal agreement with the UK, when the GSD signed the agreement, since then, have the Government received any fees from the UK when they have done the adjustments?"

HON DR B A LINARES:

There was an adjustment to the quota in 4<sup>th</sup> June 1998, when it was established that the quota was 120 patients. Since then there has not been a further adjustment. I am talking about the 4<sup>th</sup> June 1998, but of course that is not cost as the hon Member was asking, but simply the number of patients who are registered or numbered in the quota.

HON J J BOSSANO:

Is the number of patients not arrived at on the premise of a certain cost per patient?

HON DR B A LINARES:

That number is arrived at in a formula which is very complicated, which needs a lecture to actually work out all the factors involved, but it is basically worked out and

this is why the question about UK pensioners was relevant based on the net number of pensioners that are the responsibility of the UK to treat at their own expense and from that we deduct the number of pensioners, which is the responsibility of the Gibraltar Government to pay for and this is multiplied by the cost of treating the pensioner, which is a cost actually audited by the European Commission. That is then divided by the cost of treating a Gibraltar patient or referral and that yields a particular number, which in 1998, as I say, yielded a figure of 120, somewhat lower than the previous figure in 1996 of 180 because simply the cost of treating the patient had risen. The factor that divides the total cost of pensioners treatment yielded a lower figure because the figure of the cost of treating a patient had risen, the total number of quota patients fell from 180 to 120 on the adjustment that was made in June 1998.

HON J J BOSSANO:

If the cost of treating patients goes up and that means they pay for less, then it must follow that there is a fixed amount that they pay and that fixed amount will pay for either more or less depending on what each one costs?

HON DR B A LINARES:

There is not a fixed sum, which has been established. I see now the point of the hon Member's question. The hon Member was asking for a sum of money. There is no such thing. There is a number of quota patients. In this case 120 and the cost of these patients may vary. One patient may have a number of referrals, which means that the cost of treating that patient will rise tremendously, whereas some patients may be treated once and never again and the cost may be minimal. It is the number of patients but there is no lump sum that has been fixed as a responsibility of the UK Government to deliver.

HON J J BOSSANO:

I think the Minister is wrong in what he has just stated. Can I be clear that what the Minister is saying is that the United Kingdom based on the figure of the 4<sup>th</sup> June 1998 will pay for 120 patients irrespective of the cost of their treatment and that the cost depends on the nature of their illness and not on anything else. Is that the position?

HON DR B A LINARES:

That is my understanding.

HON J J BOSSANO:

Even though I think that the Minister's understanding is wrong, would he check his understanding and then correct it if it is wrong?

HON CHIEF MINISTER:

If the hon Member wants to know the exact nature of the formula I can give it to him.

HON J J BOSSANO:

I do know the exact nature of the formula. I have had that formula since it was first agreed. I know the exact nature of the formula and I think the Minister does not know it because the answer that he has given me is not compatible with the formula. I

accept that the Minister may have a mistaken understanding and all I am asking is that he checks his understanding.

HON DR B A LINARES:

I will check but the mistake in understanding is not of my own, this is the information given to me by the people who administer the formula, namely the Chief Executive. That is the formula which has been given to me by them as they have operated it precisely on numerous occasions.

HON J J BOSSANO:

Is the Minister then saying that we have got an agreement in which the United Kingdom says they will pay for 120 patients and the amount that they pay is dependent on the cost of the treatment, are we then free to select the 120 patients whose treatment is most expensive?

HON CHIEF MINISTER:

Yes.

HON J J BOSSANO:

We then pick the 120 persons whose expenses are the most expensive and we say to the United Kingdom that is the bill that they have to pay?

HON CHIEF MINISTER:

If the hon Member wants to debate this issue perhaps we can do it in private. I will have to give the hon Member an answer that does not suit us to give. I have already said 'yes' in answer to the last question that the hon Member formulated. The Government are not willing publicly to give this matter a wider airing, but if the hon Member wants an explanation of what the reason for that is, I am very happy to give it to him privately.

HON J J BOSSANO:

I am satisfied with that.



Answer to Question 688 of 2001

The latest figures available to us responding to the relevant questions are up to and including March 2000 only and are as follows:-

YEAR	COST OF REFERRED PATIENTS £	COST OF TEMPORARY VISITORS £
1998 (FROM 1/1/98 - 31/3/98)*	149,516 (Q672)	16,331 (Q686)
1998/99	467,816 (Q673)	42,759 (Q687)
1999/00	210,352 (Q674 & Q677)	16,342 (Q688)

\* In 1998 the quota system changed from calendar to financial years. This figure reflects the first three months of 1998.

We have been advised by the UK that all the above-mentioned figures are subject to change because they have not received all the relevant information from the various hospitals.

NO. 689 OF 2001

THE HON MISS M I MONTEGRIFFO

**GPMS - UK PENSIONERS REGISTERED**

Can Government state how many UK Social Security pensioners, who were not also in receipt of a Gibraltar Social Security pension, were resident as at 31<sup>st</sup> December 1997 and registered with the Group Practice Medical Scheme?

ANSWER

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

Answered together with Question Nos. 690 to 692 of 2001.

NO. 690 OF 2001

THE HON MISS M I MONTEGRIFFO

**GPMS - UK PENSIONERS REGISTERED**

Can Government state how many UK Social Security pensioners, who were not also in receipt of a Gibraltar Social Security pension, were resident as at 31<sup>st</sup> December 1998 and registered with the Group Practice Medical Scheme?

ANSWER

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

Answered together with Question Nos. 689, 691 and 692 of 2001.

NO. 691 OF 2001

THE HON MISS M I MONTEGRIFFO

**GPMS - UK PENSIONERS REGISTERED**

Can Government state how many UK Social Security pensioners, who were not also in receipt of a Gibraltar Social Security pension, were resident as at 31<sup>st</sup> December 1999 and registered with the Group Practice Medical Scheme?

ANSWER

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

Answered together with Question Nos. 689, 690 and 692 of 2001.

NO. 692 OF 2001

THE HON MISS M I MONTEGRIFFO

**GPMS - UK PENSIONERS REGISTERED**

Can Government state how many UK Social Security pensioners, who were not also in receipt of a Gibraltar Social Security pension, were resident as at 31<sup>st</sup> December 2000 and registered with the Group Practice Medical Scheme?

ANSWER

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

The number of pensioners referred to in Question Nos. 689 to 692 of 2001 are:-

275 for 1997 and 303 for 1998

The registration of these pensioners is updated routinely, that is by the Central office of the DSS, Newcastle, and we know how many UK pensioners are registered as from the current date. However, we have not received the verification list from the UK for 1999 and 2000. I am informed that these will be forwarded shortly.

NO. 693 OF 2001

THE HON MISS M I MONTEGRIFFO

**NUMBER OF NURSES**

Can Government state what was the number of Nurses in post as at the 31<sup>st</sup> March 2001 with a breakdown by grade, giving the full-time equivalent of each grade?

ANSWER

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

The factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to her.

ANSWER TO QUESTION 693 OF 2001.

	Staff in Post <u>March 2001</u>
Director of Nursing Services	1
Deputy Director of Nursing Services	1
Clinical Nurse Manager	6
Sister / Charge Nurse	31
Staff Nurse	102
Senior Enrolled Nurse	10
Enrolled Nurse	84
Nursing Assistant	91
Tutor	2
Total	328

NO. 694 OF 2001

THE HON MISS M I MONTEGRIFFO

**ENROLLED NURSES**

Can Government now confirm whether Enrolled Nurses will be able to train up to the level of Staff Nurse?

ANSWER

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

The Government can confirm that through the School of Health Studies we are keen to facilitate nurses to develop professionally. Currently, the areas being looked into include NVQ training for Nursing Assistants and also Enrolled Nurse conversion to Staff grade.

SUPPLEMENTARY TO QUESTION NO. 694 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister give an indication of more or less when this will occur?

HON DR B A LINARES:

We are actually awaiting curricula advise from Sheffield University School of Nursing and Midwifery to implement a structured course for the conversion of Enrolled Nurses to Staff Nurses.

HON MISS M I MONTEGRIFFO:

Does the Minister know more or less how many Enrolled Nurses we are talking about?

HON DR B A LINARES:

We have no idea because it all depends on the context and the nature of the eligibility criteria that will be placed by the structured course that Sheffield University will be advising us on.

HON MISS M I MONTEGRIFFO:

Will the eligibility also include for those that wish to train up to Staff Nurse level, the Government's condition of having a certain amount of GCSEs?

HON DR B A LINARES:

It is all in the balance at the moment. This is why we are seeking advice from Sheffield University to see exactly how they operate these conversion courses.



HON J J BOSSANO:

Is the Minister saying that the conversion courses currently exist in the United Kingdom to go from Enrolled Nurse to Staff Nurse?

HON DR B A LINARES:

I do not know whether these particular courses exist in the United Kingdom, but I do know that Sheffield University when I met with the Dean of the school, he actually said that they would be able to provide a professional development course that would enable and give opportunity to our own Enrolled Nurses, but I think the whole concept of Enrolled Nurse is being eliminated in the UK, so that would not apply.

HON J J BOSSANO:

That is why I am asking because I thought the Minister had said in his last answer that he was seeing how they do it in the UK.

HON DR B A LINARES:

No I said see what advice they give the Government to do it here.

NO. 695 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - POST OF RADIOLOGIST**

Can Government confirm when they can expect the Gibraltar Health Authority to have a permanent Radiologist in post?

ANSWER

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

The post of Radiologist was advertised, two applications for the post were received and neither appeared suitable. In view of the fact that all practitioners, and indeed the patients, were satisfied with the current arrangements, may I emphasise that the current arrangements provide for a permanent Radiology service, it was agreed that these should be extended and the position reviewed later this year.

SUPPLEMENTARY TO QUESTION NO. 695 of 2001

HON MISS M I MONTEGRIFFO:

When the Minister refers to a permanent Radiology service, he is referring to the service not to the post I take it, which could mean that there will be a number of Radiologists covering for that post?

HON DR B A LINARES:

There are two Radiologists covering for that post at present, but they cover for the full time equivalence.

NO. 696 OF 2001

THE HON MISS M I MONTEGRIFFO

**PSYCHO – GERIATRIC PATIENTS**

Can Government state how many psycho-geriatric patients have been admitted in KGV from 1<sup>st</sup> February to end of March 2001?

ANSWER

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

None.

SUPPLEMENTARY TO QUESTION NO. 696 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm – it is good news anyway – whether the Government's policy has changed in any way as to admitting these sort of patients in KGV? Is the policy now more stringent or has the Government not changed their policy at all?

HON DR B A LINARES:

There is no Government policy at a political level. These are matters which are decided in a clinical level.

NO. 697 OF 2001

THE HON MISS M I MONTEGRIFFO

**POST OF MATRON**

Will Government confirm whether they will follow the United Kingdom when they introduce the post of Matron in the Health Service?

ANSWER

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

No.

SUPPLEMENTARY TO QUESTION NO. 697 OF 2001

HON MISS M I MONTEGRIFFO:

Can Government give an explanation as to why they will not introduce the post of Matron in the Gibraltar Health Authority?

HON DR B A LINARES:

Because in the Government's mind the same functions are currently being carried out by the Director of Nursing Services and his clinical nurse management team. It will merely be a change of title. What is in a name?

HON MISS M I MONTEGRIFFO:

What the Minister is saying is that the present title in Gibraltar does not exist in the UK, therefore the Government believe that the present post by the Director of Nursing Services is being covered as Matron? Is that what the Minister is saying?

HON DR B A LINARES:

The Minister is saying that the functions of the Matron is covered by the Director of Nursing Services.

HON MISS M I MONTEGRIFFO:

I will repeat my supplementary again. The Minister is looking a bit perplexed. All I want to know, the post of Director of Nursing Services, are the Government saying that that post does not exist in the UK and that therefore it will cover the post of Matron?

HON CHIEF MINISTER:

The Minister has not said anything that can possibly mean that. For a start the Minister's answer was not limited to the post of Director. The Minister said that the Director of Nursing Services and his clinical nurse management team are already carrying out the functions that will be carried out by the Matron, not the Director by himself. The Director and his clinical nurse management team already carry out the

functions that are now to be carried out in England by somebody who they call a Matron.

HON J J BOSSANO:

Are the Government saying that in the United Kingdom having carried out presumably the same function collectively, they have now come to the conclusion that there is a need for a specific post and it is not the Government's intention to follow that practice?

HON CHIEF MINISTER:

It strikes me that if we did follow that practice the Government would simply be reversing the hon Member's abolition of the post of Matron when they were in Office. Gibraltar always had Matrons, they abolished it and introduced the post of Director of Nursing Services, as I understand it.

HON J J BOSSANO:

The Chief Minister understands wrong.

HON CHIEF MINISTER:

What does the hon Member mean, that is exactly what happened.

HON J J BOSSANO:

The Chief Minister wishes to pin everything on us and he cannot help it in all his answers, but the Health Authority came into existence before the GSLP. Therefore the structure that was in existence in the Health Authority with or without Matron was there already at the 1988 election. The point is that the post of Matron was done away with in the UK. Therefore the grade of Matron was done away with in the UK and as so often happens in the United Kingdom, they have now come full circle and decided that there is after all a need for somebody to do that. What we want to know is have the Government thought of following that or not?

HON CHIEF MINISTER:

I cannot answer here for what happens in the UK in the sense that I do not know if in the UK they abolished the function and are now bringing it back. We in Gibraltar never abolished the function. The title was changed to Director of Nursing Services and there was a clinical nurse management staff so in Gibraltar there was no interruption in the provision of the function that used to be provided by a lady called the Matron. The UK is restoring the post, what I cannot tell the hon Member is whether that is because the UK had abolished the function or are now simply changing the title back or remodelling the post. I do not know the practice in the UK, but in Gibraltar there has not been any interruption in that function.

HON J J BOSSANO:

In Gibraltar what happened was, as happens in most areas of the public service analogued to the UK, structural changes were introduced following structural changes in the UK, then whatever it was that the Matron was doing in the United Kingdom, to my knowledge, it did not just disappear because it was found to be obsolete, but it was redistributed amongst other grades, the Director and his staff,

and we did the same thing in Gibraltar. In the United Kingdom they have come to the conclusion that dispersing that function seems to have been, with the benefit of hindsight, a retrograde step, and they are now looking as an improvement of the Health Service to restoring the responsibility of that dispersed function in one person. Given that this is what is happening in the UK, have the Government given any thought to following suit here? That is the original question.

HON CHIEF MINISTER:

We do not know what the reasons are for the post coming back in the United Kingdom except that which we have read in the press, which is that people complain that the hospitals are dirty and they cannot get enough access to clean linen quickly enough. We do not suffer from these problems in Gibraltar, therefore whatever may have been the reason as reported in the press, which is all that we know, for wanting to go back to that situation in the UK, certainly we have not identified that there is anything broke here in Gibraltar in that respect, therefore we would not need to feel the need to fix it in the same way as the UK have done. That is on the basis of the reporting reasons for why the UK has done this.

NO. 698 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - RESIGNATION OF MEDICAL PRACTITIONER**

Can Government give the reasons as to why three medical practitioners have recently resigned from the Gibraltar Health Authority?

ANSWER

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

Only one medical practitioner has recently resigned from the GHA and this has been for personal reasons and I am only authorised to say that these personal reasons are not the concern of Government, of the general public or indeed the Opposition.

SUPPLEMENTARY TO QUESTION NO. 698 OF 2001

HON MISS M I MONTEGRIFFO:

Are the Government aware of other medical practitioners that will be resigning shortly?

HON DR B A LINARES:

I am not at all aware of that.

HON CHIEF MINISTER:

Let me see if I can short circuit where I think the hon Member is trying to get to without revealing anybody's confidentiality. Following a recent and unexpected death at St Bernard's Hospital, there were unacceptable incidences in which one doctor was physically assaulted and another was subjected to intense personal abuse. Neither of those doctors have happily for the Gibraltar Health Authority actually resigned because they have been prevailed upon not to do so, despite, in my opinion, more than sufficient provocation for them to have done so.

NO. 699 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - AVERAGE WAITING TIME**

Can the Minister for Health state what is the average waiting time for public patients requiring to see visiting consultants of the Gibraltar Health Authority as out-patients and the average waiting time for those requiring surgical interventions at St Bernard's Hospital and in UK hospitals?

ANSWER

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

Answered together with Question Nos. 700 to 702 of 2001.



NO. 700 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - AVERAGE WAITING TIME**

Can the Minister for Health state what is the average waiting time for public patients requiring to see consultants of the Gibraltar Health Authority as out-patients and the average waiting time for those requiring surgical interventions at St Bernard's Hospital?

ANSWER

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

Answered together with Question Nos. 699, 701 and 702 of 2001.

NO. 701 OF 2001

THE HON MISS M I MONTEGRIFFO

**BHA - AVERAGE WAITING TIME**

Can the Minister for Health state what is the average waiting time for private patients requiring to see visiting consultants of the Gibraltar Health Authority as out-patients and the average waiting time for those requiring surgical interventions at St Bernard's Hospital and in UK hospitals?

ANSWER

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

Answered together with Question Nos. 699, 700 and 701 of 2001.

NO. 702 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - AVERAGE WAITING TIME**

Can the Minister for Health state what is the average waiting time for private patients requiring to see all consultants of the Gibraltar Health Authority as out-patients and the average waiting time for those requiring surgical interventions at St Bernard's Hospital?

ANSWER

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

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to her. Question Nos. 701. and 702 on the waiting list for private patients, both for clinics and for surgery, the Government are not responsible or accountable for private patients waiting lists.

SUPPLEMENTARY TO QUESTION NOS. 669 TO 702 OF 2001

HON MISS M I MONTEGRIFFO:

If the Government are not accountable and the Government are the employer of the consultant in question, is the Minister then saying that he is not interested at all in the waiting times for private patients when compared to public?

HON CHIEF MINISTER:

The Government are very interested. The only thing is that the Government inherited from the hon Lady a series of contracts. There is no getting away from the legacies that we have inherited from the hon Member previously, which is a series of consultants with contracts that allowed private practice or worse still that did not allow private practice but were nevertheless permitted. The Government have restructured and regulated the system of private practice to ensure that private practice cannot occur within the rules in a way which is to the prejudice of the public waiting list. Our interest in private practice now is limited to making sure that they comply with the rules and that therefore it does not prejudice public patients waiting time, which is the enormous innovation that this Government have introduced in order to ensure that the private practice that has always been rampant in public time does not prejudice the public waiting lists.

HON MISS M I MONTEGRIFFO:

Just to say two things to the Chief Minister before I ask my supplementary, first of all the GSLP indeed was committed to phasing out private practice and that is where we were going. These were contracts that we were waiting for people to actually retire and then we would have implemented a no private practice policy within the Health Service. Having had a reverse of that policy from the Government and the Government having had five years in order to introduce their policy, in order to monitor what is happening, if the Chief Minister is so concerned about not prejudicing

the public patients, how can he actually evaluate the position if he has not got the information from the consultants when they do private practice?

HON CHIEF MINISTER:

I have not said to the hon Lady that we have not got the information. I have said to the hon Lady that we are not willing to account for it to her in this House. Of course the Government have got the information that the hon Lady has asked.

HON MISS M I MONTEGRIFFO:

If the Government have the information then in view of the policy repeatedly of the GSD of transparency and accountability, why is it that the Government do not wish the Opposition to have the information?

HON CHIEF MINISTER:

If the hon Lady can get that information from the consultants, I am perfectly happy for the consultants to give it to her. All we are saying in this House is that under the ordinary rules of Parliament, Government and Opposition, the Government are not accountable in this House for matters for which it is not responsible, is not Government business and which is not Government information. This is not Government information, this is not Government business, this is a practitioners private practice.

HON MISS M I MONTEGRIFFO:

I will repeat my supplementary in another way. How can the Chief Minister say that the Government are not accountable for this information if about one minute ago, even less, the Chief Minister said that he does not want public patients to be prejudiced.

HON CHIEF MINISTER:

Because that is achieved by virtue of the new private practice regime that specifies the times at which consultants can carry out private practice so that it is not on their public time. I would have thought the concept was relatively straightforward. The consultants now do private practice in their own time. If the consultants were doing it on public time, then I would certainly take the view that the hon Lady is entitled to the information that she has sought, because it would be something that would be done on time for which the taxpayer is paying. The whole essence of the new system is that they are now not allowed to do that. They may only do private practice when they have finished with the public time that they are contractually bound to work. In public time they may only see public free patients. Once they have finished their public time, in their time therefore, they may see private patients.

HON MISS M I MONTEGRIFFO:

The Chief Minister does not seem to be wanting to answer my question. I am not asking whether consultants are doing it in public time or in the morning or in the afternoon or in the evening or whenever. All I am asking the Chief Minister is whether it is not advisable in order to protect public patients to know how the waiting list compares private to public. That is all I am asking. Will the Chief Minister provide that information?

HON CHIEF MINISTER:

It is actually completely irrelevant for the purposes of working because however long or short consultants private waiting lists are, it does not allow the Government to get more out of them than 100 per cent working on public patients on public time. Does the hon Lady grasp that? These doctors are not allowed to see private patients during the Government's time, therefore such private patients as they see, they see in their own private time. Does the hon Lady understand that? Again I repeat, notwithstanding that it is irrelevant for the purposes that the hon Lady describes, I have now to repeat a second time and therefore tell the hon Lady for the third time, that the Government do have the information. It is not as if it were relevant and the Government cannot do the trick because they have not got the information, it is irrelevant. The Government in any case do have the information but do not think it is appropriate to give it to the hon Lady.

HON J J BOSSANO:

Are the Government aware whether these consultants who see public free patients in the public time, tell their patients how long they have to wait as public patients and how long they would have to wait if they went private?

HON CHIEF MINISTER:

The Leader of the Opposition does put his finger on one aspect of the new system with which the Government are not entirely satisfied and are looking at it. The hon Member is absolutely right. They use the public list as a marketing tool for their private practice, that is absolutely correct. But that is a very different issue, I think the hon Member will agree.

HON J J BOSSANO:

No, I would not agree, because that is precisely the comparison that patients get put in front of them and on which we were seeking information on. That is to say, if I go as a public free patient and I am told that I have to wait six months and then I am also told that if I choose to come after x number of hours when I stop being public and I become private one only has to wait one week, if that is what people are being told, we thought it would be useful for the House to know that, that if the Government have that knowledge and think it is not something they ought to make public, then fair enough.

HON CHIEF MINISTER:

Because it is not actually relevant, whatever the length of the waiting list is, is irrelevant. What the Government have done in order to make sure that the use that they make of the public list length for their private practice, marketing, if one could call it very loosely that, is to make sure that it is correct because whereas before the consultants used to themselves control to the point that they carried it around in their brief cases the public waiting list, the public waiting list is now controlled centrally by the Authority. So whereas historically each consultant used to control his own public list had the Leader of the Opposition asked the question at the time, now at least the public waiting list is centrally controlled by the Authority, not by the consultants, so that (a) the information given is realistic or it can be established and (b) the hospital management can stay on top of the lists to see whether they are getting longer than what the consultants have agreed to keep them. The hon Members will recall from a previous answer given in this House that part of the new arrangements for regulating

private practice includes that the consultants have undertaken to keep public waiting lists to a certain maximum duration and the hon Members will recall that we gave them details of the different durations for the different surgical disciplines.

Answer to Question 699 of 2001

Patients requiring to see visiting consultants are generally seen at the next visit. Most consultants visit bi-annually. The dermatology waiting list is about 3 – 4 months.

Only plastic surgery is regularly performed at St Bernard's Hospital and has a waiting time of 8 – 9 years, except urgent cases which are done immediately and children have some priority.

Insofar as UK hospitals are concerned, the waiting time depends on the specialty and on the hospital to which they are referred. In general, our patients often wait less than those of the hospital to which they are referred.

Answer to Question 700 of 2001

All urgent cases are seen immediately at an agreed clinic when referred directly by the GP to the consultant.

The following are approximate waiting times and have a seasonal variation:-

Routine Appointments – New Patients

Dr K Farrell, ENT	4 weeks – Adults 5 weeks – Paediatrics
Dr Maskill, Physician	5 weeks
Dr Correa/Dr Moeser, Pain Clinic	2 weeks
Mr Malik, Orthopaedics	8 weeks - Adults 4 weeks max – Orthopaedics Paediatric
Dr Borge, Physician	2 weeks
Dr Benady, Paediatrics	1 week
Mr Haroon, Ophthalmics	22 weeks
Mr Sene, General Surgery	8 weeks
Mr Armon, Gynaecology	4 weeks

**Waiting time for public patient (Surgery)**

**(a) Surgical waiting time:**

**Gynae:** Less than 6 weeks

**ENT:** Adults 1 year. Children 4 – 6 months

**General Surgery:** Elective surgery 6 months (except for possible cancers which are not waiting)

**Orthopaedic:** 8 months. Knees 2 years Urgent cases straightaway.

**Ophthalmology:** Minor 3 months  
Major 12 months

Cont. .

Answer to Question 701 of 2001

Generally private patients waiting for operations are seen at the Visiting Consultants' next visit.

Only Plastic Surgeon regularly operates and his waiting list may be up to 6 years.

Since patients may be referred or refer themselves privately to many hospitals in the UK. Waiting times are not available.

Answer to Question 702 of 2001

**1. Waiting time for Private Patients:**

**(a) Outpatients:**

**Gynae:** 2 weeks

**ENT:** 1 Week

**General Surgery:** 2 weeks

**Orthopaedic:** 2 weeks

**Ophthalmology:** 1 week

**Physicians:** 1 – 2 weeks

**(b) Surgical waiting time:**

**Gynae:** 6 weeks (on same list as public patients)

**ENT:** No private surgical waiting list (Only 2 or 3 patients last year)

**General Surgery:** 4 weeks.

**Orthopaedic:** Minor 2 – 3 weeks. Major 2 months.

**Ophthalmology:** 3 – 4 weeks



NO. 703 OF 2001

THE HON MISS M I MONTEGRIFFO

**POST OF CHIEF EXECUTIVE**

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 AND HEALTH

No.

SUPPLEMENTARY TO QUESTION NO. 703 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister say whether they are meeting with the Union concerned about the question of the salary of the Chief Executive, as the Chief Minister said in the last meeting of the House, that it was connected also with the senior grades of the civil service?

HON DR B A LINARES:

I have not held any meetings with the Union in respect of the salary of the Chief Executive.

HON MISS M I MONTEGRIFFO:

Has the Personnel Department done so?

HON DR B A LINARES:

I do not believe so.

HON MISS M I MONTEGRIFFO:

When is it that the Government intend to resolve the issue seeing that it has been dragging on for the past three years?

HON DR B A LINARES:

This matter is being seen globally, as the Chief Minister has explained in the previous occasion.

HON MISS M I MONTEGRIFFO:

What I am asking is have there been any meetings held up to now on the matter?

HON J J BOSSANO:

Is the salary that is being paid at the moment, is that something that would need to be reviewed from a particular date when the matter was first raised or at a future date?

HON CHIEF MINISTER:

That is one of the issues indeed that would have to be looked into. The general policy of the Government without suggesting that there might not be exceptional circumstances, which would justify departure from it, the general policy is that the Government do not accept or do not meet claims retrospectively further back than the beginning of the current financial year, in which the claim is met. The date in which a claim is put is not generally a factor.

NO. 704 OF 2001

THE HON MISS M I MONTEGRIFFO

**ELDERLY CARE PATIENTS**

Can Government state how many long stay elderly care patients there were at St Bernard's Hospital in January, February and March 2001?

ANSWER

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

There were 149 long stay elderly patients during the said period in total.

SUPPLEMENTARY TO QUESTION NO. 704 OF 2001

HON MISS M I MONTEGRIFFO:

Can the Minister confirm whether this figure represents an increase in past months?

HON DR B A LINARES:

I have not got before me the figures for the previous months before January, but I doubt whether those marked increase or decrease.

HON MISS M I MONTEGRIFFO:

I did hear the Minister right when he said 149 and not 49?

HON DR B A LINARES:

The totals per month, were 51 for January, 49 for February and 49 for March.

NO. 705 OF 2001

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<sup>st</sup> January to the end of March 2001?

ANSWER

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

The total number of in-patients from 1<sup>st</sup> January to the end of March 2001 was 1399. The total average number of patients per day for the same period was 137.

SUPPLEMENTARY TO QUESTION NO. 705 OF 2001

HON J J BOSSANO:

Given the fact that the long-stay elderly care have shown a drop from 51 to 49, has this been reflected in the average number per day of total patients? In the past it was suggested that the reduction in the number of elderly care patients would be reflected in less pressure of hospital beds.

HON DR B A LINARES:

Yes, there is a slight decrease in the number of elderly care patients for the periods that we discussed in previous questions and that is marked by a parallel decrease of the average number of patients per day. So the answer is yes.

HON CHIEF MINISTER:

The statistics are consistent with the premise of the hon Member's question, If he was asking "and is that the reason for?", but certainly there is a fall.

HON J J BOSSANO:

The figure that is given in respect of Question No.705 of 2001, of 137 per day does not show if there has been a higher average per day in January than in February/ March, which would show the same pattern as in the answer given to the previous question.

HON CHIEF MINISTER:

Yes, but unlike the hon Member we have the monthly averages per day for January, February and March.

HON J J BOSSANO:

So can Government say what is the monthly average for January, February and March?

HON CHIEF MINISTER:

They are 141, 139 and 131, so read as against 51, 49 and 49, the average between January and February were down from 141 to 139.

NO. 706 OF 2001

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<sup>st</sup> January to the end of March 2001?

ANSWER

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

The total number of out-patient attendances at St Bernard's Hospital for the period 1 January to the end of March 2001 was 12,338.

NO. 707 OF 2001

THE HON MISS M I MONTEGRIFFO

**HOUSE-CALLS**

Can Government state how many house-calls were attended to by Health Centre doctors from 1<sup>st</sup> January to the end of March 2001?

ANSWER

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

The Primary Care Centre doctors attended to 1653 house-calls during the period 1<sup>st</sup> January 2001 to 31<sup>st</sup> March 2001. As the hon Member knows, these statistics are based on the house-calls received between 9.00 am and 4.00 pm. No record is kept of calls made between 4.00 pm and 9.00 am.

SUPPLEMENTARY TO QUESTION NO. 707 OF 2001

HON MISS M I MONTEGRIFFO:

Are the Government intending to start keeping records?

HON DR B A LINARES:

I have no firm intention as such, but these are matters that are constantly under review.

HON MISS M I MONTEGRIFFO:

As with the Chief Minister in the previous question, does the Minister have a breakdown for each month, January, February and March and can he provide that now?

HON DR B A LINARES:

Yes, January 529, February 561, March 563 and that adds up to the 1653.

NO. 708 OF 2001

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<sup>st</sup> January to the end of March 2001?

ANSWER

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

The total number of out-patient attendances at the Primary Care Centre from 1<sup>st</sup> January 2001 to 31<sup>st</sup> March 2001 was 35,599.

SUPPLEMENTARY TO QUESTION NO. 708 OF 2001

HON MISS M I MONTEGRIFFO:

Can I have the breakdown for the different months?

HON DR B A LINARES:

I would have to give the hon Lady a schedule because it is very detailed, giving different departments in the Primary Care Centre and in compiling the total number we have actually given a breakdown of the out-patient attendances in the GP clinic, the Child Welfare department, the Paediatric clinic et cetera. It is a very detailed information.



SUPPLEMENTARY to Question 708 of 2001

GP CLINIC

JAN	FEB	MAR	TOTAL
7508	7910	8345	23,763

CHILD WELFARE DEPARTMENT

JAN	FEB	MAR	TOTAL
539	759	726	2024

PAEDIATRIC CLINIC

Total for January to March: 436

SCHOOL HEALTH SERVICE

JAN	FEB	MAR	TOTAL
180	843	1089	2112

TREATMENT ROOM

JAN	FEB	MAR	TOTAL
269	302	270	841

PHLEBOTOMY

JAN	FEB	MAR	TOTAL
321	358	465	1144

EAR SYRINGING SERVICE

JAN	FEB	MAR	TOTAL
10	14	21	45

WARTS/MINOR OPS

JAN	FEB	MAR	TOTAL
43	13	26	82

AUDIOLOGY

JAN	FEB	MAR	TOTAL
133	148	160	441

SPEECH & LANGUAGE THERAPY DEPARTMENT

PAEDIATRIC N/A

ADULTS

JAN	FEB	MAR	TOTAL
18	20	22	60

DIETITIAN

JAN	FEB	MAR	TOTAL
68	64	102	234

DENTAL DEPARTMENT

MR CLINTON

JAN	FEB	MAR	TOTAL
480	415	421	1316

MR MORILLO

JAN	FEB	MAR	TOTAL
639	591	531	1761

MR PIZARRO

JAN	FEB	MAR	TOTAL
479	497	364	1340

NO. 709 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA - ALZHEIMERS DISEASE**

Following the request by the Opposition that the drug Reminyl for Alzheimers Disease be made available in Gibraltar, can Government now say when they can expect it to be available under the Group Practice Medical Scheme?

ANSWER

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

The Gibraltar Formulary Committee recommended in November 2000 that the use of Galantamine (Reminyl®) on the GPMS should be in line with UK recommendations. I can now confirm that the consultant psychiatrist Dr Coogan has submitted a clinical protocol, which recommends that the treatment of this drug should only be arranged through a Dementia Clinic. The Dementia Clinic should be a one-stop facility to assess, to treat, to review and arrange comprehensive care for patients with dementia. This clinic, which will be jointly run by the psychiatrist and the geriatrician will be operational only after the geriatrician (due to arrive in Gibraltar later this week) is in post. The Dementia Clinic will be the first of its kind in Gibraltar and has been welcomed by the medical fraternity. The Formulary Committee is due to meet on May 18<sup>th</sup> to review the advice in the protocol and to consider the proposal that these drugs should be made available in Gibraltar for all those who need it, but only through the assessment process affirmed for the Dementia Clinic.

SUPPLEMENTARY TO QUESTION NO. 709 OF 2001

HON MISS M I MONTEGRIFFO:

Will the Dementia Clinic be located at the KGV Psychiatric Unit?

HON DR B A LINARES:

I am not sure of the actual location. Very likely but I have not been told of the actual location.

NO. 710 OF 2001

THE HON DR J J GARCIA

**SECRETARIAL AND BUSINESS ADMINISTRATION**

Can Government say how many of the 12 persons who were successful in their application to attend the course on Secretarial and Business Administration held in conjunction with the Chamber of Commerce and the FSB, have proceeded with the course?

ANSWER

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

Answered together with Question No. 711 of 2001.

NO. 711 OF 2001

THE HON DR J J GARCIA

**SECRETARIAL AND BUSINESS ADMINISTRATION**

Can Government say how many of the 20 companies that expressed an interest in the course on Secretarial and Business Administration held in conjunction with the Chamber of Commerce and the FSB, have decided to proceed with the course?

ANSWER

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

Of the 12 persons who were offered a training placement in this course, all decided to proceed with the course. All of the 20 companies wished to proceed with the course as well. The number which actually proceeded was determined by the number of trainees, thus 10 private companies and one Government department, which took two trainees, have proceeded with offering placements for trainees.

SUPPLEMENTARY TO QUESTION NOS. 710 AND 711 OF 2001

HON DR J J GARCIA:

Can the Minister say whether any of the 12 trainees have dropped out or whether all are still pursuing the course?

HON DR B A LINARES:

Out of the 12, three have found employment, one in the Gibraltar Regiment, one in the Prison Service and one in Legal Practice in the private sector, so having found employment, they have opted out of the course.

HON DR J J GARCIA:

Where are the other nine placed?

HON DR B A LINARES:

The other nine are placed in different companies, but obviously not more than 10 companies are offering placements.

HON DR J J GARCIA:

Just to clarify the point. The hon Member said in response to the original question that there were 10 private companies that were proceeding with offering places for trainees and one Government department, which makes 11 and there are now nine trainees that have proceeded with the course, so it would follow that there are less private companies. Can the Minister clarify that point for us?

HON DR B A LINARES:

I have not got the exact information as to which companies are no longer operating in this course, but obviously only nine will be involved.

HON DR J J GARCIA:

In relation to the length of the course and the date of it starting, can the Minister tell the House when the course actually started and at what stage the course actually is at?

HON DR B A LINARES:

The course started in December 2000 to finish in December 2001, it is a one year course.

HON J J BOSSANO:

The one Government department that has expressed an interest in the course and been involved, is it then that this is training for people who are civil servants?

HON DR B A LINARES:

Not at all, the great majority are not in the public sector, they are in the private sector. It is a hands on course, a very basic secretarial skills and administration skills, which have been very welcomed by many employers in the private sector, but of course useful also – remember this is a question of training, there is no guarantee that the two trainees within the Government department will be taken on for employment in the public sector. It is a question of offering them the opportunity to learn with a hands on type of system, secretarial and business skills or office skills.

HON J J BOSSANO:

Given that the Government sector has a more rigid structure than the private sector has, in terms of grades, AO, AA or Secretarial, in what context would the level of skills that are being imparted in this course fall in? Presumably in the private sector, people have got the flexibility in an office to not work in such a structured situation?

HON DR B A LINARES:

The course is validated by the London Chamber of Commerce and Industry, so there is a set and generalised curriculum or programme covering different aspects of office work that has to be covered in order to qualify. There is a certificate at the end of the course, which as I say, is awarded by the London Chamber of Commerce and Industry. Therefore there is some rigid or established pattern in the course, which all the different firms and employers will have to comply with and monitored by the Training Advisers. Certainly the Government department, which is the Department of Education and Training will also adhere and make sure that the targets and the objectives, the aims of the course as set by the London Chamber of Commerce and Industry are covered.

HON J J BOSSANO:

Is it that the completion of the course would lead to a qualification that would meet civil service entrance requirements, in terms of what is now demanded in GCSEs?

HON DR B A LINARES:

I am not sure of that. It certainly offers a qualification but I do not know how it equates, how it matches the entry qualifications that are now required within the civil service, whether it is an equivalent qualification to the five GCSEs. I have not got that information but I doubt it very much, in my experience GCSEs are more academically orientated and this is very much a practical course in handling office operations at a very basic level.

HON J J BOSSANO:

If this is the case, would the Government not be precluded by their recruitment policy from offering employment to the two trainees that are in the Minister's department? I accept that they have not got a guarantee of a job, but is it not impossible for them anyway to be offered a job if they do not match the GCSEs that are required as the minimum entrance?

HON DR B A LINARES:

The employer is only there as a vehicle to offer these skills, which as I say are established in the definite curriculum. We look for firms in the private sector, competent enough, committed enough, interested enough to be able to offer this course, prepared to being monitored in the on-going both training and in that same light the Department of Education and Training was prepared also to contribute to the course and take on two trainees but there is no understanding either in their minds or in the mind of the Department of Education that this would lead necessarily to entry into the civil service.

HON J J BOSSANO:

I accept that. I know that the Minister has already said it need not necessarily. What I am asking is it is not just that it will not necessarily lead to it but that it is in fact impossible for that to happen. That is to say, is there a possibility that at the end of December 2001, these trainees who have been in the Government department, would be able to compete for vacancies that come up in January in the civil service as clerical grades?

HON CHIEF MINISTER:

The answer is probably not. I believe that the entry requirements to the civil service speak of 'equivalent'. I do not know who makes the judgement of what is an equivalent or what is not an equivalent and indeed I do not know whether this is capable even of being an equivalent. That to one side, in any case there is a bigger obstacle and that is that there is an established process of recruitment into the public service, which this would not comply with. One option that would be opened to the Department, if they were particularly keen to keep them, is to recruit this person through the Gibraltar Development Corporation.

HON J J BOSSANO:

I was not suggesting, given the original answer, that they would be assured of preferential treatment. I was trying to establish whether the course would enable them to apply if they completed in December, would vacancies in January or

February be something that they could then apply for on the strength of the course they had completed?

HON DR B A LINARES:

I doubt it very much. Knowing exactly what the course involves, I do not think the training and the qualification of these trainees at the end of the course will bring them up to the standard or to the level of equivalent qualification that is required in the civil service entry.



NO. 712 OF 2001

THE HON DR J J GARCIA

**GARRISON LIBRARY**

At what stage are discussions with the Ministry of Defence over the transfer of the Garrison Library?

ANSWER

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

The Garrison Library Committee has now replied to the Government's proposals, which I announced in previous questions to this House, for the transfer of the Garrison Library and these counter-proposals from the Library Committee are now being considered by Government.

SUPPLEMENTARY TO QUESTION NO. 712 OF 2001

HON DR J J GARCIA:

Are the Government in a position to say how often or how frequently these issues are raised with the MOD or with the Garrison Library Committee? Does this happen on an on-going basis? What is the frequency?

HON DR B A LINARES:

I think we have had two or three meetings and a certain amount of correspondence.

HON J C PEREZ:

Do the counter-proposals being put by the MOD include a proposal for a cash payment?

HON DR B A LINARES:

Counter-proposals are under consideration but it would not be appropriate to divulge at this stage what that is.

HON DR J J GARCIA:

Whilst respecting that confidentiality, are Government in a position to say broadly speaking what the areas of these agreements are?

HON DR B A LINARES:

I am not prepared to comment any further at this stage because the matter is very much under negotiation and consideration.

ORAL

NO. 713 OF 2001

THE HON DR J J GARCIA

**THEATRE ROYAL**

Can Government give the composition of the Theatre Royal Steering Group?

ANSWER

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

Answered together with Question Nos. 662, 714 and 715 of 2001.

NO. 714 OF 2001

THE HON DR J J GARCIA

**THEATRE ROYAL**

Are Government now in a position to give an indication of the nature and size of the conference facilities for the restored Theatre Royal?

ANSWER

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

Answered together with Question Nos. 662, 713 and 715 of 2001.

NO. 715 OF 2001

THE HON DR J J GARCIA

**THEATRE ROYAL**

Following the presentation on the Theatre Royal held on Thursday 15<sup>th</sup> February 2001, are Government now in a position to provide full details of the total projected cost of the project, indicating what sum will be paid for by the local taxpayer and what sum will be made available of EU funding?

ANSWER

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

The Steering Group is composed of the following:

Chairman:	The Hon Dr Bernard Linares, Minister for Education & Culture
Vice Chairman:	Mr James Galliano
Members:	Mr Joe Desoisa
	Dr Clive Finlayson
	Mr Eric Sene
	Mr Francis Sheriff
Secretary:	Mr Manolo Galliano

Government have not yet made final decisions about the extent of the refurbishment project and of the facilities that will be available and consequently it is not possible to give details of the total projected cost.

SUPPLEMENTARY TO QUESTION NOS. 662 AND 713 TO 715 OF 2001

HON S E LINARES:

Is the Minister aware of the capacity that the Theatre Royal might have?

HON DR B A LINARES:

That is related to the form that the Theatre Royal will be given in the design which is currently being carried out. Therefore, it is not possible to give any accurate figures at the moment.

HON DR J J GARCIA:

In relation to the composition of the Theatre Royal Steering Group, can the Minister say in what capacity the members of that group actually sit and when this committee was actually established?

HON DR B A LINARES:

I cannot remember here and now when exactly the group was established. It was soon after the purchase of the lease, when the Theatre Royal came into the propriety of the Government that we decided that the best way forward was to bring together a group of people experienced and knowledgeable in different aspects of the project.

There are members there representing the world of the theatre, there are members representing heritage aspects, Mr Eric Sene represents a more technical aspect of construction, Mr Francis Sheriff is there as a member of the group Department of Trade and Industry with close links to the European Funding process and Mr Manolo Galliano who is the Director of Culture.

HON DR J J GARCIA:

In relation to the actual presentation that took place in February, can the Minister perhaps elaborate to the House what the nature of that presentation was and what its purpose was?

HON DR B A LINARES:

Yes. The stage scene design was put before us in the form of different options, obviously each option more elaborate than others and more costly than others and this is currently under consideration by the Government.

HON S E LINARES:

The Minister says that there are three proposals, three stages or three options?

HON DR B A LINARES:

I would not like to say three or four, five or two. It is more nebulous than that. Presentations and designs are a bit more less demarcated than to give them a number as the hon Member has suggested.

HON DR J J GARCIA:

Have Government then not made any allowance for the expense of the Theatre Royal project in the Estimates which we are due to discuss soon?

HON DR B A LINARES:

The hon Member will see very soon. There is an allowance made in the Estimates.

HON DR J J GARCIA:

Can the Minister not tell us the figure at this stage even though that has already been established?

HON DR B A LINARES:

I am told by the Financial and Development Secretary that it is not public information yet. It is confidential information. It is not publicly available.

ORAL

NO. 716 OF 2001

THE HON J J BOSSANO

**GHA - COST PER BED**

What was the estimated cost per bed in St Bernard's Hospital in the last financial year?

ANSWER

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

Answered together with Question No. 717.

NO. 717 OF 2001

THE HON J J BOSSANO

**GHA - COST PER BED**

What was the estimated cost per bed in KGV Hospital in the last financial year?

ANSWER

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

The Government do not keep information as to the cost of beds. Given that not all services and therefore costs at St Bernard's and KGV Hospital are residential involving the use of beds, the calculation cannot be made by simply dividing the total cost of these establishments by the number of beds. So we do not have a figure for that cost per bed. I do not think we have ever had.

SUPPLEMENTARY TO QUESTION NOS. 716 AND 717 OF 2001

HON J J BOSSANO:

Is it not correct to say that at one stage the Government were arguing that the cost of having people in the Health Authority occupying beds, independent of the fact that the bed might be better used for other types of patients, was higher than that of having them in the Elderly People's Home?

HON CHIEF MINISTER:

Yes. Qualitatively speaking that must be true even though it cannot be demonstrated by figures. The support staff for one clinical bed is much higher than the support staff for one residential bed, therefore a residential bed in Mount Alvernia is necessarily cheaper than a clinical bed at St Bernard's Hospital, which does not mean that the cost per bed of one operation or the other operation would necessarily reflect that given that Mount Alvernia is a much smaller operation with fewer residents, if I can call them that. In the Elderly Care Agency, everybody is residential. Therefore whatever are the costs of running the Elderly Care Agency are capable of being divided into a cost per bed because all costs are in support of beds, whereas in the KGV and in St Bernard's Hospital, both of those organisations expend costs, which have nothing to do with in-patients. One would have to strip out from the St Bernard's expenditure the out-patient expenditure and divide the balance by the number of beds and that information is just not kept.

HON J J BOSSANO:

Can the Minister tell me what is the cost per bed if that stripping out is not done? That is to say, taking into account the level of inaccuracy that is introduced by the need to strip something out, can the Minister say how much is the cost per bed in the knowledge that the stripping out has not been done? Given the difficulty of stripping out the cost of the operation which is not required for in-patients, can the Government say what is the cost per bed inclusive of those other costs?

HON CHIEF MINISTER:

I have never entertained myself doing that but the hon Member can if he likes. The hon Member knows what the forecast outturn expenditure is of the Health Service and he can strip out if he wanted to the money spent on sponsored patients for example, which is money paid to England, and divide the total by the number of beds at St Bernard's Hospital. That would give the hon Member a cost per bed of running the Health Service. It would not give the hon Member a cost per bed of running the beds.

HON J J BOSSANO:

That is why I am asking for KGV and St Bernard's in two separate questions and it is not an exercise that I can do by looking at the Estimates.

HON CHIEF MINISTER:

It is not an exercise that the hon Member can do or that the Government can do, he has all the information that the Government have. The hon Member has asked in his second supplementary whether the Government can give him the cost per bed inclusive of out-patient costs. In other words, assuming that all the Health Authority costs.....

HON J J BOSSANO:

No, that was not the question. The question was "Assuming all the costs of St Bernard's were for in-patients and all the costs of KGV were for in-patients, can a figure of costs be given?"

HON CHIEF MINISTER:

It can be worked out because the hon Member has the detailed breakdown of costs of the whole Health Authority in the Estimates booklet. It is relatively easy to identify which relate to St Bernard's, although in the Emoluments the hon Member would have to do a very careful complicated calculation because some of the staff is employed in the Primary Care Centre. If all he wants to do is to divide the total cost of running St Bernard's Hospital by the number of beds, he would then need to know the number of beds and the total cost of running St Bernard's Hospital. The hon Member cannot get that from there because in that cost, that is not just St Bernard's Hospital or KGV, but also the Psychiatric Unit, the District Nurses, the Health Care Centre. It may be possible. We can ask the Hospital Management whether they have costs, nominal ledgers on the basis of St Bernard's Hospital as an establishment as opposed to all the Health Service put together, we will find out for the hon Member and let him know.



NO. 718 OF 2001

THE HON DR J J GARCIA

**CABLE LINK – GIBRALTAR / MOROCCO**

At what stage are discussions between the Government and the six companies who expressed an interest in the provision of a cable link between Gibraltar and Morocco?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Preliminary discussions have already been held with four of the six parties that showed interest in the cable link project. These meetings were held in Gibraltar on the 10<sup>th</sup> and 11<sup>th</sup> April 2001. The remaining two parties will be met as soon as possible.

SUPPLEMENTARY TO QUESTION NO. 718 OF 2001

HON DR J J GARCIA:

Is it possible for the Minister to give an indication as to the results or conclusions of that meeting in terms of the wider projects?

HON K AZOPARDI:

Not really because those discussions had been held confidentially between parties and the Government and as indeed the preliminary discussions with all the parties had not been conducted yet, I think it would be premature for me to inform the House or indeed form any conclusions as to the way that the discussions will flow.

NO. 719 OF 2001

THE HON DR J J GARCIA

**VISIT BY FINANCIAL JOURNALISTS**

What was the cost of hosting the visit to Gibraltar of financial journalists that took place on or around the 9<sup>th</sup> April 2001, providing a breakdown of the sum involved?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question No. 720 of 2001.

NO. 720 OF 2001THE HON DR J J GARCIA**VISIT BY FINANCIAL JOURNALISTS**

Can Government provide a list of the financial journalists who visited Gibraltar on or around the 9<sup>th</sup> April 2001, giving the name of the journalist and the media in question and indicating which media published articles as a result?

ANSWERTHE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Eleven financial journalists were invited to Gibraltar on the 3<sup>rd</sup> to the 5<sup>th</sup> April 2001. The total cost came to £4,855.30. This can be broken down as follows:

Accommodation	£1,430
Flights	£1,780.30
Buffet Dinner	£ 545
Coach	£ 165
Tour	£ 105
Buffet Lunch	£ 345
Dinner	£ 485
<b>Total</b>	<b>£4,855.30</b>

Articles have been written by a number of these journalists, which are due to appear in the forthcoming months. We are in constant contact with these journalists and regularly update them on all issues relating to financial services. The list itself I now hand to the hon Member.

SUPPLEMENTARY TO QUESTION NOS. 719 AND 720 OF 2001

HON DR J J GARCIA:

The Minister said that articles had been written by all the journalists but that some were due to appear in the coming months, does that mean none have actually appeared yet, is that the case?

HON K AZOPARDI:

We are aware that some of them had been written because we are in constant contact with them and so they give us an advance copy usually. I think I got one yesterday which may have appeared already but I could not confirm that but I know they are in the pipe line, even if they have not.

### Financial journalists - Gibraltar visit , 3-5 April 2001

1. Joanne Frearson, Staff writer, International Investment
2. Alison Ebbage, Features Editor, Portfolio International
3. Scott Farley, Senior Reporter, Insurance Day
4. Charlotte Njeru, Reporter, International Wealth Management (FT Business)
5. Jason Groves, Deputy Editor, World Insurance Report
6. Stuart Fieldhouse, Editor, FundXchange.com
7. Alaric Nightingale, Editor, Investment International/Offshore Business
8. Adrian Leonard, Freelance journalist - financial services/insurance
9. Sarah Brown, News Editor, International Money Marketing
10. Neville Smith, Content Manager, lloydslist.com
11. Natasha de Terán, Freelance - financial services

NO. 721 OF 2001

THE HON DR J J GARCIA

**VISITS ABROAD BY THE MINISTER**

Can the Minister for Trade and Industry give the dates when he has been away from Gibraltar on Government business in 2000 and 2001 to date, giving the event or function attended, the venue, the city and the country visited?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The extensive, factual and statistical information requested by the hon Member is set out in the schedule which I now hand to him.

## Answer to Question 721 of 2001

### Year 2000

27 February to 1 March

21 March to 23 March

29 March to 1 April

7 June to 8 June

26 June to 28 June

2 September to 8 September

18 September to 21 September

24 September to 26 September

16 October to 18 October

29 November to 30 November

3 December to 6 December

- e-Commerce Conference/London
- Treasury
- Grand Cayman Plenary (UN Anti-Money Laundering Forum)
- Paris (FATF)
- Presentation to Journalists - London
- Suwon (UNESCO Meeting – Paid by UNESCO)
- Malta (Commonwealth Finance Ministers)
- London (Treasury)
- Gibraltar/Trafalgar Day, Guildhall
- London Trust Conference
- Lisbon (Finance Centre Presentations) and London (Crown Dependencies Meeting)

### Year 2001

28 January to 1 February

21 February to 22 February

19 March to 21 March

8 April to 10 April

- Switzerland (Finance Centre Presentations) and Paris (OECD)
- e-Commerce Conference - London
- Zurich (Finance Centre Presentation)
- Crown Dependencies Meeting in London

NO. 722 OF 2001

THE HON DR J J GARCIA

**E-COMMERCE OFFSHORE CONFERENCE**

What was the cost giving a breakdown, of attending the e-Commerce Offshore Conference "Making Business Offshore" held in London from the 20<sup>th</sup> to the 22<sup>nd</sup> February?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The total cost came to £8,976.47 and the breakdown is as follows:

Co-sponsorship of e-Commerce conference	£5,875.00
Accommodation (3 nights)	£1,315.84
Flights	£1,081.10
Expenses	£ 499.68
Subsistence	£ 204.85
<hr/>	
TOTAL	<u>£8,976.47</u>

ORAL

NO. 723 OF 2001

THE HON DR J J GARCIA

**ELECTRONIC COMMERCE ORDINANCE**

Has the Minister for Trade and Industry required any service provider on the internet to remove information from any information system under his control, under Section 26(1) of the Electronic Commerce Ordinance to date, and if so who was the service provider and what was the information?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

No.



NO. 724 OF 2001

THE HON DR J J GARCIA

**ELECTRONIC COMMERCE DIRECTIVE**

Has the designation of a Gibraltar "Contact Point" under the Electronic Commerce Directive now been communicated to other Member States and to the European Commission as required by Article 19 of the Directive?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question No. 725 of 2001.

NO. 725 OF 2001

THE HON DR J J GARCIA

**ELECTRONIC COMMERCE DIRECTIVE**

When was the transposition into Gibraltar law of the Electronic Signatures Directive and the Electronic Commerce Directive communicated to the European Commission?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The necessary steps are being taken by HMG to notify the Commission of the transposition by Gibraltar of the directives together with the designation of a Gibraltar contact point under the e-Commerce Directive. Government expect the notification to be completed imminently.

NO. 726 OF 2001

THE HON DR J J GARCIA

**ELECTRONIC COMMERCE DIRECTIVE**

How many applications for certification services providers have been received and how many have been approved by the Minister to issue accreditation certificates for Electronic Signatures, when were they approved and who are they?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

No applications have been received to date.

NO. 727 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR GOVERNMENT FUNDING**

At what stage are the three applications for funding made under the Gibraltar Enterprise Scheme which were listed as "Projects under Consideration" in answer to questions in February this year?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Two applications are still under consideration. The other applicant has been advised to resubmit a new application. Let me just add that since the drafting of that answer, in fact of the other two applications that were under consideration, one has been granted and the other has been asked to resubmit.

SUPPLEMENTARY TO QUESTION NO. 727 OF 2001

HON DR J J GARCIA:

Can the Minister explain the reasons why these businesses or these persons are asked to resubmit applications?

HON K AZOPARDI:

Yes, the same answer for both. The application in both cases exceeded the maximum amounts set in the criteria and so, we have in principal considered that they are notwithstanding that they have exceeded the maximum amount, we wanted to consider the principal. We view the principal favourably in I think both cases but we have asked them to resubmit on more acceptable terms.

NO. 728 OF 2001THE HON DR J J GARCIA**GIBRALTAR GOVERNMENT FUNDING**

Can Government list the parties that have applied for Gibraltar Government funding, from the Gibraltar Enterprise Scheme or from any other source since this information was made available in answer to questions in February this year, 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?

ANSWERTHE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

One application for Gibraltar Government funding under the Gibraltar Enterprise Scheme has been submitted since the information was made available in answer to questions in February this year and since the formulation of this answer the application has been granted.

SUPPLEMENTARY TO QUESTION NO. 728 OF 2001

HON DR J J GARCIA:

Does the Minister have the rest of the information requested in the question, which is the amount of funding and what it was required for?

HON K AZOPARDI:

Yes. The amount of funding is a £30,000 loan and it is for the purchase of plant and machinery.

HON DR J J GARCIA:

In line with the previous answers, can the Minister say who the applicant is?

HON K AZOPARDI:

Yes. The applicant in this case is Monteverde and Sons.

**Gibraltar Enterprise Scheme**

<b>Project Number</b>	<b>Total Grant/ Loan</b>	<b>Sponsor</b>	<b>Purpose of Grant</b>	<b>Status</b>
050	£31,731 (Loan)	Monteverde & Sons Limited	Purchase of plant and machinery	Sent to Economic Committee on the 31 March 2001.

NO. 729 OF 2001

THE HON DR J J GARCIA

**EU FUNDING**

Can Government list the parties that have applied for EU funding since the 1<sup>st</sup> January 2001, 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

One company has applied for EU funding since the 1<sup>st</sup> January 2001. The application was submitted on the 12<sup>th</sup> April, so just three weeks ago.

It is listed as follows:-

**Objective 2 Programme 2000-2006**

<b>Project Number</b>	<b>Total EU Grant</b>	<b>Sponsor</b>	<b>Purpose Of Grant</b>	<b>Status</b>
001	£20,602	Filmteam Ltd	The purchase of a film processing machine	Application pending consideration

NO. 730 OF 2001

THE HON DR J J GARCIA

**BANKING LICENCES**

How many applications for new banking licences have been received since January 2001 inclusive and how many have been handed back to the Government, giving the relevant dates and the names of the banks concerned?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

There have been no applications received since January 2001.

During the last quarter no banking licences have been surrendered.

Details of all licensed institutions can be reviewed via the FSC's website [www.fsc.gi/](http://www.fsc.gi/) which is regularly updated.

NO. 731 OF 2001

THE HON DR J J GARCIA

**NEW HARBOURS - ARREARS**

As at the 31<sup>st</sup> March 2001 how many tenants at New Harbours owe Government:

- (a) between £5,000 and £10,000 in rent arrears;
- (b) between £10,000 and £20,000 in rent arrears;
- (c) between £20,000 and £30,000 in rent arrears;
- (d) between £30,000 and £50,000 in rent arrears;
- (e) between £50,000 and £100,000 in rent arrears;
- (f) over £100,000 in rent arrears?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 732 to 734 of 2001.



NO. 732 OF 2001

THE HON DR J J GARCIA

**EUROPA BUSINESS CENTRE - ARREARS**

As at the 31<sup>st</sup> March 2001 how many tenants at Europa Business Centre owe Government:

- (a) between £5,000 and £10,000 in rent arrears;
- (b) between £10,000 and £20,000 in rent arrears;
- (c) between £20,000 and £30,000 in rent arrears;
- (d) between £30,000 and £50,000 in rent arrears;
- (e) between £50,000 and £100,000 in rent arrears;
- (f) over £100,000 in rent arrears?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 731, 733 and 734 of 2001.

NO. 733 OF 2001

THE HON DR J J GARCIA

**EUROPA BUSINESS CENTRE - ARREARS**

What is the total amount of rent arrears owed by Government tenants at Europa Business Centre as at the 31<sup>st</sup> March 2001, giving a breakdown of the amount as follows and indicating the number of tenants or ex-tenants in each category:

- (a) arrears of rent owing for 3 months or under;
- (b) arrears of rent owing for up to 6 months;
- (c) arrears of rent owing for up to 12 months;
- (d) arrears of rent owing for up to 24 months;
- (e) arrears of rent owing for 3 years or over?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 731, 732 and 734 of 2001.

NO. 734 OF 2001

THE HON DR J J GARCIA

**NEW HARBOURS - ARREARS**

What is the total amount of rent arrears owed by Government tenants in New Harbours as at the 31<sup>st</sup> March 2001, giving a breakdown of the amount as follows, indicating the number of tenants or ex-tenants in each category:

- (a) arrears of rent owing for 3 months or under;
- (b) arrears of rent owing for 6 months;
- (c) arrears of rent owing for 12 months;
- (d) arrears of rent owing for 24 months;
- (e) arrears of rent owing for 3 years or over?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The extensive, factual and statistical information requested by the hon Member is included in the Schedule which I now hand to him.

ANSWER TO QUESTION 734 OF 2001

Answer to Question 731 OF 2001

Tenants at New Harbours were in rent arrears as at 31 March 2001 as follows:

- (a) 5 No. owed between £5,000 and £10,000
- (b) 3 No. owed between £10,000 and £20,000 (2 No. under arrears agreements)
- (c) 2 No. owed between £20,000 and £30,000 (2 No. under arrears agreements)
- (d) 3 No. owed between £30,000 and £40,000 (3 No. under arrears agreements)
- (e) 2 No. owed between £50,000 and £100,000 (2 No. under arrears agreements)
- (f) Nil owed over £100,000.

The Landlord, however, is the Gibraltar Commercial Property Company Limited and not the Government.

Answer to Question 732 OF 2001

Tenants at Europa Business Centre were in rent arrears as at 31 March 2001 as follows:

- (a) 2 No. owed between £5,000 and £10,000 (1 No. under arrears agreement)
- (b) 1 No. owed between £10,000 and £20,000
- (c) 2 No. owed between £20,000 and £30,000 (1 No. under arrears agreement)
- (d) Nil No. owed between £30,000 and £50,000
- (e) Nil No. owed between £50,000 and £100,000
- (f) Nil No. owed over £100,000.

The Landlord is the Government.

Answer to Question 733 OF 2001

The total amount of rent arrears owed by Government tenants and ex-tenants at the Europa Business Centre as at 31 March 2001 is as follows:

	<u>Tenants</u>	<u>Ex-Tenants</u>
(a) owing less than three months	36 No. £12,073.86	5 No. £1,605.76
(b) owing between four to six months	4 No. £ 4,743.36	3 No. £4,891.11
(c) owing between seven to twelve months	2 No. £ 3,113.53	Nil
(d) owing between thirteen to twenty four months	Nil	7 No. £27,780.42
(e) owing between twenty five months and 3 years	2 No. £18,285.45	Nil
(f) owing for over 3 years	1 No. £24,930.00	Nil
	-----	-----
	£63,146.20	£34,277.29

Cont

CONTD. ANSWER TO QUESTIONS 734 OF 2001

Answer to Question 734 OF 2001

The total amount of rent arrears owed by the tenants and ex-tenants at New Harbours as at 31 March 2001 is as follows:

	<u>Tenants</u>	<u>Ex-Tenants</u>
(a) owing less than three months	69 No. £26,749.38	5 No. £ 1,828.23
(b) owing between four to six months	2 No. £ 2,398.66	6 No. £39,282.20
(c) owing between seven to twelve months	7 No. £53,911.47	6 No. £33,286.32
(d) owing between thirteen and twenty four months	6 No. £83,876.47	7 No. £25,791.35
(e) owing between twenty five months and 3 years	2 No. £29,541.46	1 No. £ 7,832.68
(f) owing for over 3 years	5 No. £212,709.27	1 No. £37,714.67
	-----	-----
	<u>£409,186.71</u>	<u>£145,735.45</u>

NO. 735 OF 2001

THE HON DR J J GARCIA

**VISIT TO LISBON**

Can Government list the 17 financial institutions visited during the three day visit to Lisbon in December 2000, giving the positions of the people from each organisation that the Government met?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

It is not appropriate for Government to identify the institutions to whom it makes individual presentations or with whom it holds discussions.

SUPPLEMENTARY TO QUESTION NO. 735 OF 2001

HON DR J J GARCIA:

Can the Government then say whether any results have materialised from those visits and whether perhaps any follow ups are expected?

HON KAZOPARDI:

When we went to Lisbon in December 2000, it was because we had identified that we really wanted to conduct a rolling campaign. I think I explained to the hon Member last time that marketing of a fairly long term nature and specifically marketing on a one to one basis with institutions in the Finance Centre has a relatively long lead in time. That requires constant updates and constant information to flow to those institutions to see if we can attract business to Gibraltar. We are doing so. We are in constant contact with several of the people that we met. The Finance Centre division itself has gone back to Lisbon later, subsequent to that visit, and it intends to go back again because we need to continue these visits as a one off. I am aware that some of those institutions are already channelling some business to Gibraltar, whether it is as a result of others, if they are not, these things are difficult to tell but I am aware of that and we will continue to have those one to one presentations to institutions to see if we can attract them to Gibraltar and wider presentations with the help of players from Gibraltar who have contacts in these jurisdictions so that we can transmit a good international image and attract business to Gibraltar.

NO. 736 OF 2001

THE HON DR J J GARCIA

**OBJECTIVE 2 PROGRAMME MONITORING COMMITTEE**

What is the current composition of the Objective 2 Programme Monitoring Committee and how often and on what dates has it met in (a) 2000, (b) 2001?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The information requested and the current composition of the Objective 2 Programme Monitoring Committee is set out in the list I now hand to the hon Member.

SUPPLEMENTARY TO QUESTION NO., 736 OF 2001

HON DR J J GARCIA:

From what the Minister has just handed me, it says here that there were no meetings in the year 2000 and a meeting was held on the 7<sup>th</sup> February 2001, is that common practice? What is the exact function of the Committee and why has it only met once in the last year?

HON K AZOPARDI:

The Monitoring Committee normally meets twice a year, that is the normal practice. No meeting took place in the year 2000 because the programme monitoring committee's work had been largely completed by December 1999 when the funds had to be committed, so the Programme Monitoring Committee monitors those applications for funding and had been transmitted and committed through the programme. As all the funds for use by the old programme had to be committed by December and used by December 2001, but committed in December 1999, then the work of the Committee had been done principally and no meetings were required in the year 2000. The new single programme in documents for the new programme, which is for the years 2000-2006 was submitted to the European Commission in April 2000, which then did not require meetings because the Commission was considering the drafts submitted by Gibraltar. The programme, as we said in our draft press release that we issued last week, was adopted and approved by the European Commission on the 22<sup>nd</sup> March this year and now the work of the Programme Monitoring Committee will commence under the new programme so I expect that there will be two meetings this year possibly, if two meetings are required. Certainly two meetings as from next year but certainly a meeting at least this year.

HON DR J J GARCIA:

When the Minister said that this relates to the allocation of funds for projects, is the type of things he is talking about the various companies and organisations which may put in requests for funds or are these public sector projects or are they both?

HON K AZOPARDI:

There is only one Programme Monitoring Committee. This Committee does not assess applications, there are other committees that assess applications and make recommendations to Government for Government to then take the decisions on them. This is a Monitoring Committee as to the entire programme. In other words, the programme requires a general committee to be set up which includes Government officials and the private sector partners and European Commission officials, this is why down the list it includes people like the Chief Secretary of the Government and it includes the Chamber and the FSB and it also includes the European Commission, I think it is Mr Frank Elholm from the relevant Director General in the EU, who sits on an advisory capacity. It meets twice a year because it monitors the general parameters and the conceptual side of the programme, a day to day evaluations of the recommendations and the day to day decisions are taken to different bodies that are also identified in the SPD which has been filed and approved.



Answer to Question 736 of 2001

The Hon P Speller	-	Deputy Governor – Chairman
Mr E Montado	-	Chief Secretary
The Hon T Bristow	-	Financial and Development Secretary
Mr F Sheriff	-	Commercial Director DTIT
Mr L Montiel	-	Transport & General Workers Union
Mrs M Guerrero	-	Gibraltar Federation of Small Businesses
Mr J Risso	-	Chamber of Commerce
Mr L Lester	-	Director of Education and Training
Mr N Guerrero	-	Ministry of Tourism and Transport
Mr J Delgado	-	Environmental Agency
Mr E Chevasco	-	Employment Services
Dr J Cortes	-	Gibraltar Ornithological & Natural History Society
Mr J Baldachino	-	Secretary DTIT
Mr F Elholm	-	European Commission (Advisory capacity)
Mr A Bayer	-	Department of Trade & Industry UK (Observer)

No meetings were held in the year 2000. A meeting was held on the 2 February 2001.

NO. 737 OF 2001

THE HON DR J J GARCIA

**OBJECTIVE 2 MONITORING COMMITTEE**

What is the Technical Assistance budget available to the Objective 2 Monitoring Committee for the period 2000-2003?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The Technical Assistance budget available to the Objective 2 Monitoring Committee for the period 2000-2003 is 16,800 Euros (approximately £10, 800).

SUPPLEMENTARY TO QUESTION NO. 737 OF 2001

HON DR J J GARCIA:

Can the Minister explain what the function or what use that money is put to?

HON K AZOPARDI:

This is a fund that is usually used for the appointment of experts to assist the Programme Monitoring Committee in satisfying the European Commission that the parameters of the programme have been met, so for example, I recall that I was shown a report that had been prepared by external experts in relation to the 1997/1999 programme and indeed the programme before that. Essentially what happens is the Monitoring Committee has to satisfy the European Commission, the European Commission itself requires usually that a technical report is prepared on the evaluation of the projects and whether the conceptual aspects of the programme have been met and what it usually means is that the member states involved consign the work to experts that work in this field. The Gibraltar Government engaged a firm of consultants to prepare a report for the satisfaction of the European Commission and we expect that we will again have to do that and this is why there is this small item of expenditure to deal with this issue, but it is a necessary expenditure because the EU not only audits but expects to evaluate the general programme to decide whether one has met the original targets.

NO. 738 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR IN EUROPE BUSINESS DEVELOPMENT SCHEMES**

What are the 33 individual projects approved under the Gibraltar in Europe Business Development Schemes, how many are still running, and how many are on track for implementation by the deadline of 31<sup>st</sup> December 2001, providing a list of the projects showing the names of the parties, the sum involved, the date the project was approved, and the date that the funds were paid?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

All the information requested by the hon Member is set out in the schedule that I hand to him.

SUPPLEMENTARY TO QUESTION NO. 738 OF 2001

HON DR J J GARCIA:

Are the projects which are listed as on-going in the schedule the Minister has just provided, due for completion by the expected deadline?

HON K AZOPARDI:

The rules of the programme are that the funds not only should be committed by a certain date, but should be spent by a certain date. The expenditure deadline is the 31<sup>st</sup> December 2001, so I assume that all of them will from now to December 2001 finish their projects.

# Answer to Question 738 of 2001

## GIBRALTAR IN EUROPE BUSINESS DEVELOPMENT SCHEME - PROJECT 02/97/99/002/ERDF OBJECTIVE 2 1997/99 PROGRAMME

APPROVED PROJECTS	NAME OF COMPANY	EU £	GOG £	PS £	TOTAL £	1st PAYMENT	2nd PAYMENT	3rd PAYMENT	TOTAL TO 31-03-01	PROJECT APPROVAL DATE	PROJECT STATUS
02/97/99/002(1)VERDF Plaster of Paris	Henry Services	£675	£675	£3,150	£4,500					12/06/98	Claim Invalidated
02/97/99/002(2)VERDF Light Industrial Activities - Aluminium Workshop	Light Industrial Activities	£1,425	£1,425	£8,660	£9,500	25,099 £477.45	14,100 £1,221.87		£1,999.32	07/06/98	Ongoing
02/97/99/002(3)VERDF Tailors	Finishing Touches	£1,293	£1,292	£8,032	£8,617	10,099 £577.24	18,899 £239.81		£816.85	22/10/98	Completed
02/97/99/002(4)VERDF Showroom	New World Interiors	£845	£845	£3,010	£4,300					07/12/98	Ongoing
02/97/99/002(8)VERDF Advertising Services	Dash Distributions	£980	£960	£4,480	£6,400					31/12/98	Not proceeded with
02/97/99/002(7)VERDF Workshop Extension	{Self Employed}	£1,350	£0	£3,150	£4,500	20,599 £80.00			£80.00	22/02/99	Ongoing
02/97/99/002(8)VERDF Sandwich Service	Crossroads Sandwich Bar	£972	£971	£4,535	£6,478	11,699 £1,202.32	20,799 £590.40		£1,782.72	22/02/99	Ongoing
02/97/99/002(8)VERDF Conference Organisation	Corporate Events	£308	£308	£1,428	£2,040	28,699 £108.98	26,899 £505.02		£812.00	21/03/99	Completed
02/97/99/002(10)VERDF R & J Refrigeration	R & J Refrigeration	£1,125	£1,125	£5,250	£7,500					01/04/99	Completed
02/97/99/002(11)VERDF Le Rock Chef	Le Rock Chef	£2,991	£2,990	£13,958	£19,937	17,999 £3,387.80	1,1199 £1,400.40		£4,788.20	23/06/99	Ongoing
02/97/99/002(12)VERDF Trico-Computer System Upgrade	Candessa, Trico & Co.	£483	£483	£2,254	£3,220					14/05/99	Not proceeded with
02/97/99/002(13)VERDF RLS - 2000 Compliant Systems	RLS - 2000 Compliant Systems	£1,379	£1,379	£8,437	£9,195	20,1199 £585.50			£585.50	14/05/99	Ongoing
02/97/99/002(14)VERDF Window World	Window World Ltd	£1,500	£1,500	£7,000	£10,000	13,899 £2,528.87	15,201 £478.13		£3,000.00	30/06/99	Completed
02/97/99/002(15)VERDF Engine Re-conditioning	Sky's Electromechanics	£3,855	£3,855	£18,058	£25,782	1,200 £5,378.48	15,300 £1,579.33		£8,857.82	23/06/99	Completed
02/97/99/002(16)VERDF Holy Land Travel	Holy Land Travel Ltd	£1,500	£0	£3,500	£5,000					30/06/99	Not proceeded with
02/97/99/002(17)VERDF Oaks Garage	Oaks Garage Ltd	£1,500	£1,500	£9,204	£12,204	6,999 £2,876.88			£2,876.88	18/07/99	Completed
02/97/99/002(18)VERDF Hansel Plumbing	Hansel Plumbing	£2,337	£0	£5,453	£7,790	18,1200 £453.18			£453.18	24/07/99	Completed
02/97/99/002(19)VERDF Two Post Car Lift	In-Tune Co Ltd	£641	£640	£2,880	£4,271					09/08/99	Offer withdrawn
02/97/99/002(20)VERDF Fabrication & Welding	Welding & Fabrication Services Ltd	£669	£668	£3,121	£4,458					18/08/99	Not proceeded with
02/97/99/002(21)VERDF Photo Image Library	Stra's Image Library	£2,487	£2,081	£10,565	£15,093					21/11/99	Not proceeded with
02/97/99/002(22)VERDF Stylos Dance Academy	Stylos Dance Academy	£3,000	£0	£10,020	£13,020	18,500 £3,000.00			£3,000.00	14/09/99	Completed
02/97/99/002(23)VERDF Hand Made Local Crafts	Hand Made Local Crafts	£1,466	£774	£5,110	£7,300	27,1000 £240.06			£240.06	07/12/99	Ongoing
02/97/99/002(25)VERDF World Travel Market	Herald Travel Ltd	£456	£0	£1,064	£1,520	23,1299 £425.73			£425.73	07/10/99	Completed
02/97/99/002(26)VERDF Mickay Partnership	Mickay Partnership	£1,482	£1,482	£4,622	£9,746					20/10/99	Not proceeded with
02/97/99/002(27)VERDF Security Express	P & H Private Consultants Ltd	£2,418	£573	£6,975	£9,964	12,600 £2,957.15			£2,957.15	22/10/99	Completed
02/97/99/002(28)VERDF 123 Printers	123 Printers Ltd	£1,089	£1,089	£5,082	£7,260	27,500 £752.10	13,201 £398.10		£1,750.30	22/10/99	Ongoing
02/97/99/002(29)VERDF Autocad Computer System	M J Hassan	£1,500	£1,500	£7,000	£10,000	8,300 £2,929.41			£2,929.41	07/10/99	Completed
02/97/99/002(31)VERDF BMW Specialists	CC Engineering	£1,551	£470	£4,716	£8,737	18,200 £398.19	14,300 £340.00	12,600 £540.00	£1,798.19	30/10/99	Ongoing
02/97/99/002(32)VERDF Cleaning Services	JAD & Son's	£595	£595	£2,778	£3,968	18,100 £398.58			£398.58	12/11/99	Completed
02/97/99/002(33)VERDF Comdeck	Comdeck Ltd	£4,381	£4,080	£19,043	£27,504	27,700 £1,894.86	15,900 £1,620.00		£3,514.86	07/11/99	Ongoing
02/97/99/002(34)VERDF Signalix	Signalix Ltd	£3,858	£3,858	£17,994	£25,706					16/12/99	Completed
02/97/99/002(35)VERDF Europe Access	Europe Access Ltd	£1,500	£1,500	£7,000	£10,000	10,400 £1,011.00			£1,011.00	03/12/99	Ongoing
02/97/99/002(36)VERDF Valmar Medical Clinic	Valmar {Self Employed}	£1,340	£1,105	£5,708	£8,151					13/12/99	Completed
TOTAL		£52,385	£39,439	£219,531	£311,367						

NO. 739 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR IN EUROPE BUSINESS DEVELOPMENT SCHEME**

How many full time jobs has the Gibraltar in Europe Business Development Scheme created to 31<sup>st</sup> March 2001, providing a breakdown to indicate whether the persons in those jobs have moved there from other employment, from outside Gibraltar, or from the unemployment list?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The compilation of the answer to this question requires a disproportionate administrative effort, since it requires each individual to be traced personally.

SUPPLEMENTARY TO QUESTION NO. 739 OF 2001

HON DR J J GARCIA:

Can the Minister say whether the figure is in the hundreds or is it just a few. In their own newsletter in "Gibraltar in Europa", it is mentioned that the Gibraltar in Europe Business Development Scheme will result in a creation of 25 full time jobs and it is now expected that 48 will be created. What the Opposition is interested in knowing is whether the new jobs created by the scheme are filled by people moving there from other employments or are they generally new jobs in the sense that people move there from the unemployment list?

HON CHIEF MINISTER:

They are new jobs in that company, whether they are filled by first time entrants into the labour market or whether they are filled by people who are already in a job elsewhere in the labour market. I suppose it would be possible to establish how many of them are first time entrants, how many were not that might also be possible to establish, but where they came from, all that information is difficult. I suspect some of them are first time entrants and others are not. I expect some of them apply for those jobs from elsewhere in the economy.

HON DR J J GARCIA:

I appreciate the reply. Given the answer that it was too voluminous to compile in the Government's own newsletter they indicated that it was between 25 and 48 jobs, that is what we are talking about. It might not have been that difficult to see how many were first time entrants.

HON K AZOPARDI:

That information is based on the applications themselves, so we have a general feel when people submit an application of how many jobs they say they are going to create when we approve an application or not, but we do not know who they are. It would be impossible to trace the individuals, we would find it very difficult to tell

whether those are the same individuals that are still in the post three years on and this is why we gave the answer that we gave. That is why that information is included in the newsletter, but it is impossible to be able to give a consistent information to the hon Member which he required in his question on 31<sup>st</sup> March 2001, that is an impossible task to complete.

HON DR J J GARCIA:

Do the Government have the information without necessarily providing a breakdown? In other words, how many full time jobs have been actually created irrespective of whether people have moved from new employment or not? In their own newsletter, it says that the ability to create full time jobs is a fundamental aspect in assessing potential projects in terms of value for money.

HON K AZOPARDI:

Indeed it is a fundamental factor to be borne into account when we consider these applications that there should be some job creation when people submit these applications. I do not have the information with me, but I can certainly supply the hon Member information of the total number of jobs that the applicants said that they would create. That is all I could do. I cannot answer the specific question that he has put.

HON DR J J GARCIA:

There are two issues. One is the actual number of jobs which people say they are going to create when they submit an application, and the other is whether they have actually created the jobs or not, if the Minister will supply us with those two sets of information, I would certainly be grateful.

ORAL

NO. 740 OF 2001

THE HON DR J J GARCIA

**HEAD 7 SUB-HEAD 6**

How much of the estimated £25,000 for the 2000/2001 Trade and Industry Administration Division Budget for marketing, Head 7, Sub-head 6 has been spent as at 31<sup>st</sup> March 2001?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 741 and 742 of 2001.

ORAL

NO. 741 OF 2001

THE HON DR J J GARCIA

**HEAD 7 SUB-HEAD 10**

How much has been spent as at 31<sup>st</sup> March 2001 of the Trade and Industry Commercial Division Budget for marketing, Head 7, Sub-head 10, and by how much is that now over budget?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question Nos. 740 and 742 of 2001.



NO. 742 OF 2001

THE HON DR J J GARCIA

**HEAD 7, SUB-HEAD 14**

How much of the estimated £240,000 for 2000/2001 Trade and Industry Finance Centre Division budget for marketing Head 7, Sub-head 14, has been spent as at 31<sup>st</sup> March 2001?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

All this information will now be available to the hon Member following the tabling of the Estimates of Revenue and Expenditure.

SUPPLEMENTARY TO QUESTION NOS. 740 TO 742 OF 2001

HON DR J J GARCIA:

The Estimates of Revenue, we have on a confidential basis, so obviously we are not going to use that and we also did not have it at the time the questions were tabled, but I accept that.

NO. 743 OF 2001THE HON DR J J GARCIA**FINANCE CENTRE SURVEY**

How many Finance Centre Survey questionnaires were sent out by the Finance Centre Division of the Department of Trade and Industry and how many have been returned, with a breakdown by sector of those sent out and those returned?

ANSWERTHE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

A total of 295 questionnaires were sent out. This was divided as follows:

	<u>Sent</u>	<u>Returned</u>	<u>% returned by sector</u>
Company Management Companies	105	28	26.7
Banks	22	15	68.2
Insurance firms	51	16	31.4
Investment firms	28	19	67.9
Accountancy firms	33	14	42.4
Law firms	56	16	28.6
<b>TOTAL</b>	<b>295</b>	<b>108</b>	

The questionnaire was sent to all members of each finance sector association and also to all non-member firms in each sector. For this reason there has been a doubling up of some firms. This is why we estimate the 295 questionnaires to represent approximately 200 firms. From the 200 firms, 108 were returned representing 54 per cent response rate.

SUPPLEMENTARY TO QUESTION NO. 743 OF 2001

HON DR J J GARCIA:

In relation to the company management area where the Minister mentioned there were 105 sent out and only 28 came back, does the Minister have any explanation or any reasons for that?

HON K AZOPARDI:

The reason is in the last answer that I gave. Of the 105, many of these double up with other firms, so lawyers, accountants, even banks will have businesses that hold licences under the relevant rules of the Financial Services Ordinance. They have received a questionnaire but when a particular law firm has returned its questionnaire, it has returned it on behalf of the law firm plus all the other licences that they hold. That is why we estimate that even though we sent out 300, in reality we are talking about 200 firms. That issue is more particularly relevant in the statistics of Company Management companies that have returned questionnaires, so I would ask the hon Member to deal with it on that basis. We estimate that we have had a 54 per cent response rate as I have indicated in the general answer I gave.

NO. 744 OF 2001

THE HON DR J J GARCIA

**FINANCE CENTRE - EMPLOYMENT**

Can Government say how many people are directly employed in the Financial Sector as at 31<sup>st</sup> March 1999, 31<sup>st</sup> March 2000 and 31<sup>st</sup> March 2001?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Employment Surveys which would contain the information requested have as yet not been published so it is not possible to give the hon Member the information he requires as to the state of employment in the Finance Centre on the dates specified. The latest published statistics on employment currently available from the Employment Survey Report October 1998 indicate that there were approximately 1900 directly employed in the Finance Centre on that date. In relation to the previous question, the Government are currently assessing the result of a survey they have just carried out in the Finance Centre that indicates that there were approximately 2200 people directly employed in the Finance Centre in December 2000.

SUPPLEMENTARY TO QUESTION NO. 744 OF 2001

HON DR J J GARCIA:

When the Government use the figures in relation to the number of people employed in the Finance Centre and they were used last year, for example, in the budget speech by the Chief Minister and also subsequently in other public addresses, where did those figures actually come from? Do they refer to the 1998 Survey?

HON K AZOPARDI:

The figures that the Government have used previously stem also from the previous Finance Centre survey that was undertaken by my predecessor, which indicated employment of about 2100 in the Finance Centre the last time. I think we had given a feeling of not only the numbers of direct employees in the Finance Centre but also people who derived their indirect income from the Finance Centre and some business from it. That is the basis on which we have made comments previously as to the importance of the Finance Centre.

HON J J BOSSANO:

In the classification that was introduced in the Employment Survey Report for October 1998, which follows, we are told, the United Kingdom standard industrial classification, there is an industry group called "Financial Intermediation", which shows 882 full time and 105 part time persons or jobs in existence, how does that translate into the Finance Centre industry as defined by the Government? Should not the classification that is used in official publications correspond to the industry?

HON K AZOPARDI:

There is a lag of course in the statistics for the reasons I have given, that they are not published for some years, so therefore we would place reliance to a very large extent, at least departmentally, on the survey that we are conducting because we go direct to the people that we know are employed in the Finance Centre. We can assess it on that basis. But just to answer the hon Member's question, when I indicate to the hon Member that based on the October 1998 Employment Survey, we estimate that there were then about 1900 directly employed in the Finance Centre is because we take the figure of financial intermediation, which really represents, as far as we are concerned, banks, finance and insurance and the real estate and business activities within which lawyers and accountants represent 617 out of a total of 1301, together with a further 300, which are not included in these figures but work in the Finance Centre as self employed persons. That is how the estimated figure of 1900 is arrived at. It is a bit difficult in a way to actually define what Finance Centre means given that there are spin off businesses that do business with Finance Centre operators so it is very difficult to actually define the circle. That is how we have reached the figure 1900. The figure of 2200, which I am more confident about is because that stems from our initial calculation from the Finance Centre survey and it is consistent with the trend of the previous survey and I know those questionnaires have gone to licensees who hold licences under the Financial Services Ordinance or accountants or lawyers or insurers or investment firms and those are people who are easily defined within the Finance Centre itself.

HON J J BOSSANO:

Given the fact that the October 1998 report is based on questionnaires going out to employers, would the questionnaires not have gone to the same employers?

HON K AZOPARDI:

I imagine so, but I cannot speak for the Statistics Department. I can only tell the hon Member how the Finance Centre surveys have been conducted by my department, which was the thrust of the previous question. I know that we have targeted people who hold licences under the Ordinances and who we are aware work within the Finance Centre specifically because we have a database in the department of all firms in Gibraltar that work within the Finance Centre. I assume that the hon Member is correct in saying that the questionnaires presumably go to the same people but there is a time lag between the figures. Even if that were the case and the questionnaires go to the same people, there is no real contradiction given that we are talking about an October 1998 figure, we are then talking about a 1998-1999 figure, which is when the department last did a Finance Centre survey and we are now talking about a December 2000 figure, so it would be consistent with growth of the industry.

HON J J BOSSANO:

It would only be consistent with growth in the industry when the official report comes out, which is the document on which we are told employers and unions and the national accounts and everybody else has to rely. This is the one that counts if when eventually this catches up we see that reflected. Therefore it would be important to know whether the people that are being researched by the Minister's department appear in the two areas he has indicated or are to be found somewhere else. Presumably it should be possible to establish that.

HON K AZOPARDI:

We can certainly ascertain that and indeed the department can sit down with statistics and discuss and disclose to them the results of the survey, which in any event would provide them with the useful indication of information that has been collated by our department but which would be of relevance and of interest to the Statistics Department. I am happy to do that. The purpose of this survey is to have a feel given that there is a time lag, to have a feel of how the industry is doing and how the Finance Centre in particular is doing in progressing and I think it is quite appropriate for Government to conduct exercises of this type notwithstanding the fact that the Employment Survey for this particular year, for the year in question, will follow in due course. It is of no interest to me to know in 2003 how many people were working in the Finance Centre now, I would like to know now as the hon Member will appreciate.

HON J J BOSSANO:

I do appreciate that. It might help if these surveys were to appear earlier then we would not have to rely on intuitive assessments. Given the fact that this is the official legally binding requirement, the House has to be given this information. What the Minister has been doing in his department, he is doing for very understandable reasons of wanting to get a feel of what is happening, but it is not what the obligation of the Government under the Statistics Ordinance that has been around for the last twenty odd years. Presumably if we followed the United Kingdom classification, that United Kingdom classification would be the one that in the United Kingdom would appear in the National Statistics as showing what the Finance Industry is. We are working on the assumption that what the DTI considers to be Finance Centre, given that we are told that the industrial classification in this report follows UK practice, would be coherent with and covering the same area and if that is not the case it would be desirable that if people are to be found in an advertisement shown as being in something else, it is difficult to see. They could hardly be considered by the DTI to be in the Finance Centre and by the Statistics Office to be in construction or in shipbuilding or in retailing, but nevertheless if there is a discrepancy, so that we know when we follow the statistics that we are working on comparable figures, it would be useful to know the difference.

HON K AZOPARDI:

I follow the hon Member's points and I agree that there is a need for consistency. I will speak to my department so that they in turn sit down in Statistics and discuss these matters to ensure that there is as much consistency as possible, which I think would be a valuable component in our assessing on a proper basis what the statistics which are put in front of us are.

NO. 745 OF 2001

THE HON DR J J GARCIA

**MTI VISITS TO GERMANY/ITALY**

At what stage are the plans for high-level visits by the Ministry of Trade and Industry to financial institutions in Germany and Italy?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

We are at a preliminary stage of consultation with the industry.

SUPPLEMENTARY TO QUESTION NO. 745 OF 2001

HON DR J J GARCIA:

Can the Minister clarify whether the department still intends for these visits to proceed?

HON K AZOPARDI:

Yes. It is difficult to find time to plan these visits because of other matters that are on-going which require the attention of the senior officials within the department. Let me explain a bit of background for the hon Member so that he understands why we are envisaging these visits. While we are at the moment assessing the results of the Finance Centre survey, it is not possible at the moment to give the hon Member more details as to that because the questionnaires have just come in and we have just got an initial feel of it. What is clearly coming through is that apart from the natural markets that the Finance Centre operators have had historically, which really could be described as the UK, Spain, Portugal and Switzerland in the last 10 or 15 years, the two other areas that are coming through as markets from which people are deriving business are Germany and Italy, which is an interesting fact, which I think is not necessarily that well known but certainly it has opened the possibility for the Finance Centre to review its marketing strategy that we have been given some indication prior to the Finance Centre survey that Germany was becoming a very active market for Gibraltar, we initially decided to go there and wrote to all the Finance Centre operators offering them to conduct presentations with them if they had contacts in those countries, in the same way as we did with Portugal. That initial feeling has been confirmed by the Finance Centre survey. It is important that we realise that there is some interesting diversification into other countries. Obviously they are not going to become main markets for Gibraltar but if Gibraltar can become a complementary jurisdiction for some of these countries I think it would be very valuable for us and that is why we are looking at the possibility of doing presentations, but notwithstanding and not losing the focus that we need to keep on with our main markets which I indicated to the hon Member are the UK, Portugal, Spain and Switzerland.

NO. 746 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR IN EUROPA**

What was the cost of producing Issue 5 of the Newsletter "Gibraltar in Europa"?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The cost was £1120.

SUPPLEMENTARY TO QUESTION NO. 746 OF 2001

HON J J GARCIA:

Can the Minister say for how many issues or newsletters that figure accounts for?

HON K AZOPARDI:

The only information that I could give the hon Member is that the printing costs is done under a Government tender, which was awarded and expires at the end of December.

NO. 747 OF 2001

THE HON DR J J GARCIA

**POST OF COMMERCIAL PROJECTS OFFICER**

Can Government explain why the post of Commercial Projects Officer with the Gibraltar Development Corporation was advertised twice, with a closing date of 9<sup>th</sup> March and then of 18<sup>th</sup> April 2001?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with question No. 748 of 2001.



NO. 748 OF 2001

THE HON DR J J GARCIA

**POST OF COMMERCIAL PROJECTS OFFICER**

How many persons have applied for the post of Commercial Projects Officer with the Gibraltar Development Corporation, how many vacancies are there, and has the post now been filled?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Twenty persons applied for the post of Commercial Projects Officer.

There is only one vacancy and the post has not yet been filled.

The post was advertised twice to ensure the widest public notice possible.

SUPPLEMENTARY TO QUESTION NOS. 747 AND 748 OF 2001

HON J C PEREZ:

Is it not odd that there should be two closing dates advertised? If the closing date had remained the 18<sup>th</sup> April on the two adverts, one could understand that one duplicates ones effort to attract the highest amount of people. What is strange is that there should be a closing date of the 8<sup>th</sup> March and then that should be extended to the 18<sup>th</sup> April, does the Minister not agree?

HON K AZOPARDI:

Let me give the hon Member some background. The advert was placed, as the hon Member says, with a particular closing date and after that process the Personnel Department received very few applications, a certain number, I cannot tell the hon Member the exact number. At the same time a job was advertised by the Gibraltar Regulatory Authority for lower pay and that entity attracted about 40 applicants for their job which was a lower paid job, which the Government thought was a bit strange. In the days after the closing date of the GRA application, which was running parallel to the job that we had advertised, we then started to get complaints from people who had applied for the GRA post saying that they were not aware that the Government had advertised the post in the DTI. We then investigated the matter, we realised that the GRA had advertised on three occasions, that they had advertised on a boxed form. The initial DTI advert was advertised once and it was not boxed so it was not clear that there was even a job vacancy, so the decision was taken to advertise again because the interviews had not been held anyway, to give the widest possible notice and that is the reason an advert then went out in a clearer way, presentationally clearer, although the content was the same, which then gave more people the chance to apply and that is the reason why and the result is that we have had 20 people applying and the interviews are going to be held next week.

NO. 749 OF 2001

THE HON DR J J GARCIA

**DEVELOPMENT AND PLANNING COMMISSION**

How often and on what dates has the Development and Planning Commission met in:

- (a) 2000
- (b) 2001?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

While the Development and Planning Commission is not a Government Department, I can inform the hon Member that the Secretary of the DPC has given me the information that I now hand to him.

SUPPLEMENTARY TO QUESTION NO. 749 OF 2001

HON DR J J GARCIA:

In relation to the meetings of the Development and Planning Commission and particularly to the structure and the business that it conducts, are the Government considering any changes to the composition and structure and to that of the Appeals Board following the court ruling against the British Government, that the composition of the Committee could not be independent and was incompatible with the European Convention of Human Rights because it was chaired by a Minister.

HON K AZOPARDI:

The UK decision was rather different because it was based on appeals from a Planning Inspector through the Secretary of State. I understand that the English ruling is under appeal to the House of Lords. The Government's position is that we went through an extensive review process at the time that we presented the new Ordinance to the House in an extensive debate. Our intention is not to amend the Ordinance or the Regulations for the moment but we will monitor the situation and monitor how the House of Lords deals and evaluates the English case and see whether there are any implications for the Gibraltar structure. It is a moot point whether there are differences and distinguishing factors between the English bases of the decision and the Gibraltar structures, but rather than pre-empt the matter, what we tend to do is monitor the situation and when a judgement emanates from the House of Lords and if the House of Lords upholds the decision of the Court of Appeal, then we would decide what to do if there is any impact on Gibraltar from that decision.

HON DR J J GARCIA:

The ruling of the Court in England was the 13<sup>th</sup> December 2000, which was obviously after we had the situation in the House and passed the relevant Bill. I am grateful to

the Minister for confirming that the Government will now wait to see what happens with the House of Lords appeal.

HON K AZOPARDI:

Let me be clear and not mislead the hon Member. Things must go on and the planning process must go on and we are not going to await in the sense of not doing anything. That is why the commencement of the Ordinance had to happen because we will see what the impact is, if there is any. Otherwise we will have to carry on with business as usual.

Answer to Question 749/2001

The Development and Planning Commission met on eight occasions in 2000 on the following dates:

Wednesday 19 January 2000  
Wednesday 15 March 2000  
Wednesday 24 May 2000  
Thursday 15 June 2000  
Wednesday 2 August 2000  
Thursday 14 September 2000  
Wednesday 25 October 2000  
Wednesday 13 December 2000

The Commission to this date has met on four occasions in 2001. The first meeting was a special meeting to hear representations on a specific matter only. The meetings were held on the following dates:

Thursday 11 January 2001  
Wednesday 24 January 2001  
Wednesday 28 February 2001  
Thursday 5 April 2001

The next meeting is scheduled for Wednesday 16 May 2001.

NO. 750 OF 2001

THE HON DR J J GARCIA

**ADMIRAL'S PLACE DEVELOPMENT**

Can Government say, with respect to the Admiral's Place development at the Old Naval Hospital:

- (a) whether the Development Licence has now been issued and if so when;
- (b) whether any further sum has been paid by the tenderer, other than the initial 10 per cent deposit of the tender sum paid on 23<sup>rd</sup> August 1999, and if so what amount and when?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The Development Licence to Hopefield Properties Limited in respect of the Old Naval Hospital was granted with effect from the 30<sup>th</sup> March 2001. Hopefield Properties paid the sum of £1,249,800 on the 2<sup>nd</sup> April 2001 being the balance and final payment of the increased premium of £1,386,000.

ORAL

NO. 751 OF 2001

THE HON DR J J GARCIA

**PROPOSED SCIENCE PARK**

Have Government now considered the study by Segal Quince Wicksteed (SQW) for a Science Park and will the report be made available to the Opposition?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question No. 752 of 2001.

NO. 752 OF 2001

THE HON DR J J GARCIA

**PROPOSED SCIENCE PARK**

What is the cost of the scoping study by Segal Quince Wicksteed (SQW) for a Science Park which was submitted to the Government on 20 December 2000?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Government have now considered the Science Park scoping study undertaken by Segal Quince Wicksteed Limited.

The report will not be made public.

The cost of the "Science Park" scoping study undertaken by Segal Quince Wicksteed Limited amounted to £22,759.36.

SUPPLEMENTARY TO QUESTION NOS. 751 AND 752 OF 2001

HON DR J J GARCIA:

Are the Government in a position to say what the recommendations or conclusions of that report were with respect to setting up a Science Park?

HON K AZOPARDI:

The general thrust of it is that Gibraltar is a good location for the setting up of a Science Park or R & D Centre, but that certain issues need to be dealt with as pre-conditions for that project proceeding on a solid foundation that it should include a strong educational institution, that a private sector interest should be introduced and injected into the process, that Gibraltar should have a strong telecom infrastructure, matters of that sort. The general thrust of the report or at least the aim of the report initially, because this goes back to the days of my predecessor at DTI, it had been commissioned on the basis that they were looking at the particular possibility of enhancing e-commerce links of a scientific nature between Gibraltar and Morocco and I think I can say certainly from my view, having seen the report, and certainly my view generally, is that for a Science Park or R & D Centre to be successful in Gibraltar, for a project of that kind to be successful, we have to look at a panorama much wider than just purely North Africa. The report was commissioned on that basis but I have spoken to the consultants and they have agreed with me that while their brief initially had been that, they do concur that it would have to be on a wider basis for it to be successful even though certain factors need to be dealt with and included for that to be the case. The Government are now considering how best to take forward the possibility of encouraging investments in Gibraltar for the establishment of an R & D Centre type of institution and we will consider that in formulating internal proposals to take that matter forward as a matter of Government policy.

NO. 753 OF 2001

THE HON DR J J GARCIA

**LATHBURY BARRACKS INDUSTRIAL PARK**

At what stage are the plans to design and build Phase 1 of the Industrial Park at Lathbury Barracks?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

A full design for the construction works of Phase 1 of the Lathbury Barracks Industrial Park has now been submitted by the contractor. Demolition works are at an advanced stage and the enabling works are substantially completed. Works on the construction of the business units is expected to commence in about six weeks time.

SUPPLEMENTARY TO QUESTION NO. 753 OF 2001

HON DR J J GARCIA:

Have the Government established for the rents of these units to be compared to Europa Business Centre or New Harbours or the other industrial parks?

HON K AZOPARDI:

No, not yet, but it is something that the Government intend to consider in the next few months. We have got time. The completion date is expected to be March 2002 but we want to consider that and we want to consider, not only the criteria, but also the rent for the other industrial park. That is something I expect we will discuss in the next few months.

HON DR J J GARCIA:

In relation to the actual size of the units, the Minister said the design has now been submitted, can the Minister elaborate as to the size of the various units in question?

HON K AZOPARDI:

I do not have the information with me but I recollect that I did on another occasion when the hon Member asked me about this project, so it may be that if he goes to Hansard I may already have given him that information. If I have not and the hon Member wants to write to me I am happy to give it to him, but I am sure I brought it to the House at some point.



NO. 754 OF 2001

THE HON DR J J GARCIA

**ECOM LTD**

Can Government say, with respect to the Ecom project at Lathbury Barracks:

- (a) whether and when the conditional outline permit has been issued;
- (b) on what date was the building application submitted to the Development and Planning Commission;
- (c) has the Development Licence been issued and if so when;
- (d) has any payment been made by the tenderer and if so what amount and when?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The Development and Planning Commission is not a Government Department and is not accountable for it in this House. It would be inappropriate for the Government to give details of individual applications in this House. The Development Licence on the other hand which is a matter for Government to consider directly has not been issued nor has any payment been made.

SUPPLEMENTARY TO QUESTION NO. 754 OF 2001

HON DR J J GARCIA:

I find it odd that the Minister should now be saying that it is not appropriate to give this information to the House when similar questions were asked in February and indeed the time before that in relation to the development at the Old Naval Hospital, all the information was supplied immediately by the Government and no reservation was entered into.

HON K AZOPARDI:

I cannot recall that matter but I will certainly check that in Hansard. The point is that Government wanted to stress that the DPC is a statutory body created by the Town Planning Ordinance. It is independent of Government, it takes its own decisions. When the Government have given information in relation to the DPC we have historically done so in a way which was generalised as to policy or number of applications. There is another question on the Order Paper as to number of applications on the change of use and we will provide the hon Member with an answer because it does not identify individual applicants. The Government thought that they should make that point to the hon Member so that he appreciates that applicants apply to the DPC as an independent statutory body and perhaps it is not appropriate to give that information of individual applications in this House, but the Government are quite happy to answer matters related to governmental decisions on land allocation, which is the development licence points that I have given him. I will certainly look at whether the Government have given that information previously and if that is the case then the Government will review the point.

HON DR J J GARCIA:

Just to emphasise the point, the information was indeed given in relation to the Old Naval Hospital project and in detail when the question was put to the Minister in February and I believe also the time before that as well and no reservation was entered into. Nobody has mentioned this before in relation to the Development and Planning Commission being or not being a Government department. Having said that the fact that the independence of such bodies is not in question in Courts of Law or elsewhere and the fact that the Chairman of the body is a Minister himself. Add to all that the fact that information has been available in the past without any reservations, I think it was quite a pertinent and valid question to ask.

HON K AZOPARDI:

I am quite happy to review the answers we have given in the past to ensure that we are consistent, which is the thrust of the hon Member's point. What I am not willing to concede is that the Development and Planning Commission is anything but independent because anyone who sits in that body could certainly tell the hon Member that the decision making process of the DPC is certainly independent and is not guided or geared or directed as a matter of Government policy. If the hon Member was alluding to that because he thinks that in any way the DPC in Gibraltar is not independent, either as a matter of fact or because some court in the United Kingdom thinks that the United Kingdom Secretary of State structure is not independent, that is a matter for those courts. As I have said in response to the hon Member, we will assess the implications, if any, of that judgement in Gibraltar, but I can certainly assert quite clearly that the DPC is independent and it will continue to be statutorily independent in this decision making function.

HON DR J J GARCIA:

Obviously I have no intention of entering into a debate as to the independence or not of the DPC. The intention has been simply to say that that information has been given voluntarily before and nobody has mentioned whether the Development and Planning Commission is independent or not. Be that as it may, on the 5<sup>th</sup> April 2001, the composition of the Commission was published. It includes a Minister, that is the Chairman, it includes five more persons nominated by the Chief Minister, including one Minister and effectively what could be seen as possible servants and three others who were nominated by other people. That is not the issue and I am glad that the Minister will go back to Hansard and look at the position and review it.

HON K AZOPARDI:

I reiterate that while the composition is well known because it has been gazetted and while it includes all the people that the hon Member lists, it also includes external members, independent members who are not officials in the Government, who have votes as well, and anyone can tell the hon Member that the process itself is independent. People approach matters with an independent mind and the decision making process is entirely free standing and independent, notwithstanding the implication of the hon Member's point.

HON J J BOSSANO:

Given that we have heard in relation to questions on the Development and Planning Commission on GBC, on Nynex and on Gibtel, the issue of whether the Government ought to give answers to questions here on the basis that to do that might suggest

that any of these are not independent, is it that there has been a Government policy decision in respect of this meeting of the House, which was not there in previous meetings of the House where the matter has never surfaced, because we have had the same argument now for the fourth time.

HON K AZOPARDI:

The Government merely wished to stress on this occasion with a degree of consistency and respect of all statutory bodies, which were being asked about, that they were indeed statutorily created and independent. That is why the Government are, as the hon Member puts it, talking about the same thing for the fourth time, because the Government wished to do so with a degree of consistency.

HON J J BOSSANO:

Is it that the Government for the first time since 1996 came to the conclusion that if we put a question about one of these bodies, we would be questioning its independence, which was not what the Government thought until now, and certainly not what the Government thought when they asked questions on the same areas when they were in the Opposition benches. Nobody has ever interpreted, to my recollection, a question about an area in which there is information available to Government, which the Government share with the House. If the Government wants to, it can simply refuse as an indication that the body in respect of which the question was being asked was a Government department. To ask the question implied that it was seen as a Government department, which seems to have been the thrust of the replies.

HON K AZOPARDI:

The Government merely wished to clarify for the avoidance of doubt if there was any doubt in people's minds, if there was no doubt from the people who were putting the questions, there may have been doubt from people who are listening to the answers, that these bodies are statutorily created. That is the point that we wanted to make. As I say, that is essentially in a nutshell, the issue that we wanted to put forward and put forward clearly in case there was any public misconception about this matter.

HON J J BOSSANO:

It is difficult to understand, given the fact that we are not suggesting that, why in this particular meeting the Government felt there was a need to do this unless somebody was suggesting it to them. For the avoidance of doubt, we are putting the questions in this House on this occasion in the same spirit as we have put them before and in the same spirit as they have been put by other Members of the Opposition before us.

HON K AZOPARDI:

I am happy to hear the hon Member clarify his position. I can only state what is the Government's position, which is that we merely wanted to confirm as part of the answer that we are giving to this House, what is the relationship between the bodies that are created by law in Gibraltar and the relationship with the Government that have responsibility in certain areas.

NO. 755 OF 2001

THE HON DR J J GARCIA

**GUN WHARF**

Can Government confirm whether they have received representations regarding the Gun Wharf tender award and in particular over whether the Government have insisted on the construction of a finger jetty?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The first part of the question is insufficiently specific to enable it to be accurately answered. But in any event, as has been indicated previously in this House alternative proposals are being pursued which do not require the construction of a finger jetty.

SUPPLEMENTARY TO QUESTION NO. 755 OF 2001

HON DR J J GARCIA:

Was the construction of a finger jetty a condition of the tender?

HON K AZOPARDI:

I believe it was but since then alternative proposals have been put which are being examined.

HON DR J J GARCIA:

Is it possible that there were potential developers out there who may not have tendered on the basis of having to construct a finger jetty, when now that construction is not necessary?

HON K AZOPARDI:

As we have said, we have flogged this question to death probably last time when we had a debate as to whether this had been the case previously. Certainly I remember having a discussion. The point was the Government wanted to reach a decision on this tender. It did so as the situation was when the Government decided it, this tender had been advertised twice, we were under substantial pressure to reach a decision from the developers and when we felt it was right to reach a decision we conditionally awarded the tender to a third bidder on the basis of a condition that they should present a satisfactory business plan to the Government within four or five months. They did so and we finally awarded the tender to them late last year. Since the final award they have been in discussion trying to put alternative proposals to Government so that they do not require the construction of a finger jetty. That has been post award. We awarded the tender on the basis of what was in front of us and we awarded it not on that precise factor but taking all factors into account, taking the fact of the essential premium offer that was in front of us and also the scheme that

was being put forward. We thought it was the best scheme which was being considered at the time. That is the reason and rationale behind the award.

HON J J BOSSANO:

When did the Government decide that the finger jetty was not required post the tender?

HON K AZOPARDI:

It is not that the Government have decided that the finger jetty is not required but rather that the party who has had the tender awarded is seeking to achieve the reason behind the construction of the finger jetty by alternative means, which the Government are considering if it is achievable.

HON J J BOSSANO:

Does that objective relate to the MOD requirement? Is it the MOD that has to be satisfied with the alternatives?

HON K AZOPARDI:

The MOD have to be involved. They are an essential part of those discussions because they obviously would need to be reprovided in a manner which is satisfactory.

HON J J BOSSANO:

If this attempts are not successful does it mean that the position goes back to the finger jetty?

HON K AZOPARDI:

If the alternative proposals do not succeed then we will have to go back to the original proposal, which was the construction of the finger jetty.

HON DR J J GARCIA:

Can the Minister say whether they have received any representations on this point? In other words, were there potential developers who may have been interested in tendering were it not for the fact that it contained the need to construct a finger jetty?

HON K AZOPARDI:

No one who tendered and was not awarded the tender has complained to the Government. I have been in a meeting with a party that did not tender who made a comment to me about it, but that is as far as it got.

HON DR J J GARCIA:

The question referred to somebody or to any potential developer who actually did not tender, not the developer who did on that basis.

HON K AZOPARDI:

All I can tell the hon Member is that I have been in a meeting where a party that did not tender made comments to me about it, but I did not regard it as a complaint and neither have they formally submitted anything to me.

NO. 756 OF 2001

THE HON DR J J GARCIA

**TENDER FOR PLOT AT CATALAN BAY**

In relation to the Tender Notice for the residential development of a Plot at Catalan Bay, what evidence of financial resources of the applicants to undertake the development do Government require?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The tender requirements are as set out and contained in the tender documents. One of the Conditions of Tender is that the tenderer shall provide contemporaneously with the submission of their tender, information satisfactory to the Government of Gibraltar of their financial capability to carry out and complete the development in conformity with the conditions and to pay the tender sum.

SUPPLEMENTARY TO QUESTION NO. 756 OF 2001

HON DR J J GARCIA:

In terms of a tenderer proving his financial capability, what exactly do the Government require?

HON K AZOPARDI:

What we require is a letter from the bank saying that funds are available if they are awarded the tender.

HON DR J J GARCIA:

Can the Minister say since when it is a practice to insert these clauses in tenders or particularly in the Official Notices which advertise the tenders? I am certainly not aware if these have been included before.

HON K AZOPARDI:

I cannot give the hon Member that information as whether clauses are standard or not. I can certainly check that information for him, but I suspect that it is important certainly in this development because of the background history to this matter, which really lies on the fact that this is a tender that has issued from the Government and it is a tender in which the Government have an interest with another party, a bank, who has repossessed part of the site because a proposed developer who had historic discussions with the Government went bust. I imagine that the bank probably want to ensure that whoever we award the tender to, because the bank have an interest in the premium, that does not happen again.

HON DR J J GARCIA:

This is related to the circumstances rather than the allocation of this particular plot of land and not to the fact that the Government may have had problems in the past with particular tenderers and now they want to be secure that it is not going to happen again.

HON K AZOPARDI:

No. I have not said that. What I have said is that I do not know what the source of the clause is. I can certainly find out whether it is a one off or it has been previous practice, but that in respect of this situation, I can understand why it is there and I can understand why it is important in this case, but I will certainly check whether it is standard practice.



NO. 757 OF 2001

THE HON DR J J GARCIA

**SULLAGE PLANT**

Can Government say whether the tanks put in place by Chemco at the site for the sullage plant are new, and whose responsibility it is to inspect and approve them?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

The tanks installed by Chemco at the sullage plant site are not new. The sullage reception tanks were built in accordance with approved standards for atmospheric storage tanks. The storage tanks and the whole of the plant will be pressure tested to a full hydrostatic head as part of the commissioning by qualified and experienced engineers. The responsibility for inspecting and testing the sullage tanks and the plant as a whole lies with the Environmental Agency.

SUPPLEMENTARY TO QUESTION NO. 757 OF 2001

HON DR J J GARCIA:

The actual supervision of the pressure testing and of all the rest of the plant and the qualified engineers, which the Minister referred to, are people within the agency already. It is not people from outside?

HON K AZOPARDI:

The agency conducts these assessments directly or engages experts to advise it. On this occasion I understand that the applications are being considered by the Environmental Agency, but that the details of the plant and the requirements on testing have been referred to a UK consultant, who is advising the Environmental Agency on the matter.

HON DR J J GARCIA:

Can the Minister say whether the Government are aware why new tanks were not used and installed in the new plants?

HON K AZOPARDI:

The Government are not aware new tanks were not used. The Government's prime consideration is to ensure that they work well and that they meet the standards in this industry and that we hope to do with the consultants engaged by the Environmental Agency. That is the most important consideration.

HON J J BOSSANO:

Do the Government know whether the tanks had been used before they were brought to Gibraltar?

HON K AZOPARDI:

No.

HON J J BOSSANO:

Presumably they have been removed from a plant somewhere else if they are not new? Would it not be useful to find out what they performed like where they were before?

HON K AZOPARDI:

Of course the logic dictates that if they are not new they are used, and if they are used they must have been used somewhere, and somewhere means presumably that they have been removed to be brought here at some point. I imagine that without descending into a technical debate, I imagine that that is one of the issues that the UK consultant will want advice on as to where they have been used, for what purpose et cetera. I am sure that we do not need to tell the Environmental Agency how to conduct this assessment, I am sure that they are well aware what they have to do.

HON DR J J GARCIA:

Are the Government aware how old the tanks actually are? Have the Government got that information?

HON K AZOPARDI:

Again, I do not have the A to Z of when the tanks were built, what colour they are and who used them last. I imagine that all of these facts will be laid in front of the UK consultant advising the Environmental Agency. It would seem to me to be an essential element of the evaluation of this matter for those consultants, together with the Agency to ascertain and indeed to sieve through all that information. As I say, their task and the prime consideration of the Government is to ensure that they work well. The fact that they are not new does not mean that they do not meet approved standards. What this process is going to do is to ensure that they meet approved standards, and if they do so, that will be enough for the Government.

HON J C PEREZ:

If and when the sullage plant begins to operate, has the Environmental Agency been notified on how it is expected that the final residue of the plant be disposed of whether in Gibraltar or elsewhere?

HON K AZOPARDI:

There was a discussion the other day just precisely on that matter. The precise details were going to be forwarded to the department. I would have to revert to the hon Member on that issue but I know that we are in contact with the operators to fully examine that.

HON J C PEREZ:

Would the Minister also take note that in Gibraltar the sullage plant is near residential areas, whereas in other places it would not be and that perhaps the operation could

have a secondary effect in Gibraltar, whereas in other operations elsewhere because of the distance from populated areas that factor might not come into play?

HON K AZOPARDI:

I think there have been previous questions to my predecessor on that issue of the environmental impact of the plants when the project was first being considered by the Government and I think we have given answers on those issues. In any event, the Environmental Agency is tasked not only with ensuring that the sullage tanks work and work to approved standards, but also to review the conduct and work of the plant as a whole. So they will be in a position to advise the Government of all those questions and we will certainly consider their advice quite firmly if we receive it.

HON J J BOSSANO:

Can Government say who are the consultants that are going to be retained to do this work in the UK?

HON K AZOPARDI:

The Government can certainly say so, but not today, because I do not have the information with me, but I am happy to inform the hon Member if he is interested on that matter.

NO. 758 OF 2001

THE HON DR J J GARCIA

**DPC - NEW OFFICE SPACE**

Can Government state, of the 18 applications to create new office space given in answer to Question No. 358 of 2001 in February, how many have been approved, how many have been rejected and how many are still pending, listing the addresses of the premises in question and the name of the applicants?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Ten applications have been approved and none have been rejected. The remaining eight are pending. The approved ones are as follows: Suite 6/11 Europort, Suite 9/12B Europort, Suite 731 Europort; there is an extension in Jyske House as well; Unit 97 New Harbours, Suite 913 Europort, Suite 961 Europort and Suite 743/6 Europort. All of those have been approved, together with 17/21 Cannon Lane and 235 Main Street, which has been approved but the permit has not issued yet. Units 20/21 Queensway Quay and Suite 735 Europort. Then there are others that have not been approved as yet. The ones pending would be 3 Library Ramp, Lathbury Barracks, the Queens Cinema, 218 Main Street, 33 Main Street, an application at Eurotowers – I do not have the particular office address. I think I may have given the hon Member 913 Europort as approved, it is pending.

SUPPLEMENTARY TO QUESTION NO. 758 OF 2001

HON DR J J GARCIA:

It might be useful if the Minister would let us have a copy of that. We seem to have 11 on the approved list and seven on the pending.

HON K AZOPARDI:

I have not done a tally but it is in the handwriting of the Town Planner, so I will have to get it typed and double checked. The Town Planner adds it up like that, 10 approvals, eight pending. If I have not given the hon Member that specific tally I will certainly look at that.

HON J J BOSSANO:

Are these all currently residential premises?

HON K AZOPARDI:

No. Very few I suspect are. For example, all the ones that I have given the hon Member in Europort are presumably already office space. As I have explained to the hon Member last time when he put this question about the creation of new office space, we considered new office space in two ways, either change of use applications from residential to office space or vacant space, which was for the first

time going to be used as office space. That is how the planning department interpreted the question.

HON J J BOSSANO:

If there is a void in a building which has never been used, presumably when the building went up it was originally given planning permission on the premise that what was going to fill the voids was already decided. It must have been shown as offices originally. It is just that it has never happened.

HON K AZOPARDI:

I explained all that last time that we took the question, the hon Member has framed the question in exactly the same way as last time. Last time we had the same difficulty in trying to understand exactly what the hon Member wanted. So as not to give the hon Member half the information, we made the point last time that we are giving him the information because we have interpreted what he is asking for as "give me a feel of all applications that there are before the Commission which are in relation to offices." The Government said last time, some of them are change of use in a traditional sense from residential to commercial and some of them are the use of vacant buildings. We have separated it into new build and use of vacant buildings and that same exercise would have to be done today with the matters that I have given him. The hon Member is right. Ostensibly Europort was built for office space and that clearly it is not in the same league as the change of use of a building in Main Street or Cannon Lane, but the Government made that point and distinction last time, but we felt that the hon Member would want the entire information.

HON J J BOSSANO:

We appreciate being given the widest possible interpretation to give us more information, but obviously it would be useful to know whether it so happens that the ones that are given in Europort are voids, or since some of Eurotowers, for example, have got flats, we do not know whether any of Europort was previously residential.

HON K AZOPARDI:

There is only one application at Eurotowers. It is from a well known company in Gibraltar. It may well just be an extension of their premises into other commercial use. It is something that will have to be checked.

HON J J BOSSANO:

When the Minister checks the information, can the Minister identify of the 18, which are conversions from residential and therefore requiring a change of use, which are previously unused voids that are now for the first time being put to use as offices?

HON K AZOPARDI:

I will be happy to give the hon Member that information.

NO. 759 OF 2001

THE HON J J BOSSANO:

**COMMERCIAL BANKS**

What was the level of total liability of commercial banks at the end of March 2001, giving a breakdown of total deposits, balances due to other banks and other liabilities?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Answered together with Question No. 760 of 2001.

NO. 760 OF 2001

THE HON J J BOSSANO

## COMMERCIAL BANKS

What was the level of total assets of commercial banks at the end of March 2001, 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

Total liabilities for commercial banks at the end of March 2001 stood at £5.2 billion approximately. The breakdown of these figures is as follows:

Total Deposits	£2.481billion
Balances from other Credit Institutions	£1.74 billion
Other Liabilities	£65 million
Capital	£911 million

The level of total assets for commercial banks at the end of March 2001 stood at £5.2 billion. The breakdown of these figures is as follows:

Cash	£6 million
Balances with other Credit Institutions	£3.85 billion
Loans and Advances	£1.19 billion
Investments	£6.7 million
Other Assets	£126 million

I should add that the figures are available on the FCS website.

### SUPPLEMENTARY TO QUESTION NOS. 759 AND 760 OF 2001

HON J J BOSSANO:

Do these figures not show that there seems to be very little growth in the deposit base of the Gibraltar banks comparing one quarter with another, compared to the answers given in the last House about the two previous quarters?

HON K AZOPARDI:

The general deposit base of the Gibraltar banks hovers just over £2 billion. That has been the case since Republic National left because they had deposits here of about £3 or £4 million, which was primarily a treasury function. Since then the numbers may just about be the same. I cannot say whether they have slightly grown or not, but the hon Member is correct. On looking at these figures, I think that the deposit base is more or less the same as it was about a year ago. That would be correct since Republic National left.

NO. 761 OF 2001

THE HON J J BOSSANO

**WINE BOTTLING PLANT**

Have Government received an indication of the possible closure of the Wine Bottling Plant?

ANSWER

THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS

Government have received representations from the owners of the Bottling Plant in relation to the commercial difficulties they have encountered. The Government are being kept informed by the owners of the plant of developments as the difficulties encountered emerged entirely outside Gibraltar. Although the closure of the wine bottling plant is possible, it is a matter entirely for the owners of the plant who have confirmed to Government that they are exploring all avenues to avoid this possibility. The owners have indicated that they will revert to Government within a period of three months on conclusion of their review.

SUPPLEMENTARY TO QUESTION NO. 761 OF 2001

HON J J BOSSANO:

When have these difficulties that the plant have been encountering emerged?

HON K AZOPARDI:

The difficulties date back probably for several months, though they were first brought to the attention of the Government in this way, in the sense that the plant was encountering severe difficulties, which made difficult their continued operation, about four or five weeks ago. It has been the implication of their dealings with us that it is not being entirely sound because they have been liasing with Government once or twice to see if Government could suspend the payments of rent or rates and take a view as to other payments due to the Government and enter into arrears agreements and enter into agreements to prolong the payments over a period of time. That was the type of discussion we were having since I have been Minister for Trade and Industry, which suggested that perhaps the company needed some flexibility, did not necessarily suggest to me that they were going to go under, but they did suggest that they needed some flexibility and assistance from Government to continue their operation or to at least have the chance to progress their business in a better way. After New Year and certainly in the last five or six weeks we were then contacted by the company, who said that their difficulties had increased, primarily because the Eastern European market for sparkling wines, which is what they were aiming for, did not materialise. That has meant that they have been now looking at alternative markets and they sought to try to reduce all costs to a minimum by taking the decisions they have at the moment. They want to carry on into new markets and into new products. They promised to try to salvage the business as much as possible and to revert to Government. Their intention is to do as much as they can and they will tell us in the next three months how things are moving along. I cannot give the House more information at the moment as I do not have any more information.



HON J J BOSSANO:

Have any difficulties been as a result of problems with getting supplies across the frontier?

HON K AZOPARDI:

I have a letter from their solicitors in front of me, which does not mention anything about that. Principally, it goes on about the difficulties that they have encountered with their Eastern European markets. It describes the other dealings that they have done, they have tried to do in alternative markets in North Africa and how that has not succeeded. It then goes on to describe their strategy of trying to salvage the business over the next three months and then confirm to the Government that they wish to continue and inform us on a constant basis by that three month period. It does not mention anything else.

HON J J BOSSANO:

What is the nature of the relationship between landlord and tenant, between the Government and the company in terms of the premises? If the company were to close down, would they be required to relinquish the premises to the Government? Is the condition under which they got the lease for the place that they employ an x number of people?

HON K AZOPARDI:

It is the usual practice to have clauses which allow re-entry and repossession and also to have user clauses in the leases. If they wanted to conduct another business, they would have to make an application to the Government for change of use. The Government can then decide whether to grant it or not. If they are not pursuing the business that Government have given consent to, or indeed, if they go into liquidation or otherwise not able to conduct their business, the Government have the right to repossess and to take those premises back.

HON J J BOSSANO:

Do Government know how many jobs would be at stake if unfortunately there was no way of salvaging the plant and it had to close?

HON K AZOPARDI:

I do not have the information exactly with me, but I believe we are talking about 11 or 12 people. When I had an initial discussion with the company and they were mentioning to me that they were contemplating redundancies if this did not work out, I thought that that was the figure that they had mentioned to me. It was certainly under 20. Whether that is the entire complement or not, I suspect it might be. I would have to check that information. If the hon Member wishes to have that information I can certainly request it and provide him with it. I pencilled in a note that there had already been, as part of this process, eight or nine posts, which were laid off with the possibility of re-engagement if the company is salvaged. It may have a running complement which is trying to continue the business for the next period of three months and I should be in a position by then to have all the information as to whether the company has indeed been able to present a suitable and satisfactory salvage operation, and indeed, if so, how many people are affected by any process.

NO. 762 OF 2001

THE HON S E LINARES

**CAMMELL LAIRD TRAINING CENTRE**

Can the Minister for Education state whether there are any contingency plans for apprentices to be able to continue and/or complete courses at Cammell Laird Training Centre should this company suddenly cease to operate in Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

No. The Government intend to ensure that there should be no interruption in the operation of the yard and that is what efforts are currently concentrating on.

SUPPLEMENTARY TO QUESTION NO. 762 OF 2001

HON S E LINARES:

Can the Minister state if the company did leave, could students continue their apprenticeships in our own Training Centre at Europa Business Centre or elsewhere. My worry is obviously if the company leaves. I know that the Chief Minister is hopeful and we are all hopeful that the company will stay, but what if it does not?

HON CHIEF MINISTER:

I understand this is a hypothetical question which is not permitted by Standing Orders.

MR SPEAKER:

That is right.

HON J J BOSSANO:

I take it that the answer that the Government are doing something to ensure it does not close is not a hypothetical answer. Does that mean that the Government are prepared to provide financial support to the company?

HON CHIEF MINISTER:

Nothing that I have given in my answer suggests anything upon which his supplementary is based. That question has not arisen. If the Government were willing to give financial support to the company it certainly would not announce it in advance or in negotiations here in public. The Government's answer is, that they intend to ensure that there should be no interruption to the operation of the yard and that is where our efforts are concentrated at present. How we achieve that is not a matter that needs to be aired in public right now.

HON J J BOSSANO:

If the Government make a statement saying they intend to ensure, rather than they hope or are trying to do something, then this suggests that the Government have got options which they consider will ensure. Intends to ensure gives me the impression that they know they are going to be successful.

HON CHIEF MINISTER:

It should not be necessary, certainly not this early in the morning, to engage the hon Member in a semantic debate. I have said "that the Government intend to ensure", that is one sentence in my answer. The second sentence in my answer was "and that is where the Government's efforts are currently concentrated". If it were a done deal, it would not be a matter of concentrating efforts.

HON J J BOSSANO:

Is it the case that the management of a company in Gibraltar is engaged in negotiations with the parent in the United Kingdom to engage in a management buyer of the local business?

HON CHIEF MINISTER:

I am not willing to say anything beyond what I have already said on this matter at this point in time. The Government will give a full account to the House when facts and events have unfolded and not discussed them hypothetically in advance.

NO. 763 OF 2001

THE HON S E LINARES

**EDUCATION - GIBPUBSAFE**

Can the Minister for Education state what precautionary measures were and are in place in schools in the event of a nuclear incident?

ANSWER

THE HON THE CHIEF MINISTER

The same ones that have always been in place since Gibraltar has been a base for visiting nuclear submarines. No specific precautionary measures have ever been in place in schools in the event of a nuclear incident. However, the GIBPUBSAFE document envisages that schools would be informed of what to do as and when the need arises.

SUPPLEMENTARY TO QUESTION NO. 763 OF 2001

HON S E LINARES:

Can the Chief Minister state if the schools were informed since HMS Tireless has been berthed and repaired here and have the teachers been informed of what they have to do in case of an incident?

HON CHIEF MINISTER:

The answer to that is no and it is implicit in my first answer. The concern expressed by the hon Member suggests a complete misconception about how nuclear incidents arise. The hon Member appears to be under the impression that threatening nuclear incidents occur in the context of a sudden explosion that would give no time for measures to be put into effect. That is not how nuclear incidents occur in water-cool nuclear reactors, which is what submarines contain. It is not the basis upon which GIBPUBSAFE is drawn up either for Gibraltar or for Davenport or for anywhere else. These schemes are drawn up on the basis that incidents in water-cool nuclear reactors, should they ever regrettably occur, occur on a gradually escalating basis, and one gets plenty of notice before there is any danger of an escape of radiation or fusion of particles into the atmosphere. Because that is the scientific fact of life, that is how response programmes are drawn up. Therefore, GIBPUBSAFE envisages on the basis that it is known that there would be plenty of time to do so, to issue the warnings and the instructions when circumstances require in the context of a gradual build up of events, which are capable of leading with the passage of further time, to what the hon Member loosely calls a nuclear incident. Nuclear incidents are not explosions and we are not in the realms of a sudden event. That is not how nuclear incidents derive from water-cooled nuclear reactors.

HON S E LINARES:

Can the Government state when was the last time they updated or reviewed the GIBPUBSAFE document?

HON CHIEF MINISTER:

The GIBPUBSAFE document is constantly under review between the Ministry of Defence and the Civilian Emergency Services in Gibraltar.

HON S E LINARES:

What public consultation has taken place to put together the GIBPUBSAFE document?

HON CHIEF MINISTER:

Much as this Government, contrary to others that preceded it, are committed fans of public consultation, there are certain things in life, which simply do not lend themselves to consultation and responses to nuclear incidents is something that is not capable of being drawn up on the basis of public consultation. It requires, for example, a detailed knowledge of how nuclear incidents occur, of which a considerable degree of lack of knowledge has been demonstrated already here this morning. The Emergency Services in Gibraltar kept employed on a full time basis by the Government, that is to say, the Environmental Agency, the Health Authority, the Fire Brigade, the Royal Gibraltar Police, together with the Ministry of Defence specialist experts in nuclear incident management, are the authorities on this matter. The idea that one consults publicly, as if this were a proposal to change the school hours, with the general public on something as technical and specialist as a nuclear response scheme, is simply not a serious proposition. If the hon Member really means but has not yet found the words to articulate it, if he really means has anybody consulted Mr Joe Bishop, the answer is no.

HON S E LINARES:

What public information has been given of the GIBPUBSAFE document?

HON CHIEF MINISTER:

The same information as has always been available in the 33 years that Gibraltar has been a base for visiting nuclear submarines. That is that the GIBPUBSAFE document is a publicly available document. It lies on the table in the John Mackintosh Hall Library and indeed, if anything, it has in the last year, had a much more extensive public and critical airing than it has ever had before. People in Gibraltar, certainly the hon Member, would be, according to the advise that we have had from our independent experts, mistaken to proceed on the assumption that the current HMS Tireless situation represents greater risk than we have ever and always endured when hosting visits by nuclear submarines in Gibraltar in the past.

HON S E LINARES:

Can the Chief Minister say who was the expert in emergency management within his experts that he contracted?

HON CHIEF MINISTER:

Yes, Mr Davidson. I have seen the use that the hon Members have made of it. There have been no withdrawals or resignations from the panel. NNC Limited represented by Mr Peter Davidson, a senior nuclear safety director, Ove Arup, a specialist firm of engineering consultants included because of their knowledge and

expertise in welding techniques and welding practices and Mr John Large, a notoriously hostile to the Ministry of Defence, United Kingdom expert of international renown on matters of nuclear safety and public safety documents, like GIBPUBSAFE in relating to nuclear safety, who has advised many UK councils, many foreign Governments, many international organisations like Greenpeace and Friends of the Earth, on matters of nuclear safety. The gentleman that the hon Member has in mind, whose name I do not now remember, is a gentleman that was engaged on an ad hoc basis for one part of the panel's work by Ove Arup, as a sub-consultant to them. It is true that in one press release issued by the Government towards the beginning of this, this gentleman was listed as being a separate member of the panel, that was never correct, the panel has always consisted of three gentlemen. They have always been unanimous and the Government have never been faced by the advise of the panel proffered by a simple majority or by any majority.

HON S E LINARES:

Who are the Government representatives in the Gibraltar Liaison Committee, which is stated in the GIBPUBSAFE document?

HON CHIEF MINISTER:

I cannot from memory recall everyone that is on that Committee, but I understand it includes the Chief Fire Officer, I believe it also includes the Chief Environmental Health Officer, I believe there is also a representative of the Chief Secretary. It might even include representatives of the Port Department. If the hon Member wants an accurate list of the composition of that Committee, which I understand incidentally is set out in an appendix at the back of the publicly available GIBPUBSAFE document, but if the hon Member does not want to take the trouble notwithstanding the concern that he appears to be showing of this issue, to go to the John Mackintosh Hall to look it up for himself, I am very happy to try and procure that information for him and provide it to him.

HON S E LINARES:

Yes, I do know who they are. It is the Chief Minister himself who does not know because he has left out a couple of people, like the Commissioner of Police and other people. What worries me is that there is no school authority, nobody from the Department of Education, because in GIBPUBSAFE document, it states very clearly that the school authorities in case of an incident have to stay with the children and they do not rush out to parents. There is also a big problem when it is pick up time in schools, when parents are just directly outside school and children are inside. The GIBPUBSAFE document states very clearly that children should stay with the school authority. What would happen in that case, can the Chief Minister answer that question?

HON CHIEF MINISTER:

It is perfectly clear from that last supplementary that the hon Member has understood not a word that I have said to him in the last 20 minutes. It is not necessary to be the recipient of instructions in the event of a nuclear incident to be involved in the drawing up of the Nuclear Response document. Schools and school children are not the only people that would need to be mobilised and given instructions and told how to behave in the context of a nuclear incident, if it occurred. So why is the hon Member asking that question. Is he not concerned about how the Gibraltar Health Authority deals with patients lying flat on their back, immobile in hospital? Is he not

concerned about who deals with inmates at the KGV Psychiatric Hospital, is he not concerned about who deals with Mount Alvernia and all the immobile elderly persons in Mount Alvernia? Is the hon Member not concerned about who deals with prisoners, locked up in their cells in Moorish Castle? Or is the hon Member suggesting that the Head of all those departments should also be in the Liaison Committee because they are responsible for part of the putting into effect of the plan. It is just not a serious proposition. I have already explained to him that the basis upon which GIBPUBSAFE and all equivalent documents in the United Kingdom, for the United Kingdom cities is drawn up, is on the basis that there is time to issue these advisory instructions or operational instructions to everybody that needs to be informed, and I did not include the Commissioner of Police. I did not exclude the Commissioner of Police from my list. The hon Member asked me who is the representative of the Gibraltar Government, the Commissioner of Police is a member of that Committee in the context of his responsibility for internal security. The Gibraltar Government are not responsible constitutionally for the internal security of Gibraltar. Therefore the Commissioner of Police does not represent the Government of Gibraltar in that Committee, he represents his Excellency the Governor, who is the constitutional authority responsible for internal security here. That is why he was not on a list of names that I gave to him in answer to his question of who represents the Government of Gibraltar on that Committee. I would have thought these things were perfectly clear.

HON S E LINARES:

How many practice drills have been done in conjunction with the hospitals, the KGV, the schools, the prison and Mount Alvernia, with the elderly, with the disabled, St Martins. Can the Chief Minister tell us how many times there has been practices which involves all these agencies, which we are all worried about in case of an incident?

HON CHIEF MINISTER:

The problem with the hon Member coming to this House with a list of prepared questions, probably by somebody else, is that if he is thrown off the scent, he finds difficulty in keeping to his notes. The hon Member's questions continue to be based on the notion of a sudden explosion. I am not going to explain to him again, if the hon Member wants to become knowledgeable about these nuclear issues I am quite happy to impart to him the knowledge that I have acquired during the last year, but I do not have time to do it across the floor of the House this morning. We can get together some other time at his convenience and mine and we can have a long informative chat about it. The fact of the matter is that as he should also know, but apparently does not, the GIBPUBSAFE is rehearsed on what is called a desk top basis annually by all the authorities in something called Operation Rocky Pigeon. I have always thought it to be a particularly unfortunate choice of name for a rehearsal of this document. Still that is what in the past they have chosen to call it and I have never felt strongly enough about it to propose that the name should change. The hon Member may also wish to be aware that I separately from GIBPUBSAFE have had several meetings with all heads of Emergency Services in Gibraltar to satisfy myself, given that I do not attend these exercises, that there is the maximum measure of preparation and co-ordination amongst the authorities for which the Gibraltar Government are responsible, and I would like to thank all those Heads of department that have co-operated with the Government on that exercise and that have shown a degree of professionalism and readiness, which in my opinion, makes it perfectly clear that the decision of successive governments to rely on their own in-house expertise in the Emergency Services and not to proceed on the basis that there is

need for the services of private management consultants in this field is perfectly justified. That the confidence that successive governments have shown in the professionalism of our own Emergency Services is more than entirely justified when it is done by this Government just as it was more than entirely justified and clear to me when the hon Members made the same judgement during the eight years that they were in office.

HON S E LINARES:

The Chief Minister has taken four minutes not to answer my question, so therefore I am going to pose the question again.

MR SPEAKER:

Let us get one thing clear. You ask a question, the other side is perfectly entitled not to answer it if it does not want to. You cannot repeat the question. Ask a different question meaning the same thing, but not repeat the same question.

HON S E LINARES:

In view that the Chief Minister has not answered my question, I will rephrase the question in a different way in order to see if I can get an answer from him. How many times have the different emergency agencies involved practised a routine in order that they can safely take the population of Gibraltar elsewhere or whatever in case of a nuclear incident?

HON CHIEF MINISTER:

It is becoming clear to the Government that one of the problems with the hon Member is that he appears to be interested only in listening to his own question and never shows any interest in listening to the answer. It suggests that the hon Member thinks that the purpose of this exercise is for him to ask the question because he clearly ignores the answer. The Hon Member has engaged on the basis that I have not answered his question, because I have taken four minutes not to answer it. I answered the question with the very first two sentences of my answer. I then extended my answer in order to give him the fullest possible amount of information. If the hon Member wants yes and no answers from me, that is what I will give him and it will mean that we can all go back to our offices much sooner than is the case with the Government's approach to question time, which is to have the fullest exchange of information and views in this House. It seems to me that it is entirely wasted on the hon Member. If there is an answer that comprises more than two sentences, the hon Member forgets the information contained in the first sentence and then accuses me of not having given it. My first answer was that there are annual desk top rehearsals of the GIBPUBSAFE document by Emergency Services under an operation called Rocky Pigeon. That is a complete answer to his question.

HON S E LINARES:

Will Government be updating and looking at re-writing the GIBPUBSAFE document?

HON CHIEF MINISTER:

I do not believe that that is a supplementary to anything that the hon Member has asked so far. If the hon Member wants to engage me in a debate on all aspects of Gibraltar's exposure to the nuclear industry, I am perfectly happy to do that. As I



have said to him before, the GIBPUBSAFE document is a document that is kept constantly under review. The Government of Gibraltar have no reason to believe that the GIBPUBSAFE document is in need of a major review of the sort that the hon Member has suggested in his question. It is not a document that the Gibraltar Government are capable of re-writing on their own. It is a document which primarily belongs to the Ministry of Defence in which civilian entities take part. The document is constantly under review and I have no doubt that both the civil and the MOD authorities will take into account in the context of any future reviews, any issues, any points that might have arisen during the last year, which they consider necessary to be taken on board in future reviews of GIBPUBSAFE. The hon Member should be aware that the sort of repairs that are taking place in Gibraltar and which he suspects requires major changes to GIBPUBSAFE take place routinely and much more serious repairs of actual intervention in the reactor itself, take place on a routine basis. We have not discovered sliced bread. There is not a new situation that requires a new form of public safety document. It is the first time that it has happened in Gibraltar and rightly in my opinion, caused the measure of public concern and the measure of public interest that it has generated. It would have been extraordinary if it had not. It is the natural concern that occurs when something happens for the first time and a very different thing is the rational scientific assessment of whether that event requires a major overhaul of a document that exists elsewhere for similar situations.

HON S E LINARES:

Is the Chief Minister aware that the GIBPUBSAFE document has been totally discredited by experts?

HON CHIEF MINISTER:

The hon Member would have to give me details of the experts and then of course everyone else would have to form a view of the competence and qualification of those so called experts in expressing a view on nuclear safety response documents. Earthquakes and volcanic eruptions are not the same as nuclear incidents. So that sceptics like the hon Member could draw comfort from the Government's panel of nuclear experts - I regret that it appears not to have had this effect on him, as it appears to have had on a large proportion of the population in Gibraltar - the Government have included in it not establishment poodles that might have been suspected to go along with whatever advice was necessary to allow the MOD to have their way, but precisely people that are known for their critical approach to all these things, for example, Mr John Large. The panel of which Mr Large forms part has advised the Government that GIBPUBSAFE is perfectly adequate and appropriate for the risks that are involved in the context of these repairs to GIBPUBSAFE and with respect to any other expert, self-appointed, general or otherwise, local or international. When one chooses a panel of experts who are renowned for their expertise specifically in this field, it would be a fool that disregards that advice in favour of someone whose credentials in the nuclear industry or people whose credentials in the nuclear industry are completely undemonstrated.

ORAL

NO. 764 OF 2001

THE HON J C PEREZ

**NON-RECOGNITION BY SPAIN OF 350 CODE**

Can Government state whether the European Commission has now indicated their readiness to initiate legal proceedings against Spain for their non-recognition of the 350 code?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 765 and 766 of 2001.

ORAL

NO. 765 OF 2001

THE HON J C PEREZ

**TELEPHONE NUMBERING PROBLEM**

Can Government state whether the European Commission themselves have recently proposed an interim solution to the telephone numbering problem?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 764 and 766 of 2001.

NO. 766 OF 2001

THE HON J C PEREZ

**NON-RECOGNITION BY SPAIN OF 350 CODE**

Do Government continue to agree that the adoption of the UK 0044 international telephone code for Gibraltar is only acceptable if granted as interim relief during the course of legal proceedings by the European Commission against Spain for their non-recognition of the 350 code?

ANSWER

THE HON THE CHIEF MINISTER

By letter dated 7<sup>th</sup> June 2000 the European Commission invited the United Kingdom and Spanish Governments to find a negotiated solution to the problem of Spain's non-recognition of the 350 code. Although the United Kingdom and Spanish Governments have met for such purpose, no solution has been found. The European Commission is monitoring the situation but has still not taken the decision to initiate legal proceedings against Spain. The Government, together with the telecommunications operators in Gibraltar, continue to press the EC Commission to initiate such proceedings.

The Commission can only formally propose interim measures if it first commences legal proceedings, on the substance of the case against Spain. Since it has not commenced such proceedings, it has not been able to propose any formal interim measures.

The Government's position insofar as the question in No. 766 of 2001 as to the acceptability of 0044 under these circumstances, remain as stated in this House in answer to Question No. 391 of 2001.

SUPPLEMENTARY TO QUESTION NOS. 764 TO 766 OF 2001

HON J C PEREZ:

Is the Chief Minister aware of the discussions being held between the United Kingdom and Spain over the attempt to solve the problem and can he state whether the UK position is now in line with that of the Gibraltar Government or they are still adopting the one that he referred to in this House previously, which was different to the one of the Government of Gibraltar?

HON CHIEF MINISTER:

I cannot recall exactly what I may have said in supplementaries on the last occasion about these differences, but let me explain to the hon Members what the UK's position now is and the hon Member will be able to judge whether there is a change or not in the UK's position from the one I last described to him. The United Kingdom have now adopted a position paper as their policy on the matter, which enjoys the approval and support of the Gibraltar Government and which was arrived at in discussion with the Gibraltar Government. That is namely that we are willing to offer 0044 only for calls from Spain, given that calls from Spain are not currently accessed

by 350 anyway. The offer is also on the basis that it is without prejudice to the complaints of the telephone companies that wish to pursue it on the 350 issue. This is not at a political level definitive of the issue. The position that the UK have now formally adopted is the one that the Gibraltar Government have expressed publicly, that is, that we are willing to support, that we are willing to see implemented and that is namely the adoption of 0044 for calls from Spain only to Gibraltar, not for calls from the rest of the world to Gibraltar.

HON J J BOSSANO:

This is not what the Government said was their position in the last House of Assembly Meeting and which the Government have repeated today continues to be their position, which was that as far as the Government were concerned, moving away from the 350 would only be acceptable as interim relief consequent upon the obligation of Spain to use the 350 being tested in Court. Today the formulation seems to be that it is acceptable as a bilateral agreement between the United Kingdom and Spain in the absence of court proceedings, which of the two is it?

HON CHIEF MINISTER:

Everything that the hon Member has just said is not correct. I have explained to his hon Colleague, I do not know whether the hon Member was not listening, that 0044 from Spain was on the basis that it was without prejudice to the ability of the companies to continue with their litigation. The Government of Gibraltar and the Government of the United Kingdom are not parties to any litigation in relation to the establishment of 350 in any court or in any legal proceedings. The only entity that has initiated or is trying to have initiated formal legal proceedings on this issue are the two telephone companies pursuant to their complaints to the European Commission and I have explained to the hon Member that even the 0044 calls from Spain only would not be on a basis that was definitive as to the issue and that the companies must remain free to pursue their complaints through that litigation if that is what they choose to do.

HON J J BOSSANO:

There is absolutely nothing wrong with my hearing. What I am saying to the Chief Minister is that the position that he has just explained is not the position that he gave this House the last time the question was put. The last time the Chief Minister said that the option of the 0044 was only acceptable to the Government as interim relief and his formulation of it today is not that it is interim relief but that it is a political agreement between the United Kingdom and Spain, which we understood was not previously acceptable to the Government from the nature of the answer given previously and that the companies are going to be free to pursue the case. Presumably neither the Government of Gibraltar nor the Government of the United Kingdom can politically instruct the companies not to pursue. The only way that the companies will not pursue their claim would be on the basis of the Government using their position as shareholders in the company, not because anybody can tell any other institution in the UK or anywhere else whether they can test their rights in court. The Chief Minister cannot possibly misunderstand what I am asking. I am saying, "Is it no longer the case that the position of the Government of Gibraltar is that any deal done with Spain has to be the result of us seeking interim relief because of the time that it will take?". That were precisely his words in this House. It is recorded in Hansard and the position, as the Chief Minister explained it was, that obviously if we go to court tomorrow, 'we' meaning the companies or whoever goes to court, we are not going to get the court saying "yes you are right, you are entitled to 350", because

that would be winning the case outright. Then he told us, in that instance what one does is one asks the court for interim relief until a final decision is taken, and it is on that basis and only on that basis that we would accept the use of something which would automatically disappear once a final ruling was made. It seems that it is no longer the position or is the Chief Minister saying that that formulation and what he said today are the same thing, because they do not sound the same to me?

HON CHIEF MINISTER:

Of course they are not the same thing. It is not that they are not the same thing for the reasons that the hon Member is describing. The hon Member appears not to have taken on board the fact that there is no litigation afoot, that there is no legal rights that the telecom companies can have as a matter of choice of theirs or of the Government. Only the Commission is entitled to commence legal proceedings. If the Commission do not choose to commence legal proceedings there will be no legal proceedings upon which or in which anyone, and it will have to be the Commission, can seek interim relief. This is not a question of compromising existing litigation initiated by civil parties in a court in which it has a right to initiate litigation. The telephone companies have got no right to initiate action against Spain or Telefonica or anybody else in the European Court of Justice or anywhere else. Only the Commission has the power to initiate legal action against Spain on this issue. If the Commission choose, for reasons that we would regard as indefensible, not to initiate legal proceedings the question of interim relief or whether the relief is interim or not interim or the conditions of the relief simply never arise, we are not even in the ballpark of interim relief as there is no litigation because the only party that can commence the litigation has chosen not to commence. It is true that if the Commission make a when and if, but of course life is never that simple, it is true that when and if the Commission make a formal decision not to take action, the complainants can then take the Commission to the European Court of Action for what is called an action for failure to take action. In other words, a citizen can sue the Commission, it takes seven or eight years, but the procedure exists, a private entity can sue the Commission for their failure to take action in circumstances in which the complainant believes they should have taken action. That is itself an even more complicated form of legal procedure that takes even longer. The hon Member must be aware that there are consequences to the telephone problem that require urgent solutions. Therefore if the Commission does commence legal action, everything that I said to the hon Member last time from the exchange that he is recalling, and he is recalling it accurately insofar as what he has said, remains true. If the Commission initiates action against Spain which has to be obtained from the court by the Commission itself, is interim in the litigation and the 0044 solution in whatever form it emerges will be interim in that litigation. The litigation will not come to an end, it will have to go on to resolve the issue. But if the Commission do not take action and there are politically acceptable solutions, then the Government would be foolish not to facilitate those solutions.

The position of the Government, and the hon Member knows that the Government are under a lot of pressure from some sectors of the community to pursue a different position, but the position of the Government is that we are not willing to give up 350 in respect of any country that can presently access Gibraltar through 350. That is not the case with Spain. In giving up, in saying to Spain, we will accept that callers from Spain only may telephone Gibraltar by dialling 0044, given that callers from Spain dialling Gibraltar or ringing in Gibraltar presently do not use 350, that what they use is a Spanish prefix, we see it not as surrendering 350, which is currently not in use for calls from Spain, we see it as swapping a Spanish code for Gibraltar in favour of a British code for Gibraltar and the Government see absolutely no political harm in that,

indeed the Government think it is a considerable improvement on the 1982 situation. Frankly, if the hon Member stills subscribes to the political theories that appeared to drive him when he was in political office, that one can hold out regardless of the cost to Gibraltar in other aspects of life until ones opponent lowers his pants to his ankles regardless of whether ones opponents are bigger or more powerful, that is not an approach that Gibraltar can survive. Gibraltar has got to be pragmatic on matters that do not raise fundamental issues and hold firm on issues that do raise fundamental issues. That is the Government's approach to life and it will continue to be the Government's approach to life in Gibraltar regardless of the hon Member's very different views. I know that the hon Member has got very different views, but he will forgive us for deploying in Government our views and our style and not to be driven by the hon Member's views, which incidentally have been rejected by the electorate twice now.

HON J J BOSSANO:

Independent of whether the electorate has rejected that or not rejected that, the point is of course that if we have different views in which we believe firmly and honestly is in Gibraltar's best interests, then we have an obligation to continue to defend it. I do not see why incidentally that it has been rejected would lead the Chief Minister to expect that I should drop my convictions because they have been rejected, maybe he changes his convictions from time to time to sail with the wind, but I do not. Maybe that is also one of our differences. I do not want to divert from the subject of the question but since the Chief Minister constantly makes these asides, they cannot remain unanswered. As far as I am concerned, this is not a debate about our differences in terms of our outlook on life, it is about whether the position of the Government today is the same as the position was the last time the question was answered and it would appear not to be the same. If the last time we did not know who was going to drop their pants and now we know that the bigger fish have not dropped their pants, either everybody is still wearing their pants or the Chief Minister is now pantless.

HON CHIEF MINISTER:

The position is that everyone is still wearing their pants. It is not a question of the Government expecting the hon Member to abandon his convictions given that they have been rejected by the electorate twice, indeed it suits the Government right down to the ground that he should not abandon his convictions for that very same reason. One thing is that the hon Member should not abandon his 30 year old convictions, even though the world has changed in the meantime and a quite different thing is for the hon Member to expect the Government to adopt his convictions. The hon Member can keep his convictions for as long as he likes. He can continue to articulate them and make them the basis of his political philosophy. What he cannot do, and this is all I am suggesting to him, is expect the Government to adopt them as their approach. That is all I am saying. I would be most grateful to the hon Member if he would keep his convictions and continue to express views based on them. The last thing that I would like to do is to encourage the hon Member to mend his ways.

I do not accept, returning back to the substance of the question, that the Government's position has changed. Although the Government's position has not changed, the hon Members should not deduce from that, that the Government is not willing to change their position when it requires the interests of Gibraltar to require it. Inflexibility of mind and lack of open mind, which is not something that prudent governments should suffer from, because what then happens is that bigger and bigger holes are dug, not just for the Government but for the whole of the community,

and that is not, in my judgement, the function of a prudent government. What the hon Member can rest assured is that the Government's line on 0044 has not changed. I do not know of anybody that would regard as lowering his pants swapping the current status, which are for calls from Spain, Gibraltar is part of the Spanish numbering plan and part of Spain telephonically, and swapping for that, not in respect for the rest of the world that reach us on 350, but only to the extent that Gibraltar is part of Spain for telephone purposes, namely for calls from Spain, to swap that situation for being part of the United Kingdom for telephone purposes, far from being regarded by the good citizens of Gibraltar as being lowering ones pants to ones ankles, most people would regard it as raising ones pants to ones forehead, because most people in Gibraltar would prefer to be part of the United Kingdom for telephone purposes than part of Spain. That is why, as the Government have said publicly on numerous occasions and I am surprised that the hon Member should now be challenging the Government, we have made public statements, detailed public statements setting these things out, it has not attracted this response from the hon Member, this is not a new position that I am describing. The Government have set out this position carefully in answer to a public statement made by the President of the Chamber of Commerce, when he suggested that perhaps we ought to accept the 0044 from the whole world. These points have been made before. They are not new and I have tried, obviously I have not succeeded, but I have tried to explain to the hon Member the distinction between what the Government's position would be in terms of interim relief if litigation is started, but we are not there yet because litigation has not been started, and I would ask the hon Member to accept that it does not lie in the gift either of the Government or of the telephone companies to initiate litigation. If it did we would have done so already. If the Commission is not persuaded to initiate legal proceedings, there are no legal proceedings and we just suffer the current telephone problems through lack of roving agreement including non availability of telephone numbers, including now the latest manifestation on it the least cost routing thing. We continue to suffer that indefinitely and forever more and that is not a position that the economy of Gibraltar can sustain.

HON J J BOSSANO:

The problem with trying to get the Government to give information is that it is quite obvious that instead of simply giving the information that is being sought, there are all sorts of attempts at red herrings. This is not an issue whether we want to be part of Spain or part of the United Kingdom. The people of Gibraltar are not being asked to choose. I certainly had no part in the decision in 1982 to become part of the Cadiz numbering plan. I voted against it. I was not as pragmatic as the Chief Minister is. If I had been pragmatic in 1982 or if he had been here in 1982, he might have voted in favour because that was the pragmatic thing to do then because then in 1982 the Government of the day thought that 30,000 numbers were so many that they were being realistic and said, it is better to get the numbers and they will never run out. I am not asking the Government to adopt my policies or the policies of the Opposition or the views of the Opposition because I respect that the Government have a right to have a different view. If I try to persuade them is because I think their view is wrong and ours is right in Gibraltar's interests, not because I want to win an election or I want to lose an election or anything else. I know that there are people who hold the view that prefer the Chief Minister to be sitting there and for me to be sitting here, but it is not a view to which I subscribe. I do not know whether he subscribes to that view or not given his close association with a particular periodical that says that all the time. The point is that the formulation that has been made publicly by the Chief Minister was a formulation that at the time when it was made public we questioned publicly whether it was still the same position. If I ask the Chief Minister whether it is not indicative that he is the one that has dropped his pants and not the others, it is



only because he has raised the issues of pants dropping not us. If he comes and tells us "what do you expect me to do, if I have got two big powers dealing with me, do I follow your example and keep my pants on in the hope that they will drop theirs?", the inevitable logical conclusion to which he seems to be pointing us is that the realistic pragmatic modern thing to do is to measure the size of the opponent before deciding whether one keeps ones pants or one drops them.

HON CHIEF MINISTER:

Absolutely.

HON J J BOSSANO:

Unless they shrank in size, one can assume the inevitable consequence. If that has not happened, the position of the Government is that this is a very good thing to do. That it is better to have a 0044 for Spain only than to have a Cadiz number because this makes us more British. Well look why have we waited for the crisis, why did the Government, convinced of this wonderful result, promote it without waiting for litigation, without waiting for the Commission, without waiting for the numbers to run out. I cannot understand it. It is quite obvious to me that the philosophy of the Government, given the commitment that they have to perception as opposed to reality is that rather than defending honesty as I would expect the Chief Minister to do on the basis of saying, "you may have one view of hanging in there and fighting your corner and I have the other view, that that is okay up to a point, and then the point is reached when the price is too high and we feel then we have to review the situation and if we need to give ground we will give ground", which is one way of defending it. The Chief Minister said that that was his position and also that his position is that it is a wonderful beneficial thing which is better than what we have today. The two cannot be true because if one is holding on to what we have today, why hold on to something that is inferior, either one is holding on to something and decide to give up because of force majeure, which we may have different views on but at least we can understand or one does not want to have the Cadiz code, one wants the 0044 and therefore ones position ought to be, this is what we want because we prefer it. Therefore, irrespective of whether Spain gives us more numbers or does not give us more numbers, this is what we want, the 0044 for Spain, because it is objectionable to us to use the Cadiz number. We could have been doing that, if the Chief Minister thought it was such a good idea since 1996. The point that I am trying to make is if in fact the Government have shifted from the answer that they gave in No.129 of 2001, because the Government see the prospects of the Commission doing anything about it looking less realistic and the position is no longer what he told us then, which was interim in the legal action yes, interim in a political process no, I think we are now talking about interim in a political process. I would put it to the Chief Minister that if the Commission is reluctant to proceed with the legal action against Spain, is it not an unreasonable assumption to say, they are less likely to be enthusiastic if they think we have now got the problem solved because we have gone passed their obstacles created by Spain, then if they have got the pressure of saying this is contrary to competition rules, Spain is acting in a way which damages the Gibraltar economy. Presumably once Spain can call Gibraltar using the 0044, there will be no damage to the economy. That pressure will no longer be there.

HON CHIEF MINISTER:

I had hoped that the hon Member would have had a greater understanding of the reality of this situation by now than that. I have told the hon Member in his original answer to his Colleague, that the Commission, the same Commission that has to

decide whether it is going to initiate action or not, is the one that said to both the UK and Spain, "you must try and resolve this matter". It is therefore obviously prudent not to be seen by the Commission as the one that is being unreasonable and ignoring their call to an attempted settlement and one improves ones chances rather than worsen ones chances of the Commission taking action if one is seen by the Commission to have been the one that has tried to go along with what they have set out which was an attempt to negotiate a solution. The United Kingdom and Gibraltar in response to that specific call by the Commission proffered this 0044 from Spain only in these bilateral meetings between the UK and Spain in order to demonstrate that the Gibraltar and UK sides were willing to be reasonable in the response to the call by the Commission for a settlement. If the Gibraltar side or the UK side had said, I am sorry, never mind your letter of the 7<sup>th</sup> June, "I am not willing to engage in an attempt to resolve the matter", not that the Gibraltar Government ever had any confidence in the ability of that process to arrive at an acceptable solution, but it was nevertheless thought tactically important to be seen to be reasonably engaged in satisfying what the Commission have set out it wanted to see happen before it took a decision. That is the context in which this UK position paper that I described to the hon Member 20 minutes ago arose, that is the context in which the Gibraltar Government have agreed to the 0044 for calls from Spain only and it certainly, in the Government's judgement, does not involve any lowering of pants and it is not a question of whether, it is not a question of hanging on to what we have got, we want to hang on to what is good of what we have got and we are willing to give up what is bad of what we have got. What is good of what we have got is that we have got our own code for the rest of the world and that we want to keep. What is bad of what we have got, and I am not suggesting that the hon Member had been responsible for the Cadiz number, I do not think that anything that I have said could possibly have been interpreted in that way, but still he chose to clarify the point for the sake of the record, that is the hon Member's right. What is bad about what we have got in a theoretical political sense is, the hon Member agrees it is bad and he was in office for eight years and did not try to do anything about it. The reality of life is that established practices and established systems only get looked at for the possibility of change when they become problematical. During the eight years that the hon Member was in office, I do not know whether towards the end of it the numbering plan was moving its head or beginning to move its head at the lack of numbers, but during the eight years that the hon Member was in office, even though he had voted against the Cadiz numbering plan back in 1982, the fact that he had voted against the Cadiz numbering plan in 1982 did not lead him during the eight years that he was in office to resurrect the matter and to say, given that I have voted against this in 1982, now that I am in Government and in a position perhaps to try to do something about it, I am going to raise this issue so that we are no longer part of the Cadiz numbering plan because the reality of life is that these things only get addressed when they become problematical. It is in that context that the Government of Gibraltar have adopted a position, which is, I would have thought one to which the hon Member could subscribe. That is, we want to keep what is good of our telephone system, the 350 for the rest of the world, and we are willing to make compromise in what is in any case bad of what we have got, and the compromise that we are willing to make upon what is bad of what we have got, is that we stop being part of the Cadiz numbering plan, which he voted against in 1982 and that only in respect of calls from Spain, we become part of the United Kingdom, which in 1982 the hon Member was advocating presumably as part of the Integration with Britain Party, unless he had already given that up. I would have thought that given that in 1982 the hon Member voted against the Cadiz numbering plan, presumably because it linked us to Spain....

HON J J BOSSANO:

No, because I wanted the 350.

HON CHIEF MINISTER:

And the hon Member then wanted integration with Britain, that he should now have no difficulty subscribing to the Government's position, which is, let us give up our telephone links with Spain, in terms of being part of the Cadiz telephone area, in favour of being reached through the United Kingdom. The Government's position therefore is keep what is good, even though we are under extreme pressure to give up that which is good and willing to make compromise on things which in any case we regard as not a desirable situation, because it makes us part of the Cadiz numbering plan. I cannot tell the hon Member as of today where that situation lies. The United Kingdom has taken away this position months and months ago. They are engaged in bilateral discussions with Spain, they appear to have reached nowhere. We are now writing directly to the Commission urging them to take action, bringing to their attention the dire situation in Gibraltar on this issue and we sit here waiting to see whether either the Commission acts or whether the UK paper prospers in its bilateral relationship with Spain. At the moment neither of the two is happening. The bilateral process is not delivering and the Commission is not taking action either, so we are putting pressure on both sources. We are putting pressure on the United Kingdom, I have just come back from briefing MPs. Since we were last in this House, I have had dinner with 28 Members of Parliament, mainly to bring them up to date on this issue and we are now writing directly. I think I have written to the Commission, the three Commissioners, four or five times in the last four or five months everytime I get a batch of letters of complaints from businesses saying my callers cannot reach me. That is as much as the Government can do without rushing to do what we have been urged publicly to do from some quarters of Gibraltar, unhelpfully given what is happening elsewhere, which is to rush directly into capitulating to the abandonment of 350.

I do not know whether the price through inactivity of the United Kingdom and through inactivity of the Commission, I cannot judge right now whether the pain and cost, in terms of economic consequences to Gibraltar of maintaining that line, will become so acute and unsustainable that it may not be necessary at some future time to say, we have no alternative but to capitulate. What I think is singularly unhelpful is for people to be urging that on the Government publicly now, which is being read in Spain and consumed in Spain at a time when the Commission and the United Kingdom are alleged to be involved in a process, which would deliver much more favourable results to Gibraltar than that. All it does is encourage people to hold out until the moment when we have no alternative but to capitulate, because at the end of the day, I do not know whether the position of the hon Member, given the views that he has expressed is such, that he would rather preside over the total collapse of whole sectors of the economy of Gibraltar rather than give ground. It is an issue which we will have to debate in this House if and when it arises. All the Government are saying is that public comments of the sort that have been made from two quarters in Gibraltar on this issue make it more rather than less likely that we should have to have that debate at some stage in the future because it just seems to weaken Gibraltar's hand in the Government's attempt to obtain a more favourable result than that. Regardless of the question of whether the hon Member thinks we changed the position that we had since the last time that he asked that question, regardless of that issue, I would have thought that the position that the Government are currently adopting on telephones, I would have thought that it was one to which the hon Member could subscribe.

HON J C PEREZ:

If this formula is so desirable and so good, if this formula of having the 0044 for Gibraltar for incoming calls from Spain only is so good, how is it and if this is not a change of policy on the part of the Government, how is it that in a Government of Gibraltar telephone numbering issue information bulletin, obviously having been prepared by the Office of the Chief Minister, it says and I quote "As a possible temporary solution representatives of the EU at a meeting with Gibraltar's Chief Minister asked him to consider the use of the United Kingdom's 44 IDD code. This would make Gibraltar part of the UK numbering plan. The operators decided to accept reluctantly the proposal but only for calls from Spain as all other countries already recognise the 350 code. This is the desirable solution." The desirable solution was rejected by the Chief Minister, however the Government of Gibraltar informed the EU that they were not prepared to accept this solution for political reasons and asked the EU to press for full recognition of the 350 code. This is what the position of the Government of Gibraltar was at the last meeting of the House when it was raised and now it has changed and now the Chief Minister has accepted what he refused then. The Chief Minister can say that the policy is that he wants to be pragmatic and change his position. What the Chief Minister cannot say is that he has not changed his position, that everybody else is wrong, that we are extremists to believe what we believed with him two month's ago and he now says that he is being reasonable. If the Chief Minister is being reasonable today, according to his judgement, he was being very unreasonable two months ago.

HON CHIEF MINISTER:

The hon Member cannot be that disingenuous or so incompetent. Does the hon Member think that public affairs can be conducted on the basis of revealing from the very first day what ones bottom line is and it is not so long ago that the hon Member was a Trade Unionist, I know he still regards himself as a Trade Unionist but nobody else regards him as a Trade Unionist. The hon Member cannot have forgotten from his days negotiating with the Union, that when one is engaged in a process of this nature involving the Spanish Government, the United Kingdom Government and the European Commission, that one does not go blundering in on the first day with what might be the position that one eventually will be willing to accept. If that is the hon Member's view of how these things are conducted, I do not know the paper that he is actually reading from. It does not reflect meetings at which I was present except a meeting that I attended in Brussels with Mr Templelang at which my recollection of the meeting is that what was then offered as an interim solution was 0044 from the whole world. I remember saying if I accept 0044 from the whole world as an interim solution, first of all the litigation will never be initiated and secondly it will be an interim solution that would become permanent. Something that people in Gibraltar are now recommending and which the Government are still resisting. The hon Members being the inflexible creatures that they all appear to be, they appear to think that even if there were a change of position, that this is wrong. It is necessary in life to change ones position and government's change their position all the time. The hon Members are the only inflexible close mind dinosaurs, who think that it is actually possible to maintain a position intransigently, inflexibly, regardless of the consequences and that Government do not as a matter of normal routine in the management of public affairs allow themselves a degree of room and margin for manoeuvre in which we set the outside parameter as being manoeuvred within a parameter that does not compromise any of Gibraltar's fundamental interests. The hon Member can judge the Government as he pleases favourably or disavourably when this matter is resolved. What I think will be a matter of considerable interest to a very large sector of this community is what appears to be implicit in the hon

Member's exposition of this matter which is that regardless of the economic consequences to Gibraltar, they would not be willing ever to adopt a position different to one that they may have articulated, it does not matter how many years ago. That is the position that is implicit in the hon Members and it is that degree of mental inflexibility and political inflexibility and out of touch with the realities of life that has already once caused the hon Members to bring this community to the brink of calamity. Fortunately the people of Gibraltar recognised this shortcoming of the hon Members and did something about it. So the hon Members will forgive me if I do not allow them to lure me into the same political defect as characterised of the eight years that they were in office.

HON J C PEREZ:

If the Chief Minister thinks that being consistent to the truth is being a dinosaur then so be it. I am a dinosaur. He is certainly not one. Let me say that the Chief Minister has said that in negotiation with the Union one does not give up all one's cards. My point is that if he has got to say something to this House, he should not then mislead the House and tell me that the position of the Government is one when he is using the House to send a particular message so that later he can adapt his position, which is what he is saying he has done. Whatever the Chief Minister said in that notice and I have told him what he said in that notice was the position that he explained here in February at the last Question Time, he said "the hon Member should know that in Union circles you do not always adapt your position". The Chief Minister could easily have stood up in the House, as he has done with other things, and said "the situation is a sensitive one, I do not want to give information at the moment" and hold his position, but he has not. He has taken one position in February, another one now and because he is trying to justify his change, and at the same time saying that he has not changed. The use that the Chief Minister is making of this House is incredible.

HON CHIEF MINISTER:

The hon Member's outburst is based on a fallacy that the Government do not accept and that is that there has been a change in the Government's position. There has not been a change in the Government's position. I would like the hon Member to identify the documents from which he claims to be reading so that we can study it. Whatever that document says, the suggestion by the hon Member that assuming that his analysis of the position is correct and on that assumption he bases an accusation that the Chief Minister has misled the House, well I think that that is an outrageous abuse of the procedure of this House. The hon Member on the basis of his interpretation of an alleged inconsistency, it would have to be two things that I have said in this House, that on an alleged basis on that, on his assessment of those events, there has been an inconsistency and that therefore if there has been an inconsistency on the basis of his interpretation of the facts, there must have been a misleading of the House. Misleading this House is something that the hon Members perfected over eight years in Government and I sat in that bench for four years, lack of information, lack of explanation. The hon Members perfected the art of marginalising this House, of treating this House with contempt and of rendering this House a practically irrelevant institution in the democratic light of this community. This Government stand here answering their 358 questions, which incidentally are only ever repetitions of the questions they asked three months ago, nevertheless every three months we answer the photocopy of the questions so that they can brag. Nevertheless because the Government think it is important that this institution the Parliament should adopt a primary role in the democratic process in Gibraltar. We answer all the questions, we answer the questions extensively, that then encourages

the hon Member to stand up and say it has taken me four minutes to answer the question, as if the hon Member preferred that we only took 4 seconds. Fine if that is what the hon Members prefer we can consider that approach, the result would be much less accountability, much less information in this House, much less debating in this House on issues of public importance. The hon Members are trying to give the impression that the Government's position on the telephone matter has changed and I am telling the hon Members that although we fully reserve the right to change the position if we judge the interests of Gibraltar to require it, it actually has not happened yet and we are trying to conduct this matter in a way which minimises the prospects that we might have to change our position. That is all that I am saying to the hon Member.

MR SPEAKER:

One more question, one more answer. This is no longer a question and answer. It is a debate.

HON J J BOSSANO:

I am sorry Mr Speaker, but it is only a debate to the extent that we are required to defend integration, whether we are dinosaurs, whether we are still trade unionists, all of which has nothing to do with the numbering plan. If the Chief Minister limited himself to factual replies to factual questions instead of converting virtually every question where he feels he is vulnerable to having his judgement questioned, which he seems to resent. Nobody is seeking to insult him or call him names. All we want to do is point out to him where the differences between the Government and the Opposition lie. We are entitled to have differences or is that not permitted either? The democratic element in the Chief Minister's position sometimes stretches one's attempt to make allowances for the difficulties of being in Government to the limit. The Government have just told us that the UK/Gibraltar proffered this 0044 for Spain only solution in response to the letter from the Commission of the 7<sup>th</sup> June last year. Can we know when they proffered it and to whom they proffered it?

HON CHIEF MINISTER:

Yes. It was formally proffered in a paper that was drawn up for the first time in August last year and which has been revised by the United Kingdom following the first round of bilateral discussions with Spain. The paper was recast to take account of developments in January and both papers were provided by the British Government to the Spanish Government and I believe also to the European Commission. What I cannot give the hon Member is exact dates of when that happened but in the context of both those processes.

MR SPEAKER:

That is it, one question, one answer. We have got to get on.

HON J J BOSSANO:

Mr Speaker, with all due respect. This is information that I am seeking and I am not diverting from the original. I cannot help it if the Chief Minister spends a long time talking about lots of other things. I really would like to have further information.

MR SPEAKER:

One more question, one more answer. We have got to carry on. In the mother of Parliaments, there are only two supplementaries.

HON J J BOSSANO:

The mother of Parliament may have as many or as few supplementaries as they want, but the point is that I have now been given information, which is new, which is that the paper was produced in August last year and recast in January. I think it is legitimate to ask whether the 0044 for Spain only was in the original version or in the recast version?

HON CHIEF MINISTER:

I cannot accurately answer that question. From memory I believe that aspect of it has been in both, but I would have to check that and I cannot be held by that answer. I would ask the hon Member to bear in mind, he is presuming I suspect that he is presuming from his last intervention that the Government of Gibraltar are the source of the 0044 call from Spain only proposal and he should not make that assumption. The fact that the Gibraltar Government accept and adopt it and are willing to accept it in the context of a solution does not necessarily mean, which I suspect he may be presuming, that the initiative emanated from the Gibraltar Government.

NO. 767 OF 2001

THE HON J C PEREZ

**GIBRALTAR ISSUED DRIVING LICENCES**

Can Government state what action they have taken over the last reported case of non-recognition of a Gibraltar issued driving licence by a Spanish policeman?

ANSWER

THE HON THE CHIEF MINISTER

On the 4<sup>th</sup> April 2001, the Gibraltar Government met with the relevant EC Commission official and fully appraised him of these isolated but unlawful and unacceptable incidents. As a result of that meeting a full documented dossier of the instances that have occurred is being prepared for submission directly to the Commission by the Gibraltar Government. The Government are also giving active consideration to sponsoring a direct legal challenge to this behaviour.



NO. 768 OF 2001

THE HON J C PEREZ

**GIBRALTAR ISSUED DRIVING LICENCES**

Can Government state whether the Foreign Office have now received a satisfactory reply from the Spanish Government over complaints of non-recognition of Gibraltar issued driving licences approved by the EU?

ANSWER

THE HON THE CHIEF MINISTER

Gibraltar's two current forms of driving licences are apparently neither approved nor disapproved by the EU. Nor are the driving licences of any other part of the European Community. However both our forms of licences feature on an EC Commission list of licences that all Member States are obliged to recognise and accept. The Gibraltar Government regularly raise with Her Majesty's Government the issue of the unlawful non-acceptance of Gibraltar issued licences by rogue Spanish Civil Guards. If the Foreign Office have received a satisfactory answer from the Spanish Government, they have not yet communicated it to us.

SUPPLEMENTARY TO QUESTION NO. 768 OF 2001

HON J C PEREZ:

The question arises out of the last exchanges where the Chief Minister said that the replies received until now had been unsatisfactory and that the Madrid Government seemed not to be acting on the complaints received by the Foreign Office, that is the reason for the reply. The Chief Minister is saying that nothing new has happened and in the previous question that the Gibraltar Government are now taking it up directly with the EU Commissioner. Is that the position?

HON CHIEF MINISTER:

The position is as I have stated it and not as the hon Member has inaccurately summarised it. I have not said that nothing new has happened. I have not cast it in that language. What I have said is that if the Foreign Office have received a satisfactory answer from the Spanish Government, they have not yet communicated it to us. Certainly we are not aware that there has been a satisfactory answer from the Spaniards.

HON J C PEREZ:

Something new could have happened, but if it has happened, the Chief Minister has not been informed by the Foreign Office, and in the meantime he is taking the matter up directly with the EU Commission. That is then the official position?

HON CHIEF MINISTER:

Absolutely. If they have received a satisfactory answer from the Spanish Government, they have not yet communicated it to us.

HON J J BOSSANO:

If the previous answer from the Spanish Government was unsatisfactory, was it unsatisfactory in the judgement of the United Kingdom Government or in the judgement of the Gibraltar Government?

HON CHIEF MINISTER:

The United Kingdom Government do not describe things very often neither as satisfactory or unsatisfactory. The people who come to that judgement are invariably in Gibraltar. The position of the Spanish Government appears to be that even though they have views about the licence in the context of the EU and whether it is compliant or not compliant, even though they have a view about that, there is no policy of putting those views into practice on the side of the road. It is also true that when, what I call in my answer rogue Spanish Civil Guards, nevertheless subject GBZ licence holders to the sort of unacceptable treatment that they are being subjected to from time to time, that when the United Kingdom raises it with Spain, the result appears not to be that the practice stops. Both of those things are true and that is the position. To me a satisfactory answer is that the practice should stop. It would not even be a satisfactory answer for the Spanish authorities to agree with me that these are the actions of rogue policemen, because that would not be of any great consolation to the people who get held up on a Sunday afternoon. So the only acceptable solution, the only satisfactory solution to the Gibraltar Government is that this behaviour should stop. We have not seen anything that gives us any degree of satisfaction that this behaviour is going to stop and there is never going to be another incident.

HON J J BOSSANO:

Has there been at least acknowledgement by the Government of Spain in response to the Government of the United Kingdom representation that it should not be happening, or have they not even done that?

HON CHIEF MINISTER:

There has been acknowledgement that it is not the policy of the Government that it should happen, even though they have views about the licensing issue generally.

HON J J BOSSANO:

They have views which are not supportive of the licences but they have not issued instructions to the civil guards?

HON CHIEF MINISTER:

That is what they say.

NO. 769 OF 2001

THE HON J C PEREZ

**EEC - COMPETENT AUTHORITIES**

Can Government state whether the United Kingdom have now informed the European Commission that the Captain of the Port is the competent authority in Gibraltar for the purpose of applying Council Directives 93/75 EEC and 98/55 EEC and if so, whether this now appears in the list of competent authorities published by the Commission?

ANSWER

THE HON THE CHIEF MINISTER

Government can confirm that the Commission was notified on 24<sup>th</sup> April 2001, of Gibraltar's competent authority. This will presumably appear on the Commission's list next time a revised version is published.

SUPPLEMENTARY TO QUESTION NO. 769 OF 2001

HON J C PEREZ:

Would the Chief Minister know when the revised version gets published. Is it an annual event?

HON CHIEF MINISTER:

I do not know but I will try and find out for the hon Member. There are different regimes under different directives, some actually provide for the frequency of re-publication of the list, others are just done at the administrative discretion of the Commission. I cannot tell the hon Member which category this one falls in.

NO. 770 OF 2001

THE HON J C PEREZ

**POST OF PERSONNEL MANAGER**

Have Government now decided whether they intend to fill in the post of Personnel Manager via internal recruitment or by someone from outside the service?

ANSWER

THE HON THE CHIEF MINISTER

Needless to say it is the Government's very strong preference to fill this sensitive post from within the service. Government would only consider recruiting outside the service in the extreme circumstance that the needs of Government could not be met from within the service. That is not currently the case.

SUPPLEMENTARY TO QUESTION NO. 770 OF 2001

HON J C PEREZ:

Is it not the case that the post has been advertised once already and that there were no applicants from within the Service?

HON CHIEF MINISTER:

No. This is a tape recording of what we exchanged between us in March when we were last in this House. I do not mind repeating the position. The position is not that there were no applicants, the position is that there was one applicant but he was judged not to satisfy the qualifications and experience. Therefore there were in effect no applicants who met the qualifications specified, but it is not that there were no applicants. I also told the hon Member at the time that the Chief Secretary was engaged in a process, and I cannot tell the hon Member at what stage that process is at an administrative level, to see whether the functions currently carried out by the Personnel Department could be restructured in a way that would facilitate the apparent difficulty in recruiting somebody with the right qualifications to the post of Personnel Manager as it is currently constituted with the responsibility that it currently has.

HON J J BOSSANO:

There is an acting Personnel Manager now. Does he not have the right qualifications?

HON CHIEF MINISTER:

Yes indeed. There is an acting Personnel Manager, in my opinion, he has all the qualifications. From what I have seen of him, it seems to me anyway, that he has all the technical qualifications and indeed experience, but he does not wish to apply for the post as it is presently constituted. The Government are not minded to forcibly

transfer somebody to a post at that level which they do not want to do. In any case it is a senior officer post and this person is not a senior officer. I do not think one can force people to accept a post on promotion, even if it were desirable to try, which in my judgement is a matter of management. It is never desirable even if one has the power to do it.

NO. 771 OF 2001

THE HON J C PEREZ

**GIBRALTAR DEVELOPMENT CORPORATION**

How many people have been recruited into the Development Corporation in this financial year giving a breakdown of the posts and the area of employment?

ANSWER

THE HON THE CHIEF MINISTER

There has been no recruitment in the current financial year.

SUPPLEMENTARY TO QUESTION NO. 771 OF 2001

HON J C PEREZ:

When the Chief Minister talks about the current financial year does he mean the one starting on the 1<sup>st</sup> April, not when the question was put?

HON CHIEF MINISTER:

It is the 3<sup>rd</sup> May now. If the hon Member checks when the question was put, he will find that the question was put during the current financial year, after the 1<sup>st</sup> April. The current financial year means the current financial year and given that he asked the question after the 1<sup>st</sup> April, it means the same to both of us.

HON J C PEREZ:

Could the Chief Minister have possibly thought that I meant the other year and has he got the information available in supplementaries to give me for the year 2000/2001?

HON CHIEF MINISTER:

I have far too much to do to add to my considerable responsibilities, the almost impossible task of fathoming out what might be in the hon Member's mind. Given the outburst that we have had during the last House about the Government not sticking to the question and the Government not giving out factual information, I am sure the hon Member will forgive me if I say that there seems to be an element of inconsistency here. I do indeed have the information in respect of the previous financial year, but it is not the answer to the question that he has asked. On the assumption that the hon Member graciously, or even ungraciously as appears to be the case, accepts that he made a mistake in formulating his question, the information that is not sought in his question relating to the last financial year, is that in the last financial year, as opposed to the current one, 30 persons were recruited into the Gibraltar Development Corporation, 28 permanent or contract staff and two temporary staff.

HON J C PEREZ:

Would the Chief Minister have the breakdown of posts and the area of employment?

HON CHIEF MINISTER:

Yes, I do.

HON J C PEREZ:

Is this information which the Chief Minister is graciously willing to impart as well?

HON CHIEF MINISTER:

The Government take the view that they have an obligation to impart information and therefore whether I do it graciously or ungraciously is irrelevant. I have an obligation to impart information whether it comes graciously or not. In fact, as the hon Member must have deduced after opposing us for five years in this Parliament, the hon Member must know that we graciously and willingly give information to the Opposition Members indeed in greater quantities than they seek. Unfortunately, as it is not the information that the hon Member sought in his question, I do not have it in a form that I can just hand over to him here and now. I have it in the form of information to me, but it is too voluminous to read out, too many details. So what I will do is that I will have this information translated into a letter addressed to the hon Member, which I will have sent to him at the earliest opportunity.

NO. 772 OF 2001

THE HON MISS M I MONTEGRIFFO

**TRANSFER OF BOATS AT WESTERN BEACH TO COALING ISLAND**

Can Government give an indication as to when they can expect the transfer of boats at Western Beach to the area of Coaling Island to commence?

ANSWER

THE HON THE CHIEF MINISTER

The position remains as explained in answer to Question No. 403 of 2001.

SUPPLEMENTARY TO QUESTION NO. 772 OF 2001

HON MISS M I MONTEGRIFFO:

Which means that discussions are progressing well and if they are progressing well, at least can the Chief Minister confirm that this will happen?

HON CHIEF MINISTER:

The position remains as explained in answer to Question No. 403 of 2001.

HON MISS M I MONTEGRIFFO:

Yes, but I have Question No. 403 of 2001, and it says that discussions are progressing well. As a result of the answer that he has given, I am asking whether the Chief Minister can give a commitment that the transfer will take place.

HON CHIEF MINISTER:

If in answer to Question No. 403 of 2001, I told the hon Lady that discussions with the MOD had progressed very well and there is the outline of an agreement in principle, implementation requires discussion with a third party and these are now also progressing well and I tell her that the position remains as set out in answer to Question No. 403 of 2001, then she should deduce from that that the discussions are proceeding well. Is that not exactly what my answer means? I do not know why she wants me to use a different language.

HON MISS M I MONTEGRIFFO:

Because sometimes it is so difficult to capture the meaning of what the Chief Minister says that I just wanted to get a categorical yes or no.

HON CHIEF MINISTER:

If it is difficult to capture what the Chief Minister says it means, it must be because the hon Lady has a problem in understanding. No-one has ever accused me of being inarticulate to the point of not making myself understandable. I am sorry that



the hon Lady should have difficulty in understanding what I say. I will try to be more articulate when I talk to her in the future, so to facilitate her understanding.

HON MISS M I MONTEGRIFFO:

In view that all Opposition Members seem to have the same problem can the Chief Minister be more articulate now by saying whether he can give a commitment that the transfer of the boats will occur during this year?

HON CHIEF MINISTER:

The Government give political commitments to the electorate in their election manifesto. What the Government are committed to, to the electorate, is contained in the election manifesto upon which the Government were elected. The Government do not give political commitments to the Opposition.

HON MISS M I MONTEGRIFFO:

Can the Chief Minister say whether his Government will honour the commitment that he gave in his election manifesto to the electorate?

HON CHIEF MINISTER:

The Government work very hard to honour all their commitments contained in the manifesto, and indeed I am delighted to tell the hon Lady that the Government are ahead of schedule in delivering our political commitments contained in the 2000 election manifesto. There are from time to time - I do not think this is going to be one such case - circumstances outside the control of Government that prevent us from honouring manifesto commitments. On the occasions where that happens it is up to the electorate to judge what they believe the electoral consequences should be of any such failure.

NO. 773 OF 2001

THE HON DR J J GARCIA

**GIBTEL LEGAL CASE**

In relation to the Gibnet case, can Government say whether the final total cost of the legal action is now known, listing the bills that have been received from their legal advisers, giving the dates and amounts involved and showing which have been paid and which remain outstanding?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 774 of 2001.

NO. 774 OF 2001

THE HON DR J J GARCIA

**GIBNET LEGAL CASE**

Can Government say whether any compensation has been paid, is owing or has been claimed by Gibnet as a result of the legal action against the Government, if so, how much and when was that paid?

ANSWER

THE HON THE CHIEF MINISTER

The final cost of the Gibnet legal action is not yet known. As stated in answer to Question No. 419 of 2001, the Government have received bills from their legal advisers of a total of £176,649.54 for work carried out in relation to the case. No further bills have been received after 1<sup>st</sup> February 2001. The extensive, factual and statistical information requested by the hon Member in the other part of his question is set out in the written schedule that I will now hand to him. All these bills have been paid. As has already been explained Gibnet submitted their bill of costs for the proceedings at the Supreme Court and Court of Appeal which totalled £117,802.68. The Costs Judge has allowed costs of £101,486.77 to Gibnet. Gibnet has filed a claim for damages in July last year, but that claim has not been proceeded with and my understanding is that it is intended not to proceed with.

Answer to Question 774 of 2001

The bills were;

Hassans:

Bill dated 26/3/99	-	£22,996.02
Bill dated 6/7/99	-	£16,954.69
Bill dated 30/9/99	-	£15,112.50
Bill dated 20/3/00	-	£38,522.90
Bill dated 5/5/00	-	£8,835.00
Bill dated 13/7/00	-	£26,171.22
Bill dated 27/9/00	-	£21,513.11
Bill dated 1/2/01	-	£10,017.10

O'Connor (Brussels):

Bill dated 16/5/00	-	£407 approx. (24,454 Belgian Francs)
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Michael Llamas:

Bill dated 27/9/00	-	£9,620.00
Bill dated 29/1/01	-	£6,500.00

NO. 775 OF 2001

THE HON DR J J GARCIA

**EEC - TAXATION OF SAVINGS INCOME**

Can Government say what views, if any, they have put to the British Government on the application to Gibraltar of the future directive on the taxation of savings income and what is the position of the British Government?

ANSWER

THE HON THE CHIEF MINISTER

Directives apply to Gibraltar automatically as they will to the rest of the European Community. It is proposed that this directive will allow three existing Member States to enjoy – what we regard – as beneficial transitional provisions. The Gibraltar Government's position is that Gibraltar should also be allowed to enjoy such transitional provisions. The UK will not benefit from these transitional provisions and have not sought to do so.

SUPPLEMENTARY TO QUESTION NO. 775 OF 2001

HON DR J J GARCIA:

Can the Chief Minister explain to the House what the position of the British Government is in relation to this request for a transitional period?

HON CHIEF MINISTER:

I suppose that by now the hon Member will have seen the Government's consultation paper on all these matters. The issue is dealt with there. The position of the British Government to date has been that as the United Kingdom are themselves not seeking to benefit from these transitional provisions, they do not think that Gibraltar can either.

HON J J BOSSANO:

When they say that they do not think that Gibraltar can either, are they saying that it is not possible because of the nature of our membership of the European Union as a territory for whose external relations they are responsible or that they do not think we should have it if they do not?

HON CHIEF MINISTER:

They have never actually articulated the basis for that position but I think it is as much the latter as the former.

HON J J BOSSANO:

Is the position then that the matter is now closed and the United Kingdom have no intentions of pursuing it or is the debate between GOG and London still open?

HON CHIEF MINISTER:

I cannot say whether the United Kingdom are proceeding on the basis that the debate is closed. The debate is certainly not closed as far as the Gibraltar Government are concerned and we are conducting ourselves on that basis. Namely, that the debate is not closed. The realities of life are being pointed out carefully to the British Government.

HON DR J J GARCIA:

Are the Government aware whether the British Government have replied or taken on board that view in relation to this future directive? There was a council meeting of ECOFIN on the 2<sup>nd</sup> March 2001, and several statements were made by some of the Member States. One of those made by Luxembourg, which presumably is one of the ones claiming the transitional period for themselves, is, and I quote from the minutes, "Luxembourg considers that these conclusions can only be included in the directive if it is ensured that they are applied in a strictly identical fashion to the associated or dependent territories and to States with which the Commission and the presidency should engage in negotiations with the view to adopting equivalent measures". Does the Chief Minister have any information to the view and position of the British Government in relation to that statement?

HON CHIEF MINISTER:

That statement is not as transcendental as the hon Member might think. The Feira Agreement itself which constitutes the political agreement in relation to this directive may contain what are called sequencing provisions. All this is perfectly explained in detail in the Government's consultation paper, but the Feira Agreement contains what are called sequencing provisions. This means that the 15 Member States have agreed between themselves that they would not unanimously as is required adopt this directive unless certain third countries and certain associated territories of Member States have adopted – in the case of third countries equivalent provisions and in the case of overseas territories or associated territories the same measures. The sequencing provisions are "this is what we want to achieve, but we will not adopt it for ourselves unless there are six countries, the United States, Switzerland, Liechtenstein, San Marino, Andorra, Monaco, unless they agree and commit themselves beforehand to adopting equivalent measures, equivalent as opposed to the same." Equivalent meaning measures that achieve the same objectives even though they might be different measures. In respect of the associated territories, which includes overseas territories, colonies, crown dependencies and whatever the other constitutional status might be of the Dutch territory and things like that, they have got to commit themselves to accepting the same measures and if those two things do not happen, then under the Feira Council Agreement, these measures will not be adopted by the community for itself either. Gibraltar is in a slightly different position because we are not in this directive by virtue of being an associated territory of the UK. Under the sequencing clause we are the only associated territory of the UK, whether overseas or crown dependency, that would be bound by this directive because of our status in the EU regardless of the sequencing clause. Luxembourg is one of the Member States that would benefit from this transitional provision. But the clause, the declaration that the hon Member has read out as having been made by Luxembourg, does not refer to the transitional arrangements. It applies to the whole measure including after the transitional arrangements.

HON J J BOSSANO:

Given the obstacles that exist the indications then are that it does not look as if agreement in this directive is imminent. This could be quite a lengthy process?

HON CHIEF MINISTER:

Yes indeed. It is not a forgone conclusion. There is a considerable amount of political hostility even amongst some Member States to this directive. For example, the position of Luxembourg, Belgium and Austria, is that we will veto this unless those countries and those territories that we have just been discussing agree to do the same. It is not a forgone conclusion that all those countries are going to agree to fall into line. The United Kingdom will try to persuade their overseas territories and their crown dependencies, so it is not a forgone conclusion. There is more because this directive is part of the so called Monti package. The other parts of the Monti package include the EU code of conduct and business taxation. If this part of the package does not go through, there are Member States that say that they will not allow the rest of the package to go through. If this directive goes down the code of conduct itself may go down, none of which is to be confused with the OECD Report, which is a very different matter.

NO. 776 OF 2001

THE HON DR J J GARCIA

**OECD TAX INITIATIVES**

Are Government in a position to say how they intend to reposition our finance centre and reshape our tax laws and administrative practices to ensure the continued prosperity of a competitive finance centre in Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

The position remains as stated in answer to Question No. 417 of 2001.



ORAL

NO. 777 OF 2001

THE HON DR J J GARCIA

**OECD TAX INITIATIVES**

How many reports on the Government's position in relation to the various international tax initiatives have been printed, where were they printed and when did this come out to tender?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 778 to 782 of 2001.

NO. 778 OF 2001

THE HON DR J J GARCIA

**OECD TAX INITIATIVES**

How many parties have been sent copies of the Government's report on their position in relation to the various international tax initiatives, and can Government provide a copy of the list?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 777 and 779 to 782 of 2001.

NO. 779 OF 2001

THE HON DR J J GARCIA

**OECD TAX INITIATIVES**

What was the cost of producing, printing and distributing the Government's report on their position in relation to the various international tax initiatives, and can Government give a breakdown of the sum?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 777 to 778 and 780 to 782 of 2001.

NO. 780 OF 2001

THE HON DR J J GARCIA

**OECD TAX INITIATIVES**

What formal and informal mechanisms to enable interested parties to express their views and ideas on the various international tax initiatives do Government intend to establish?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 777 to 779 and 781 to 782 of 2001.

NO. 781 OF 2001

THE HON DR J J GARCIA

**OECD TAX INITIATIVES**

How many joint working groups do Government intend to establish as part of their announced consultation mechanism in respect of the international tax initiatives and can Government list the intended composition and terms of reference of each?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 777 to 780 and 782 of 2001.

NO. 782 OF 2001

THE HON DR J J GARCIA

## OECD TAX INITIATIVES

Can Government list the important compliance requirements that remain undetermined in relation to the OECD and other international tax initiatives?

ANSWER

THE HON THE CHIEF MINISTER

Five hundred copies of the Government's report and consultation paper have been printed. The contract for the design and production of the booklet was given to Copywrite. There was no tender process for this particular contract given the shortness of time available. The document has been sent to all licensed financial services institutions. The external cost of producing the document was £850 – I would like the opportunity to check and confirm that figure, it seems very low to me. Distribution was done by the Government. Individual or firms within the Finance Centre may meet with the Finance Centre Director to express or discuss their views. Views may also be submitted in writing. In addition, Government will be holding meetings with sector associations and with the Finance Centre Council. When it comes to making decisions on which specific remedial actions to adopt Government will form working groups. It is not yet possible to give details of these working groups. The issues that remain undetermined by the OECD relate to the scope of application of the report, the exact meaning of the ring fencing criteria, the exchange of information model and grand-fathering rules.

## SUPPLEMENTARY TO QUESTION NOS. 777 TO 782 OF 2001

HON DR J J GARCIA:

Can the Government confirm, when the Chief Minister in his forward to the report highlights the fact that these joint working groups are to be established, that the position is that the Government do not actually know what the groups are yet and what they are going to be involved with, what their terms of reference are or who is going to be on them?

HON CHIEF MINISTER:

That is correct.

HON J J BOSSANO:

Does the report that the Government produce actually propose any action to deal with the perceived dangers of this international initiative or does it just point to the dangers and invites comment?

HON CHIEF MINISTER:

I am sorry that the question reveals that despite the considerable effort that we have put into drafting the Leader of the Opposition has not yet found the time to read it. I

think that it is important that the Opposition should read it and if they have not received a copy, then I will certainly be happy to send them one. It is an extraordinarily informative analysis of each of these initiatives, how they represent a challenge to Gibraltar, which of our current laws and practices will be in breach of it and would have to be changed. It is a worthwhile educational informative document and I would encourage the hon Members to try and find the time to read it and if they have not had copies directly from the Government I will see to it that they receive copies, with the caution please that it does not suit Gibraltar in terms of our international Finance Centre marketing and projection for this matter to be debated publicly at this stage. This is why the distribution of the document has been kept to within the industry. In answer to the hon Member's question, which I say reveals that the hon Member has not yet had time to read it, because in my preface one of the things that I say is that the document does not identify remedial actions, first of all because it is not necessary at this stage in the context of the programme and timetable, which is also set out in there. Secondly, that the finalisation of the remedial action is not possible given that there are still these four areas, which I have given in my answer where the OECD yet has not fixed the goal posts. The criteria not yet determined. The position is that the Government have done a fair amount of thinking and preparatory work and research and exploration around what are the possible causes for remedial action but that it is not possible to finalise this, at least to the point where it is possible to go public on that, because some of the obstacles have themselves not yet been fixed by the OECD. That is part of the process that we are currently engaged in, in the bilateral discussions with the OECD, as is Jersey and Guernsey and many other of the territories, precisely to try and pin the OECD down in respect of some of these undetermined issues so that when we do make the commitment and we do start the detail planning, we know what we are planning around.

HON J J BOSSANO:

I can confirm that we have not been provided with a copy of the report and therefore I have not studied it.

HON CHIEF MINISTER:

The Hon Dr Garcia has studied it.

HON DR J J GARCIA:

All that is available is the preface. We have not seen the report itself.

HON CHIEF MINISTER:

The preface has not been separately published.

HON J J BOSSANO:

The Government have not provided the Opposition with a copy of the report, let us put it this way, therefore, we are asking questions without the benefit of having read the report. But can I ask, is it then that the Government have already got a view on the areas which are not still to be decided? That is to say, the impression that I have been given is that there are a number of areas he mentioned, the scope, the ring fencing, the exchange of information and the grand-fathering rules are still not totally clear what it is that the OECD is looking for. Presumably there are other areas which are not unclear or is it that it is all unclear?

HON CHIEF MINISTER:

No. These areas are absolutely key to the planning. For example, the extent and meaning of the ring fencing criteria and what is acceptable and not acceptable to the OECD by way of eliminating what they call ring fencing is absolutely fundamental to the design of a remedial action plan. The ring fencing criteria means in a nutshell that one cannot ring fence one's domestic economy from concessions and concessionary tax regimes that are available to the non-domestic economy. The extent to which we plan around that so that we can continue to have a finance centre in Gibraltar depends on fixing exactly what is acceptable and what is not acceptable to the OECD by way of complying with that criteria. The Government have broad ideas in terms of how these initiatives could be dealt with given the information that we already have. The process that we are now engaged in is to make sure that when the detail emerges, it will not derail those broad directional strategies that currently exist.

HON J J BOSSANO:

Is it then that, for example, in ring fencing the broad ideas have to be put to the OECD to get a reaction from them because each jurisdiction has to have their own tailor made response to the ring fencing depending on the nature of the mechanism it has?

HON CHIEF MINISTER:

The OECD report requires all of the territories to submit to the OECD what is called an implementation plan. The published date is 31<sup>st</sup> December 2001, but there has been an unpublished extension to that. The actual deadline for the submission of the implementation plan is actually going to be 30<sup>th</sup> July 2002. Yes, each territory has got to submit to the OECD an implementation plan setting out how they intend to eliminate those harmful tax practices which have been identified in respect of it. Each jurisdiction on the list has been put on the list of territories which the OECD regards as tax havens because of the existence in them of certain regimes. They are not the same. In our case it is the exempt company, the qualifying company et cetera, et cetera. In the case of Cayman Islands it is something else. In the case of Jersey it is something else, but what we have in common is that we each have some aspect of our tax regime that they have judged to be harmful. The solutions are necessarily different for each territory although the objective and the result has to be the same. Namely, in terms of ring fencing, that there should be no ring fencing of one's domestic economy in other ways. That there should be no discrimination against one's resident taxpayers in that one denies them access to regimes which are available to non residents.

HON J J BOSSANO:

Am I correct in thinking that this only applies to corporate taxpayers not to individuals, the OECD?

HON CHIEF MINISTER:

The report on its face says that it applies to what is called "Business Entities". It has recently transpired from discussions that have been held with the OECD that they believe that in the case of savings instruments it may apply to non business entities.



That is why one of the items on the outstanding list of issues is the scope of application of the report.

HON J J BOSSANO:

If it did apply to savings instruments for non business investors, would that not cover the same ground as the directive of the EEC that may not materialise?

HON CHIEF MINISTER:

It would indeed cover part of that ground. It is something which is positive for us because if we end up having to do something because a directive applies to us, it suits us that our competing finance centres are bound by the same regime through the OECD. That aspect of it is actually positive to Gibraltar. It brings the rest of them into the position in which we might find ourselves under the directive either before if we do not get it or after we do get it the transition period.

HON J J BOSSANO:

Given that the directive might never happen from the answer to the earlier question, are we not as likely to finish up having to do it, not to go on the black list even without the directive. Our competitors in the EEC are not on this list of tax havens are they?

HON CHIEF MINISTER:

The hon Member is drawing me further than I would wish to be drawn publicly at this stage. It is true that no EU Member State is on the list of originally 35 tax havens, but as members of the OECD, all of them except Luxembourg, has signed up the report and is therefore committed to implementing it. Luxembourg has abstained. The consequences of not implementing the report are the application of a common framework of defensive measures, namely, sanctions. This very issue is known as the level playing field issue and one of the issues that is under discussion with the OECD, not just by Gibraltar but by all the other serious centres that have not yet given the commitment and possibly also the not so serious centres, is to ensure that all OECD member countries and non OECD member countries either comply or will face the same sanctions. In other words, this is not a set of rules for the 35 territories and that everybody else carries on making hay. That is known as the level playing field issue.

HON J J BOSSANO:

In terms of the broad ideas that the Government already have, which could be finessed when they get detailed responses, are these going to be discussed with the people who have been sent the report or are the discussions going to be limited to the reactions to the report?

HON CHIEF MINISTER:

No. Can I suggest to the hon Member whilst he gets the whole of the report that at least he borrows from Dr Garcia the preface, which he already has because these issues are covered directly in the preface. This is an information and consultation report about the threats and challenges themselves and we are inviting feedback comments on that. The preface also says, and it was the subject matter of Dr Garcia's original question or perhaps the first or second supplementary, that in addition to that we would be setting up consultation and working groups with the industry in relation to the remedial action as and when that begins to take shape

following the settling of the outstanding issues. They are different issues. One is feedback on the report as it now is and a separate exercise is consultation on the remedial measures.

HON J J BOSSANO:

My question is, in that consultation process in the second stage, will the Government be putting to the different groups their own broad ideas or will they just be pursuing what has been the initial response of these groups in further depth? Are they going to be spelling out their ideas at some stage within these groups to the people in the industry?

HON CHIEF MINISTER:

That is exactly what I have just told the hon Member, the preface says, the Government are going to do. We are going to be consulting on the proposed measures that the Government are contemplating or will be contemplating implementing.

ORAL

NO. 783 OF 2001

THE HON DR J J GARCIA

**CASEMATES DEVELOPMENT**

Have the Fine Arts Society and The Arts and Crafts Association now accepted the offer of Units 13B, 14B and 15B of the Casemates Development?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 784 of 2001.

NO. 784 OF 2001

THE HON DR J J GARCIA

**CASEMATES DEVELOPMENT**

When is Unit 18B at the Casemates Development going to be put out to tender?

ANSWER

THE HON THE CHIEF MINISTER

The acceptance of the offer of these Units by the Fine Arts Society and the Arts and Crafts Association has never been in doubt. What remains outstanding are administrative issues such as who will sign the leases, how the premises will be run and managed et cetera. Unit 18B will be advertised shortly, as well as Units 21B and 6E.

SUPPLEMENTARY TO QUESTION NOS. 783 AND 784 OF 2001

HON DR J J GARCIA:

Can the Chief Minister expand on Units 12, 21B and 16. Are those also Units that have been handed back or are the Units going to be used for some other purpose and the Government now intend to put them out to tender?

HON CHIEF MINISTER:

Presumably the hon Member refers to Units 21B and 6C, not 12 as he erroneously said. I do not have the numbering plan at Casemates in my head. I know that one of the Units on the corridor upstairs was not taken up and I do not know which is the other one. I am told that there are three Units. I think that 6E may be one of the Arcade Units in the tunnel. There is a Unit upstairs, there is a Unit in the Arcade and I do not know which is the third Unit.

HON DR J J GARCIA:

In relation to Question No. 783 of 2001, the Arts and Crafts Association and the Fine Arts Society, can the Minister say when it is expected that these administrative issues will be resolved?

HON CHIEF MINISTER:

It is in their hands. The Government are not raising any obstacles. They are not Corporate entities, they are volunteer organisations, they do not have a formal structure. They are getting their act together, so to speak, and as soon as they are ready the Government will just transfer it to them.

ORAL

NO. 785 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR BUSINESS EXPENDITURE SURVEY**

At what stage is the production of the Gibraltar business expenditure survey input/output study 2000?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 786 and 787 of 2001.

ORAL

NO. 786 OF 2001

THE HON DR J J GARCIA

**GIBRALTAR BUSINESS DEVELOPMENT SURVEY**

What is the exact number of questionnaires on the Gibraltar Business Development Survey input/output study 2000 that were sent out to each sector, and what was the exact number of returns from each sector?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 785 and 787 of 2001.

NO. 787 OF 2001

THE HON DR J J GARCIA

# **GIBRALTAR BUSINESS DEVELOPMENT SURVEY**

What payments have been made to date to those producing the Gibraltar Business Expenditure Survey input/output study 2000?

ANSWER

THE HON THE CHIEF MINISTER

The consultants confirm that the model is well on the way to completion and estimate that it is now around 75 per cent complete.

The consultants confirm that, as explained in answer to Question No. 577 of 2000, 500 questionnaires were handed out to businesses throughout Gibraltar during the visit by the data collection team in May 2000. It is not possible to say exactly how many were given out by sector since some of the questionnaires completed by businesses and associations were composite questionnaires. As further explained in answer to Question No. 170 of 2001, around 50 per cent of the companies targeted have responded. In terms of a breakdown by sector, the consultants confirm the following number of returns:

	<u>No. of Returns</u>
Manufacturing	7
Electricity and Water	3
Construction	5
Wholesale	7
Retail	35
Hotels	3
Restaurants	13
Transport	132
Communications	3
Financial Intermediation	21
Real Estate & Business Activities	24
Government & Welfare Services	1
Other Services	7
<b>TOTAL</b>	<b>261</b>

The cost to date of the Gibraltar Business Expenditure Survey Input/Output Study is £49,938.

## SUPPLEMENTARY TO QUESTION NOS.785 TO 787 OF 2001

HON J J BOSSANO:

Is it on the results of these responses that the model is going to be constructed, which will be used to calculate the National Income figures for Gibraltar?

HON CHIEF MINISTER:

I understand that there are nearly 7,000 tourist expenditure questionnaires, which will also be inputted into the model. I assume that with that caveat the answer to the hon Member's question is yes. I have not yet seen the draft model or been briefed about how it has been arrived at. Therefore, I cannot with any degree of reliability answer a question to what eventually should be the composition of the model. But when I know it I will certainly let the House know.

HON J J BOSSANO:

Were the questionnaires the same for all the sectors?

HON CHIEF MINISTER:

I do not know.

HON J J BOSSANO:

Would it be possible to be provided with a copy of an unused questionnaire?

HON CHIEF MINISTER:

I will ask the consultants. I really do not think it is appropriate to expose the machinery or methodology of how this exercise has been carried out, whilst it is being carried out. When the model has been produced and published, if the hon Member then wishes to be critical or not about how it has been arrived at, I think that will be the appropriate time for the hon Member to ask questions including documentation, about how it has been constituted rather than at this stage when the process is still on-going. It is not something that the Gibraltar Government are doing. As the hon Member knows we have recruited people that hold themselves out as experts in this field and I suppose that they know what they are doing.

HON J J BOSSANO:

I am not passing judgement on their expertise. What I am asking is if it is possible to get a copy of the questionnaire that has been distributed so that we can see what are the nature of the questions that people are being asked to answer. It is not a secret document.

HON CHIEF MINISTER:

I will find out. I am sure the hon Member could get it anyway from one of the recipients.

HON J J BOSSANO:

They have to be returned.

HON CHIEF MINISTER:

No doubt they keep copies.



NO. 788 OF 2001

THE HON DR J J GARCIA

**MEETING WITH THE GOVERNMENTS OF JERSEY/GUERNSEY**

What was the cost, with a breakdown, of attending the meeting in London with the Government's of Jersey and Guernsey on 9<sup>th</sup> April 2001, what was on the agenda and what were the results?

ANSWER

THE HON THE CHIEF MINISTER

The information as to cost is not yet available to the Government. It is inappropriate to give a public account of confidential discussions between Governments, especially on sensitive issues. But, as has already been reported in the press, the purpose of the meeting was to exchange views on the OECD Report on harmful tax practices and to co-ordinate positions in relation to the giving of commitments to the OECD.

SUPPLEMENTARY TO QUESTION NO.788 OF 2001

HON J J BOSSANO:

Following that meeting is there now a common position between ourselves and the Crown Dependencies on the response to the OECD?

HON CHIEF MINISTER:

There is a very large measure of common ground.

NO. 789 OF 2001

THE HON DR J J GARCIA

**VISAS FOR NON-EU NATIONALS**

How many visas for Non-EU Nationals wishing to travel to Gibraltar have been issued at the British Consulate in:

- (a) Tangier
- (b) Casablanca

On a monthly basis since February 2001 inclusive?

ANSWER

THE HON THE CHIEF MINISTER

The extensive, factual and statistical information requested by the hon Member is set out in the schedule that I now hand to him.

Answer to Question 789 of 2001

The number of visas issued to Non-EU Nationals by the British Consulate General in Casablanca and the British Consulate in Tangier since February 2001 inclusive is as follows:

CASABLANCA

FEBRUARY 2001	8
MARCH 2001	18
APRIL 2001	5
(UP TO AND INCLUDING 23 APRIL 2001)	

TANGIER

FEBRUARY 2001	74
MARCH 2001	91
APRIL 2001	73
(UP TO AND INCLUDING 23 APRIL 2001)	

NO. 790 OF 2001

THE HON DR J J GARCIA

**NORTH MOLE DEVELOPMENT**

Have Government now reached any conclusions on the possible development of the area in the North Mole formerly known as Atlantic Village, and if so what is being planned for the area?

ANSWER

THE HON THE CHIEF MINISTER

No final decisions have been made.

SUPPLEMENTARY TO QUESTION NO. 790 OF 2001

HON DR J J GARCIA:

Are the Government in a position to say whether any proposals have been made by interested parties with regard to that area?

HON CHIEF MINISTER:

I am not aware of any and the site has not been made available for private proposals.

HON DR J J GARCIA:

Can the Government say what kind of development is envisaged in that area, given that it is not a private development?

HON CHIEF MINISTER:

No final decisions have been made.

HON DR J J GARCIA:

Can the Chief Minister say what is being considered even though it has not been decided?

HON CHIEF MINISTER:

No. I think it is inappropriate to give information on the basis of what is being considered. The hon Member is entitled to information about decisions that the Government have made, not to be exposed to the internal Government discussions and consideration processes.

HON J J BOSSANO:

The position then is that it is unlikely that anything will be happening in the current financial year with respect to developing that site?

HON CHIEF MINISTER:

I do not think I have said anything that entitles the hon Member to draw that deduction.

HON J J BOSSANO:

When we come to the Estimates and we look at the Improvement and Development Fund, are we likely to find anything there?

HON CHIEF MINISTER:

As the hon Member is aware the Improvement and Development Fund does not set out in detail, individual projects, upon which the Heads might be deployed.

NO. 791 OF 2001

THE HON DR J J GARCIA

**OFFSHORE BETTING**

Further to the answer to questions in February 2001, what is the position on the license to conduct offshore betting from Gibraltar that was taken forward to the application stage, and what is the position on the one pending consideration?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 792, 793, 795 and 796 of 2001.

NO. 792 OF 2001

THE HON DR J J GARCIA

**OFFSHORE BETTING**

Can Government say how many persons are employed in the offshore betting industry, indicating how many are part-time and how many are full-time as at:

- (a) 31<sup>st</sup> December 2000 and
- (b) 31<sup>st</sup> March 2001,

listing the companies where such persons are employed and how many are Gibraltarians, how many are EU Nationals and how many are non-EU Nationals?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 791, 793, 795 and 796 of 2001.

NO. 793 OF 2001

THE HON DR J J GARCIA

**OFFSHORE BETTING**

How many enquiries for a licence to conduct offshore betting from Gibraltar have been received since 1<sup>st</sup> February 2001, on what dates and by whom, how many have progressed to the application stage, how many have been rejected and how many are pending consideration?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 791, 792, 795 and 796 of 2001.



ORAL

NO. 794 OF 2001

THE HON J J BOSSANO

**OFFSHORE BETTING**

Are Government aware of any move to reposition offshore companies operating from Gibraltar to the Falkland Islands?

ANSWER

THE HON THE CHIEF MINISTER

No.

ORAL

NO. 795 OF 2001

THE HON J J BOSSANO

**OFFSHORE BETTING**

Can Government state by which date the Ladbrokes call centre is expected to cease operations?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 791, 792, 793 and 796 of 2001.

NO. 796 OF 2001

THE HON J J BOSSANO

**OFFSHORE BETTING**

Can Government list the companies currently licensed to run offshore betting operations and the number of employees engaged in the sector, giving a breakdown of full-time and part-time employment and the number of Gibraltarians employed in each category?

ANSWER

THE HON THE CHIEF MINISTER

Of the two companies, the position is that in the first case the application has been approved in principle but the applicant has not yet entered into an agreement with the Government, in the latter case the application has been withdrawn.

There are currently nine licensed offshore betting operators in Gibraltar. These are:-

A F Ballester Ltd  
Demmysportsbet.com  
Eurobet  
Ladbrokes  
Netgame  
Rockgame  
Simon Bold  
Stan James  
Victor Chandler International

As at 24<sup>th</sup> April 2001, there was a total of 629 employees engaged by the nine companies.

The comparative total of the number of employees in January 2001 is the same, but with 577 full-time and 52 part-time jobs. The employment information requested was as at 31<sup>st</sup> December 2000 and 31<sup>st</sup> March 2001. As the data was readily available to the Government as at 18<sup>th</sup> January 2001 and is broadly similar to the latest employment statistics, I now hand the two hon Members, who asked for employment statistics on offshore betting companies, the latest information.

Of about 16 enquiries received since 1<sup>st</sup> February 2001, two are being taken forward to the application stage and are pending consideration. The Government policy on the issue of gaming licences remains as set out in answer to Question No. 580 of 2000.

The Government have been informed by Ladbrokes that their best estimate of when its call centre servicing UK customers will be relocated to the UK is not earlier than October 2001 and it is unlikely to be later than January 2002.

SUPPLEMENTARY TO QUESTION NOS. 791 TO 793 AND 795 AND 796 OF 2001

HON J J BOSSANO:

In the light of other possible incoming operators and the remaining ones there, is it Government's view that any loss of jobs by the departure of Ladbrokes in October is likely to be absorbed by expansion by the remaining or incoming operators?

HON CHIEF MINISTER:

Some of it will happen in that way. It is not clear how many jobs are going to be lost as a result of this transfer. Ladbrokes has not yet indicated how many of their current jobs are going to go as a result of the transfer of the call centre. It may not be that all of those jobs can be saved before or in time with that departure, so there may be an element of job losses in the interim. The Government hope that Ladbrokes can find a buyer for what is really a very state of the art sophisticated call centre in which it has invested several millions of pounds, on which it is unlikely to wish to abandon. Ladbrokes are actively engaged in seeking a buyer to sell that facility. That I think is the best prospect for saving the maximum number of jobs.

HON J J BOSSANO:

That would have to be still within the time scale that has been mentioned of October and January. If they do not manage to find somebody then, are they likely to go?

HON CHIEF MINISTER:

Their departure date is driven by their negotiations with the Treasury in the UK, not by whether they can find a buyer for the facility here.

	<u>Gibraltar</u>	<u>Other British</u>	<u>Spanish</u>	<u>Other</u>	<u>Total</u>
Full-time	183	280	26	83	572
Part-time	<u>21</u>	<u>30</u>	<u>1</u>	<u>5</u>	<u>57</u>
Total	<u>204</u>	<u>310</u>	<u>27</u>	<u>88</u>	<u>629</u>

**OFFSHORE GAMING COMPANIES - EMPLOYMENT STATISTICS AS AT 24 APRIL 2001**

<b><u>Licensed Operators</u></b>		<b><u>Gibraltarian</u></b>	<b><u>Other British</u></b>	<b><u>Spanish</u></b>	<b><u>Other</u></b>	<b><u>Total</u></b>
Ladbroke (Gibraltar) Ltd - Full Time		71	82	6	15	174
- Part Time		19	28	1	3	51
Sub-Total		90	110	7	18	225
Victor Chandler (Int) Ltd - Full Time		80	125	15	52	272
- Part Time		2	2	0	2	6
Sub-Total		82	127	15	54	278
Netgame Ltd )		8	1	4	0	13
Rockgame Ltd )						
Eurobet (Gibraltar) Ltd		6	4	0	8	18
Stan James (Gibraltar) Ltd		7	61	0	0	68
Simon Bold (Gibraltar) Ltd		3	6	0	0	9
Demmysportsbet.com Ltd		5	1	0	1	7
A F Ballester Ltd		3	0	1	7	11
Totals:-	Full Time	183	280	26	83	572
	Part Time	21	30	1	5	57
Overall Total		204	310	27	88	629

NO. 797 OF 2001

THE HON J J BOSSANO

**RATES**

Can Government state what was the total amount of Rates paid in the last two quarters 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?

ANSWER

THE HON THE CHIEF MINISTER

The second quarter £1,113,319 and the third quarter £1,197,793.

ORAL

NO. 798 OF 2001

THE HON J J BOSSANO

**GOODS IMPORTED**

What was the value of goods imported by land and sea, other than petroleum products, since 1<sup>st</sup> January 2001?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 799 of 2001.



NO. 799 OF 2001

THE HON J J BOSSANO

**GOODS IMPORTED**

What was the value of goods imported by land and sea, other than petroleum products, since 1<sup>st</sup> January 2001?

ANSWER

THE HON THE CHIEF MINISTER

	<u>Land</u> <u>£ million</u>	<u>Sea</u> <u>£ million</u>
January	21.6	6.7
February	17.3	3.3
March	17.7	2.3
Total	<u>56.6</u>	<u>12.3</u>

NO. 800 OF 2001

THE HON J J BOSSANO

**ADVERTISING IN NEWSPAPERS**

Can Government state how much money has been spent on advertising in Gibraltar newspapers in the Financial Year 2000/2001, giving the amount and the name of the publication?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 801 and 802 of 2001.

NO. 801 OF 2001

THE HON J J BOSSANO

**ADVERTISING IN NEWSPAPERS**

Can Government state how much money has been spent on advertising in Gibraltar publications other than newspapers in the Financial Years 1998/1999, 1999/2000 and 2000/2001, giving the amount and the name of the publication?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 800 and 802 of 2001.

NO. 802 OF 2001

THE HON J J BOSSANO

# **ADVERTISING IN NEWSPAPERS**

Can Government state how much money has been spent on advertising in Spanish newspapers in the Financial Years 1998/1999, 1999/2000 and 2000/2001, giving the amount and the name of the publication?

ANSWER

THE HON THE CHIEF MINISTER

Gibraltar Chronicle	£54,564.50
Panorama (weekly)	£23,575.00
Vox (weekly)	£36,829.00
Gibsport	£ 170.00

I am told that the reason for the disparity between the two weekly papers is, firstly, that the Panorama apparently has not invoiced Government in respect of the month of February, and secondly, that there are some instances when there is a need to publish a notice before a weekend for some reason to do with the weekend and these are mainly in respect of traffic notices and things like that. These are put in the Vox which publishes on a Friday but not in Panorama which publishes on a Monday evening.

On Spanish newspaper advertising, the position is:

1998/1999	Zero
1999/2000	Zero
2000/2001	£532.11

## SUPPLEMENTARY TO QUESTION NOS. 800 TO 802 OF 2001

HON J J BOSSANO:

We also asked for the name of the publication and it asked in respect of Question No. 801 of 2001, for the Financial Years, am I to take it that Gibsport is the only publication in respect of Question No. 801 and the only one in three years?

HON CHIEF MINISTER:

Question No. 801 of 2001, asks for expenditure in publications other than newspapers. The answer is that there has been no expenditure incurred on advertising during the Financial Years 1998/1999, 1999/2000 and 2000/2001 in publications other than newspapers.

HON J J BOSSANO:

The £170 in Gibsport is that Gibsport is deemed to be a newspaper and is in respect of the year 2000/2001 and in answer to Question No. 800 of 2001, is that correct?

HON CHIEF MINISTER:

That is how it has been dealt with. I suppose the definition of a newspaper is something that needs to register under the Newspaper Ordinance. I do not know how the distinction is made. It does give sports news and I suppose at least sportsmen regard that as a newspaper.

NO. 803 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have declared a taxable profit (a) above £35,000 and (b) below £35,000 in the tax year ending June 1999 and what is the total amount of tax assessed and tax paid in each category?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 804 of 2001.

NO. 804 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have declared a taxable profit (a) above £35,000 and (b) below £35,000 in the tax year ending June 2000 and what is the total amount of tax assessed and tax paid in each category?

ANSWER

THE HON THE CHIEF MINISTER

The information requested by the hon Member is set out in the schedule that I now hand to him.

Answer to Question 804 of 2001

Question 803 of 2001	Question 804 of 2001
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Year of Assessment

	<u>1999/2000</u>	<u>2000/2001</u>
<u>Under £35,000</u>		
No of Companies assessed	1064	148
Total assessed under £35,000	£1.1M	£0.3M
Total paid under £35,000	£0.6M	£0.1M
 <u>Over £35,000</u>		
No of Companies assessed	166	43
Total assessed over £35,000	£11.4M	£5.9M
Total paid over £35,000	£10.2M	£2.8M



NO. 805 OF 2001

THE HON J J BOSSANO

**INCOME TAX - CORPORATION TAX**

Can Government state what is the amount collected in Corporation Tax in each month since December 2000?

ANSWER

THE HON THE CHIEF MINISTER

The Corporation Tax collected in each month since December 2000 (net of refunds) was:

	<u>£ Million</u>
December 2000	0.2
January 2001	0.3
February 2001	1.5
March 2001	1.9

NO. 806 OF 2001

THE HON J J BOSSANO

**INCOME TAX - PAYE**

Can Government state how much was collected in PAYE each month since December 2000?

ANSWER

THE HON THE CHIEF MINISTER

Net of refunds and subject to possible adjustments when reconciled with the Treasury Books:

	<u>£ Million</u>
December 2000	4.7
January 2001	4.3
February 2001	3.6
March 2001	4.4

NO. 807 OF 2001

THE HON J J BOSSANO

**REPRESENTATIONS BY THE FCO TO THE SPANISH GOVERNMENT**

Are Government aware whether the Foreign and Commonwealth Office have made representations to Spain following the accusations against Gibraltar made by Spanish Foreign Minister Josep Pique during a recent visit to Argentina and what is the nature of the representations made and what has been the reply?

ANSWER

THE HON THE CHIEF MINISTER

The Gibraltar Government are not aware whether the Foreign and Commonwealth Office have made any such representations.

SUPPLEMENTARY TO QUESTION NO. 807 OF 2001

HON J J BOSSANO:

Have the Government of Gibraltar requested of the Foreign Office that they should respond to these in line with the view that was expressed by the Foreign Affairs Committee that the Spaniards should not be allowed to get away with these things?

HON CHIEF MINISTER:

The Gibraltar Government constantly ask the United Kingdom to rebut the defamatory accusations made by Spain against Gibraltar. The United Kingdom's position, as the hon Member knows, is that they do not engage in megaphone diplomacy. Therefore, we do not ask them to do it on each specific case in which it occurs. I think that the whole House can unite in expressing gratitude to the Foreign Affairs Committee for focusing specifically on this question and making their position, as UK parliamentarians, crystal clear to the United Kingdom Government as to the deficiencies in their interventions on Gibraltar's behalf in this respect.

NO. 808 OF 2001

THE HON J J BOSSANO

**1987 AIRPORT AGREEMENT**

Have Government been informed by Her Majesty's Government that they will not seek the implementation of the 1987 Airport Agreement?

ANSWER

THE HON THE CHIEF MINISTER

The 1987 Airport Agreement has been implemented in that Gibraltar was illegally made to choose between putting certain arrangements into effect or staying out of the EU regime relating to liberalised air services. Gibraltar has chosen not to put those arrangements into place and has therefore been suspended from EU air services liberalisation. Only Spain argues that the 1987 Airport Agreement has not been implemented in the sense that the UK/Gibraltar are in breach of an obligation or commitment contained in it. On all the occasions that the airport issue has arisen in discussions between HMG and the Gibraltar Government, the Gibraltar Government's clear understanding of HMG's position is that it is based on the reality that the practical arrangements envisaged as one option under the 1987 Airport Agreement cannot and will not be put into effect.

SUPPLEMENTARY TO QUESTION NO. 808 OF 2001

HON J J BOSSANO:

Is the position of the British Government that they are no longer seeking of the Gibraltar Government that the terms of that Agreement should be put into effect?

HON CHIEF MINISTER:

I have given a very carefully chosen answer, which I have drafted personally. The 1987 Airport Agreement has been put into effect. The 1987 Airport Agreement was an agreement in which the United Kingdom and Spain agreed that unless Gibraltar did a number of things, it would be excluded from the Air Liberalisation regime, and that is exactly what has happened. Gibraltar has been suspended from the Airport Liberalisation regime because it has not done those things, that is, implementation of the agreement and it is not as the Spaniards argued non implementation. The Spaniards argue that the United Kingdom is in breach of the agreement because the agreement obliged it to implement the arrangements. Our view and the United Kingdom's view is that that is not the effect of the 1987 Airport Agreement and that the effect of the 1987 Airport Agreement was in effect to give Gibraltar a choice, which it has exercised. A choice which the Leader of the Opposition and I could agree that we should never have been made to choose between, but nevertheless given a choice, we have chosen, we have paid the price in our, I suspect, joint opinion an illegal price for that choice, but having made the choice envisaged and given to us under the agreement, the agreement has not been implemented. Therefore I have tried to draw a careful distinction so as not to use language which could be interpreted as being supportive of the Spanish interpretation of breach of the agreement. I have thought to draw a distinction between the arrangements, the

practical arrangements envisaged under one of the two options that we face and the implementation of the agreement, and I have answered the question by making it clear that the United Kingdom no longer expects us to and in terms of the specific supplementary that he has asked, appears to have stopped asking us to do this. I have never been asked in the years that I have been in Government, I do not know if they used to do it to the Leader of the Opposition when he was in Government. I have never been asked in the years that I have been in office to implement the 1987 Airport Agreement arrangements in the first option.

HON J J BOSSANO:

While I am not sure that the definition that the Chief Minister has provided in his answer is really necessary in terms of what the question deals with, in fact, in my view, what leaves us out of the Air Liberalisation measures is the wording of the directive and then the regulation, which says, "Gibraltar is not included until the two Member States come back and inform the Commission that they have implemented the 1987 Joint Declaration." Whether that is a legal binding agreement between the two I am not entirely sure. In any case the arrangements which are required by Community Law in order to have the advantage of joint rights, we should have had unconditionally, it was recently reported in the Spanish media that the United Kingdom was saying would not now be complied with because it was now obsolete. Is that the position that the United Kingdom Government have confirmed to the Gibraltar Government as their current position, which was not always the case, or is all the evidence we have in support of that, the reports, put into the Spanish media apparently by the Spanish Government?

HON CHIEF MINISTER:

The answer is as I have given to the hon Member, that it seems clear to the Gibraltar Government that Her Majesty's Government's position is based on the reality that the practical arrangements envisaged under the agreement cannot and will not be put into effect. Whether that statement in the Spanish press has been put in there by the British Government or by the Spanish Government or by neither, I do not know.

HON J J BOSSANO:

It is quoting the Spanish Government.

HON CHIEF MINISTER:

Certainly it is the position of the UK Government that they do not regard it fruitful to continue to seek implementation of the original arrangements. Whether that is for practical political reasons or whether it is for legalistic reasons or the fact that air liberalisation has moved on to the point which renders irrelevant the text of the agreement, I could not say, both, I suspect.

NO. 809 OF 2001

THE HON J J BOSSANO

**MATUTES' PROPOSALS**

Have Government had confirmation that Her Majesty's Government will be rejecting the Matutes proposals at the next meeting of the Brussels process and is there an indication when this is likely to take place?

ANSWER

THE HON THE CHIEF MINISTER

The Government do not have any such confirmation.

SUPPLEMENTARY TO QUESTION NO. 809 OF 2001

HON J J BOSSANO:

Given again that it is from a Spanish source that we have the information attributed to the Spanish Foreign Secretary himself, that the United Kingdom have now confirmed to him that the proposals will be rejected, have the Government of Gibraltar asked the United Kingdom Government to confirm this?

HON CHIEF MINISTER:

It has been implicit in the United Kingdom's position that it will give a response at the next Brussels meeting, but we have no formal confirmation of that. I suspect that that is one of the reasons why Brussels meetings have not taken place precisely to avoid the dilemma of the giving of the response. Certainly I think it would be consistent with the indications, although not confirmation, that the United Kingdom Government have led us to understand that they would be responded to at the next Brussels meeting, but we have not had formal written confirmation that this would be so, nor have we sought it in those terms.

HON J J BOSSANO:

My question is not about whether they will be responding because I think the United Kingdom Government through one of their Ministers have actually said in a statement in the House of Commons formally, that they will be responding to the proposals at the next meeting, but what they have not been willing to be drawn on is the nature of the response. We seem to have moved further according to Josep Pique in that now he knows the nature of the response and I think if indeed the United Kingdom Government have now informed the Spanish Government in anticipation of the meeting, that the response is going to be negative is a very welcome thing, but it would be useful to know that we are not just relying on a report in a Spanish newspaper quoting a Spanish Minister and that we have had it from the horses mouth as it were.

HON CHIEF MINISTER:

I for my part, have never doubted that the response when forthcoming would be negative, indeed it would be inconceivable. In my mind the issue has always been whether there would be a response, that the moment that they commit themselves to giving a response it can only be negative, given that the United Kingdom is committed to respecting the wishes of the people of Gibraltar on the question of sovereignty and that the Matutes proposals intrinsically and fundamentally raise those very same issues of sovereignty. Therefore, if the United Kingdom does give a response it can only be a negative response. I am much more concerned by the distinction between a negative response and an outright rejection. Therefore, what we have all called for in Gibraltar is an outright rejection. It is possible in diplomatic procedures to give a negative response but still leave the document on the table. That is the distinction that is more relevant, rather than whether the response is negative or not. It is bound to be negative, it cannot be not negative. Therefore what we are going to be looking out for is whether the United Kingdom says "I am sorry but I cannot do this because I am bound by my commitment to the people of Gibraltar. It appears that they do not want it but your document stays there on the table until some counter proposal is made". That would be a negative response, but the document remains on the table.

HON J J BOSSANO:

I was not drawing that kind of distinction. I was using negative response to mean the same as rejection because I believe the quote, speaking from memory was that indeed Sr Pique had said not only that he had been told by Mr Cook that the proposals would be rejected, but it went on to say that the United Kingdom had the right to reject them, strangely enough. I would have thought it was sufficiently worthwhile finding out if indeed that is the position, which in my judgement, would be an improvement on the previous position which was, they are going to reply, but they would not give any indication of the nature of the reply.

ORAL

NO. 810 OF 2001

THE HON J J BOSSANO

**FOREIGN AFFAIRS COMMITTEE**

Can Government state whether they are satisfied with the reply of the Foreign Office to the last criticism by The Foreign Affairs Committee of the House of Commons?

ANSWER

THE HON THE CHIEF MINISTER

The Government applaud the findings and conclusions of The Foreign Affairs Committee which in the Government's opinion are not rectified or invalidated by the reply of the Foreign Office.



NO. 811 OF 2001

THE HON J J BOSSANO

**SUPREME COURT OF GIBRALTAR - JUDGEMENTS**

Can Government say what action has been taken to ensure that judgements of the Supreme Court of Gibraltar can be enforced in Spain?

ANSWER

THE HON THE CHIEF MINISTER

Judgements of the Supreme Court of Gibraltar are enforceable in Spain under the Brussels and Lugano Conventions, following Spain's formal withdrawal of objections to their extension to Gibraltar. Furthermore, the enforceability of such judgements is specifically provided for in the Competent Authority agreements concluded in April last year. The position of the Spanish Government appears to be that such judgements are enforceable and that the recent ruling of the Spanish Supreme Court is not binding and does not prevent enforcement in future cases when pursued under the new competent authority arrangements. Nevertheless, the Gibraltar Government are pressing the British Government to get the Spanish Government to obtain a removal of the ruling or a clarification of it from the Spanish Judiciary.

SUPPLEMENTARY TO QUESTION NO. 811 OF 2001

HON J J BOSSANO:

Was the particular case in respect of which the ruling was made one that was pursued through the competent authorities arrangements?

HON CHIEF MINISTER:

No, it was not. It arose before that.

HON J J BOSSANO:

In terms of the Spanish Government's position, it would not then apply to that particular case? In a previous answer the Chief Minister has said that the Spanish Government's position was that the judgements of the Supreme Court have to be accepted if pursued through the competent authority.

HON CHIEF MINISTER:

The post boxing.

HON J J BOSSANO:

What I am saying is, if the Spanish Government's position was that if this one had been done through the post boxing, it would have had to be accepted, but since it was not it did not.

HON CHIEF MINISTER:

That is what they are saying, but the Gibraltar Government are not entirely satisfied with that answer or they cannot be tested until the next occasion when there is a judgement to be enforced. The reason why we are not satisfied and we remain sceptical and remain to be convinced that that is the correct position. The Spanish Government have stated exactly what the hon Member has just stated, but we remain sceptical about whether it is genuinely the Spanish Government's position, but that cannot be tested until somebody wants to enforce a judgement of Gibraltar in Spain and it is passed to the competent authority. The reason why we are sceptical is that the party that argued for non recognition was not the solicitor of the defendant or the solicitor for the case, it was the Spanish Attorney-General's Office, part of the Spanish Government. The Court did not say, "I am sorry, the State's position is that we do not recognise Gibraltar rulings for political reasons, we note the recent competent authority arrangements, we note that the Spanish Government have recently gazetted the withdrawal of objection to the extension of Brussels and Lugano Conventions, but as those procedures have not been followed in this case, we will not recognise the judgement." They did not say any of that, which is what one would have expected them to say if the reason for the rejection was non attainment to the competent authority arrangement. What they actually said was that the nature of the sovereignty ceded by Spain to Britain under the Treaty of Utrecht did not include sovereignty to exercise judicial competence in Gibraltar. It seems to me that that argument, if it is correct, and it is the view of the Supreme Court of Spain, must remain correct in law regardless of the physical channel through which the document reaches Spain. That is why the Gibraltar Government are sceptical of the reasons that the Foreign Office have been given by the Spanish Government. It was the Spanish Attorney-General who launched the sovereignty based Utrecht based argument, presumably in the knowledge, given that he is a department of the Spanish Government, that his Government had signed the April agreements, that his Government had formally withdrawn objections to Gibraltar's extension to the Brussels and Lugano Convention and that indeed all of that had been gazetted in the Spanish Gazette. After all of that has happened the Attorney-General does not go to Court to say "My Lord, we have just signed all these agreements, but do not recognise these judgements because it has not followed the agreed procedure or because this is old stock". There was no reference to any of that and there was an extraordinary argument about the meaning of the words 'without jurisdiction', to suggest in effect that Britain does not have sufficient sovereignty over Gibraltar to set up a Judiciary here. In other words that the Chief Justice is a sort of unlawful institution because Britain was not endowed with sufficient jurisdiction by the Treaty of Utrecht over the territory of Gibraltar to provide for its judicial functions. It seems to me that that is an extraordinary argument. It is quite apart from the effect that it has on the enforceability of Gibraltar judgements in Spain, it is a direct challenge to the qualitative nature and extent of British sovereignty in Gibraltar even in relation to those parts of Gibraltar which they concede is ceded under the Treaty of Utrecht. As far as the Government of Gibraltar are concerned, we are sceptical for the reasons that I have just explained to the hon Member in a lot of detail and the proof of the pudding will be in the eating, as to whether what the Spanish Government are feeding to the British Government now is just so much hot air or true and the test will come when the very next judgement of a Gibraltar Court, it does not have to be the Supreme Court, any Gibraltar Court comes to be enforced in Spain. It will then be passed through the agreed arrangements and we will see whether it is accepted for enforcement in Spain.

HON J J BOSSANO:

In a situation, for example, where there was a judgement here and the legal representative of whoever it was that was affected by it, was seeking to block it, would they be able to use the ruling of the Supreme Court in terms of a legal mechanism?

HON CHIEF MINISTER:

They could not use it here to prevent the document going out through the post box, but it remains to be seen whether when the judgement gets to Spain, somebody is going to challenge its validity in the Spanish Court on the basis of the ruling by the Supreme Court, which we are told is not a binding ruling, in other words, is not binding precedent on other courts. But all these things remain to be seen. We cannot reconcile the Spanish Government's arguments now with the fact presumably they sent their Attorney-General into the Court to argue what they argued without referring to all the things that they had just committed themselves to, not just on the competent authority arrangements but indeed with the secretariat of the Brussels and Lugano Conventions, to which the Spanish Government have sent because I have seen them, letters saying the Spanish Government withdraw their reservations on the extension of these Conventions to Gibraltar, whereupon the extension to Gibraltar is now unconditional.

ORAL

NO. 812 OF 2001

THE HON J J BOSSANO

**FOREIGN AFFAIRS COMMITTEE**

Have Government any indication whether the United Kingdom might itself be willing to take Spain to Court over the border delays under Article 227 of the European Treaty as recommended in the recent report of the House of Commons Foreign Affairs Committee?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 813 of 2001.

NO. 813 OF 2001

THE HON J J BOSSANO

**FOREIGN AFFAIRS COMMITTEE**

Have Government any indication whether the United Kingdom might itself be willing to take Spain to Court over the telephone problems under Article 227 of the European Treaty as suggested by the House of Commons Foreign Affairs Committee in their recent report?

ANSWER

THE HON THE CHIEF MINISTER

The Gibraltar Government have not detected any willingness on the part of Her Majesty's Government to itself initiate legal action against Spain under Article 227 of the Treaty establishing the Community, on any issue.

SUPPLEMENTARY TO QUESTION NOS 812 AND. 813 OF 2001

HON J J BOSSANO:

We are aware that there was no sign of any willingness prior to the Foreign Affairs Committee Report, is the answer then that the Foreign Affairs Committee Report apparently has had no impact on the views of the British Government?

HON CHIEF MINISTER:

We have not seen evidence that it has had any positive impact as we would both define positive.

NO. 814 OF 2001

THE HON J J BOSSANO

**BORDER DELAYS**

At what stage is the action that the European Commission was going to take against Spain over the border delays?

ANSWER

THE HON THE CHIEF MINISTER

The action which the EC Commission commenced against Spain in relation to the border delays is a confidential matter between the parties to that action, namely, the EC Commission and the Spanish Government. Neither the Gibraltar or UK Governments are privy to the action. However, the Gibraltar Government understand that the Spanish Government did reply to the EC Commission's Article 226 letter in December 2000 claiming that the border delays were due to the large number of crossings. The Gibraltar Government understand that the EC Commission and Spain remain engaged in discussion on this case.

SUPPLEMENTARY TO QUESTION NO. 814 OF 2001

HON J J BOSSANO:

The state of play would be then that Spain replied last December and that they are talking about the reply that Spain sent back?

HON CHIEF MINISTER:

Yes. The hon Member knows that infraction proceedings involve first a letter and depending what they say in response, the Commission then decides whether to take the procedure into the Court phase by issuing a reasoned opinion. They have not yet reached that second stage.

HON J J BOSSANO:

Is it the case that when the reasoned opinion - I cannot recall, perhaps the Chief Minister will be able to confirm it - that when the reasoned opinion is issued if it reaches that stage, it is something that is available to others, other than the two parties? Or is the recent opinion also something that only the country getting it and the Commission knows?

HON CHIEF MINISTER:

The latter part of his assumption is correct. Even the recent opinion is confidential because the Commission under State litigated against.

HON J J BOSSANO:

Presumably there is a way of getting to know this because Spain seems always to be able to get to know when the recent opinions are dealing with Gibraltar?

HON CHIEF MINISTER:

As the hon Member knows Brussels is the world's largest sieve and information invariably leaks from it, which is how we find out much of what we find out.

NO. 815 OF 2001

THE HON J J BOSSANO

**EEC - SINGLE EUROPEAN SKY**

Can Government say what representations have been made to the British Government over the inclusion of Gibraltar airport in the Single European Sky and what has been the response of the British Government?

ANSWER

THE HON THE CHIEF MINISTER

The Gibraltar Government have made it clear to the British Government that Gibraltar must be included in the Single European Sky, which, not unlike the External Frontiers Convention, will, in practice constitute part of the physical delineation of the EC – in this case, the EC's airspace. To date the British Government share and uphold that position.

SUPPLEMENTARY TO QUESTION NO. 815 OF 2001

HON J J BOSSANO:

In what has come out publicly about the disagreement between Spain and the United Kingdom on this point, the United Kingdom position did not appear to be that clear, in the sense that they were talking that there should not be a systematic inclusion of the clause, but also saying they were willing to sit down and discuss with Spain as if they were looking for some formula.

HON CHIEF MINISTER:

The formal position of Spain appears to be that the 1987 Agreement formula, in other words, the Suspension Clause, should be applied to all aviation measures. We have made it clear to the United Kingdom Government that the commitment on the part of the UK to include the Gibraltar Exclusion Clause is limited under 1987 Agreement only to access measures. In other words, only to aviation measures that relate to the provision of services to and from Gibraltar airport. There are a number of aviation issues which do not relate to access and from which therefore there is no commitment on the part of the UK to agree to exclude Gibraltar. The United Kingdom's position is that it will not agree to the systematic exclusion of Gibraltar from all aviation measures but wishes to consider its position on a case by case basis, which means, I hope it means, we would like the UK's position to be that it insists on Gibraltar's inclusion in all aviation measures. That at least the United Kingdom's position should mean that they will not agree to exclude Gibraltar from any measure which is both relevant to Gibraltar's aviation position, which prejudice the fact that Gibraltar is part of the Community. Whereas the hon Member might agree with me that to be excluded from a directive about checking the undercarriage of aeroplanes from non EC countries, for example, the Ramp Check Directive, that that is politically objectionable but not fundamentally important, that excluding Gibraltar from what is in effect the first ever effort by the community to delineate the boundaries of the community in terms of airspace that that is fundamental and does raise fundamental issues. As to how the United Kingdom's judgement can go in this



case by case approach we are where we have always been since 1987. We have been included in some and excluded from others. The Gibraltar Government invest a lot of time and effort and resources in spotting all these aviation measures as soon as they emerge from the various sources that we have, long before we are advised on them by the UK, so we make sure that we feed it to the UK, the view that we take on that.

HON J J BOSSANO:

But is the UK's position at the moment that the nature of the disagreement with Spain is as to whether inclusion or exclusion should be automatic or negotiated on a case by case basis or is the position that in this particular instance it has to be inclusion?

HON CHIEF MINISTER:

I think it is the latter. In deploying its case by case approach policy, the United Kingdom has agreed that this case is not one from which Gibraltar should be excluded.

NO. 816 OF 2001

THE HON J J BOSSANO

**HMS TIRELESS**

Can Government say how much money has been spent to date, in consulting experts, in respect of the repairs to HMS Tireless, giving a breakdown?

ANSWER

THE HON THE CHIEF MINISTER

The total expenditure to date has been £115,500 broken down to £107,000 consultancy fees and £8,500 of travel and accommodation costs.

SUPPLEMENTARY TO QUESTION NO. 816 OF 2001

HON J J BOSSANO:

Is this the total expected cost?

HON CHIEF MINISTER:

I do not know for certain, but I suspect that there are still invoices to come in respect of the last periods.

HON J J BOSSANO:

Have the Government of Gibraltar suggested to the United Kingdom that they may wish to contribute to this expense?

HON CHIEF MINISTER:

Not yet. The Government of Gibraltar have not wished to involve the United Kingdom Government in the question of paying these expenses for fear that it might, in some people's mind compromise the credibility and reliability of the report. Therefore, we have so far proceeded on the basis that this was something that the Gibraltar Government are doing for the benefit of the people of Gibraltar and that we would be paying for it. Certainly the possibility of asking Her Majesty's Government to contribute to its cost after the event is not one that has been discarded.

NO. 817 OF 2001

THE HON J J BOSSANO

**HMS TIRELESS**

Have Government sought any assurances from the MOD that they will not seek to repair any nuclear submarines in future at the Naval Base?

ANSWER

THE HON THE CHIEF MINISTER

The Government are assured by the MOD that the repair of Tireless in Gibraltar does not create a precedent to follow.

SUPPLEMENTARY TO QUESTION NO. 817 OF 2001

HON J J BOSSANO:

Does the objection create a precedent to following that they will not do it again?

HON CHIEF MINISTER:

There is no formal agreement between the Gibraltar Government and the British Government that the British Government should not ever again in the future try to effect repairs to submarines in Gibraltar but the position of the Gibraltar Government is well known. The Gibraltar Government do not wish Gibraltar to become, by a process of gradual creepage, into a nuclear repair facility and have already indicated publicly, to the consternation of the hon Member – I note from his public reaction – that the Gibraltar Government are giving consideration to the introduction of legislation if necessary to achieve that. Another dimension to this matter is that given the amount of political heartache that they have sustained on this issue in terms of their bilateral relationship with Spain, I do not see them rushing to repeat the exercise.

HON J J BOSSANO:

I would agree if they have any sense they should not be rushing quite apart from anything else because it is conceivable that had they towed the thing away one year ago, they would have had it back in service much quicker than it has taken to get it done in Gibraltar. But given the fact that the Government have indicated a willingness to legislate if necessary, would not a preliminary step in deciding whether it is necessary, be to seek a commitment from the UK that they will not try and repair submarines here in which case the legislation would not arise then?

HON CHIEF MINISTER:

Indeed that is the position.

HON J J BOSSANO:

The answer to the original question then should have been yes, the Government have sought assurances.

HON CHIEF MINISTER:

Not yet.

ORAL

NO. 818 OF 2001

THE HON J J BOSSANO

**HMS TIRELESS**

Are Government in a position to say whether the joint Anglo-Spanish Committee will be disbanded after HMS Tireless has left Gibraltar?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 819 of 2001.

NO. 819 OF 2001

THE HON J J BOSSANO

**HMS TIRELESS**

How often and on what dates, has the Anglo-Spanish committee that was monitoring HMS Tireless, met in the years 2000 and 2001?

ANSWER

THE HON THE CHIEF MINISTER

The Government are not accountable in this House for this matter in which the Gibraltar Government have had no involvement. However, according to the Convent, the Committee met 13 times. Given that the Committee was constituted specifically for that purpose, Government would expect it to be dissolved upon Tireless' departure from Gibraltar.

SUPPLEMENTARY TO QUESTION NOS. 818 AND 819 OF 2001

HON J J BOSSANO:

I take it then that they have not had confirmation that this is going to happen, although it is a natural expectation?

HON CHIEF MINISTER:

It would be a natural expectation with considerable and serious consequences if it did not happen, because if it did not happen it would have converted itself from an ad hoc Tireless committee into a standing commission in relation to the use by Her Majesty's Government of a sovereign base in Gibraltar. That would be very serious and I think the United Kingdom understands what the consequences of that could be.

NO. 820 OF 2001

THE HON J J BOSSANO

OECD

Can Government state when they expect they will be giving the commitment sought by the OECD?

ANSWER

THE HON THE CHIEF MINISTER

The Government envisage giving a commitment to the OECD prior to 31<sup>st</sup> July this year.

SUPPLEMENTARY TO QUESTION NO. 820 OF 2001

HON J J BOSSANO:

Obviously it has to be prior to that because that is the deadline. Do they know how much prior to the 31<sup>st</sup> July 2001, they expect to be in a position to give it?

HON CHIEF MINISTER:

No, not yet. I can tell the hon Member that in practice the deadline is not 31<sup>st</sup> July, it is actually sooner, because the list is going to be drawn up on 31<sup>st</sup> July. The text of ones commitment letter has got to be submitted and it has got to be subjected to scrutiny by two OECD Committees, which takes time, and if that process is going to be completed by the 31<sup>st</sup> July, in effect one has got to give the commitment by the 30th June. In theory the deadline is 31<sup>st</sup> July, but for logistical reasons, in practice, if one is going to commit, one really needs to be doing it by the end of June or thereabouts.

HON J J BOSSANO:

The position, as I understand it, is that the policy decision on giving the commitment has been taken and it is a question of what has to be written in the committee. If that is dependent on the negotiations with the OECD, what happens if June comes along and there are still unanswered questions?

HON CHIEF MINISTER:

The giving or the not giving of the commitment does not depend on resolving by then the detail of the four issues that remain unsettled. It depends on the OECD agreeing the language in which the Government of Gibraltar wish to give the commitment to accommodate the fact that there are unresolved issues which are relevant. I am not sure if the distinction is clear. It is not the case that the nitty gritty of the unresolved issues have got to be settled before the Commitment can be given, but rather than given a series of uncertainties, and not just the four unresolved issues, but also the level playing field issues that the OECD members do the same thing and the non OECD members do the same thing, passage of legislation in this House in theoretical terms cannot commit itself that this House would pass the necessary legislation. We

take the legislation to the House, the Government want to include that caveat to the extent that implementation requires legislation, that implementation is subject to the House adopting the legislation otherwise it assumes that this House is a rubber stamp, I do not think it is something that either of us would wish to project internationally. The issue is the language of the covering letter, the 'ifs' and 'buts' that accompany the commitment rather than the content of the unresolved issues.



NO. 821 OF 2001

THE HON J J BOSSANO

**FRONTIER FENCE**

Can Government say whether the cost of rebuilding of the frontier fence is to be met by the MOD?

ANSWER

THE HON THE CHIEF MINISTER

The cost is not to be met by the MOD, nor have the Government invited them to meet the cost.

SUPPLEMENTARY TO QUESTION NO. 821 OF 2001

HON J J BOSSANO:

Is it not the case that the MOD has been responsible for the maintenance of the fence until now?

HON CHIEF MINISTER:

I do not know what the answer to that is, but if they have been responsible for it they have been doing a very poor job about maintaining it, because the need to replace it arises from the fact that it has had no maintenance at all, at least not in the civilian parts of it. Whether they have been maintaining it along the MOD length of it, I do not know or the length of it that borders the MOD, for example, the North Front Four Corners complex. The fence is not there for purposes for which the Ministry of Defence is responsible. If the hon Member had asked me if the British Government were going to pay for it, I suppose it is arguable that safeguarding the physical delineation of Gibraltar's sovereignty is a responsibility of the British Government through the Foreign Office, but the Ministry of Defence exists for the military defence of the United Kingdom and hopefully their realms and the frontier fence does not exist because of any military threat or defence threat to Gibraltar. Certainly it would not be the MOD that were asked to pay for it and at the moment the Gibraltar Government have not asked the British Government to pay or to contribute to it either through one of their other ministries. We are proceeding on the basis that we are in today.

NO. 822 OF 2001

THE HON J J BOSSANO

**OPERATIONAL RESOURCES**

Can Government say what extra resources are being provided within the current financial year to the Gibraltar Customs, to enable them to provide constant around the clock, effective patrolling, in the land frontier area?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 823 of 2001.

NO. 823 OF 2001

THE HON J J BOSSANO

**OPERATIONAL RESOURCES**

Can Government say what extra resources are being provided within the current financial year, to the Royal Gibraltar Police, to enable them to provide constant around the clock, effective patrolling, in the land frontier area?

ANSWER

THE HON THE CHIEF MINISTER

As is customary for both the RGP and Customs, they undertake law enforcement duties with the operational resources available to them. Government cannot yet say whether any increased policing of any particular area of Gibraltar will require specific additional resources and, if so, what amount.

SUPPLEMENTARY TO QUESTION NOS. 822 AND 823 OF 2001

HON J J BOSSANO:

Has either the RGP or the Customs Department in response to the Press Release that came out saying they had been in one case requested and in the other case instructed to provide this level of patrolling, given an indication that this would mean they would need more resources because presumably the people who are already fully employed are doing something else before this commitment was required of them?

HON CHIEF MINISTER:

No, they have not. I suppose it is a question of management redeployment of existing resources in part and there may be a need for additional resources in terms of overtime payment provisions and things of that sort. They have not raised it yet and if they have it has not reached the political level. What they have raised is what they regard as a lack of legislative backdrop against which to police. In other words, that there are not any offences. There appear to be no specific offences that prohibit chucking things over the frontier fence. As announced in our recent Press Release we are bringing legislation to this meeting of the House, primary legislation to deal with those deficiencies, to provide them with specific offences and in the meantime a subsidiary legislation was passed on Monday. An Extraordinary Gazette was published making regulations under an existing power I suspect of the Imports and Exports Ordinance covering the point whilst this House can consider the matter in primary legislation.

# GIBRALTAR

## HOUSE OF ASSEMBLY



## QUESTIONS AND ANSWERS

**5<sup>th</sup> November 2001**

**No. 824 to No. 1254**

# INDEX

## QUESTIONS & ANSWERS

5<sup>th</sup> November 2001

Questions 824 – 1254

SUBJECT	NO	PAGE
17 Europa Road	955	223
Abstract Statistics	1213	685
Airline Assistance Scheme	966	242
Airlines	967-971	243-249
Airport Agreement	1252	741
Anglo-Spanish Committees	1253	742-743
Availability of Beds in St Bernard's' Hospital	1078	448
Bar Coded Labels	930-931	185-187
Bars and Restaurants – Licences	1148	553-554
Bayside School	1041-1042	386-387
Beautification of Catalan Bay	982	264-265
Bishop Healy Home	831-833	13-16
Breathalyser Tests	1158	568
Brewery Crusher Tunnel	867	84-85
British Nationals Employed	844	33
Brussels Agreement	1206	663-670
Brussels Agreement	1254	744-748
Brussels Negotiations	1203	655-658
Buildings & Works	865-866	79-83
Business Management Programme	1100	483-484
Cable Link – Gibraltar/Morocco	1147	551-552
Cammell Laird	852	51
Catalan Bay Tender	983	266-268
Certification Service Providers	1125	517
Change of School Hours	1011-1023	336-352
Chemco Plant	1111	497-498
Civil Contingency Committee	1211	681-683
Closed Long-Term Benefits Fund	827,828	5-8
Coach Park Charges	960	232-233
College of Further Education	1037	381-382
Commercial Banks – Assets and Liabilities	1150	556
Competent Authority	1104	489
Competent Authority	1164	577
Consolidated Fund – Expenditure	1216-1217	689-692
Consultant Elderologist	1076	443-444
Container Transshipment Project	997	288-290
Correspondence with the President – European Commission	1204	659-660
Cost of Treating Pensioners in UK	1061-1063	421-423
Cost of Treating Temporary Visitors in UK	1064	424-425
Council of Europe Criminal Law Convention on Corruption	1245-1246	730-732
Cultural Grants	1044	391
Data Protection Legislation	1192	628-629
Detached Workers	860-861	70-73
Development and Planning Commission	1109	495-496
Development and Planning Commission	1137	536
Development Appeals Tribunal	1139-1140	539-540
Development Plant for Gibraltar (Tender)	1112	499-500
Devil's Tower Road	941	202-203
Dialysis Unit	1052	404-405

Directive On the Taxation of Savings Income	1177	605
Director of Postal Services	923	173
Disability Allowance	830	10-12
Dispensing Fees	1057	410-411
Disposal of Hospital Waste	1046	393
Dr Giraldi Home	838	23-25
Drug Rehabilitation Centre	863	75-76
E-Business	1141-1142	541-543
Ecom Limited	1134	533
ECOM Limited	1138	537-538
Education – Bleak House	1024-1027	353-365
Education – Extra Peripatetic Teacher	1033	375
Education – Mandatory Scholarships	1005-1007	303-325
Education Assessment Panel	1031	372
Education –Discretionary Grants	1008-1009	326-331
Educational Grants	1010	332-335
Elderly Care Agency	1235	717-718
Elderly Care Patients	1081	454
Electricity – Strategic Review	929	183-184
Electricity Arrears	926	177-179
Electronic Commerce Directive	1143-1144	544-546
Employers Declaration and PAYE Certificates	1225-1229	704-710
Employment Contract Terminated	858	62-65
Employment Regulations (Offences) Ordinance	859	66-69
Employment Survey Report	864	77-78
Enrolled Nurses	1072	433-435
Entertainments Ordinance	1186-1189	616-621
EU – Free Movement Of Goods	1209	676-678
EU – Waste Framework Directive	1205	661-662
EU Funding	1122	513-514
EU Investor Compensation Scheme	1124	516
EU Investor Compensation Scheme	1145	547-549
Europa Business Centre	1114-1115	502-504
Europa Road	942	204
Europa Road	952	219
Europa Road - Retaining Wall	908	149
Europa Sports Ground	935	193
European Enfranchisement	1202	652-654
European Open Skies	1247-1251	733-740
Europlaza Development	1136	535
Europort	1126-1127	518-520
Exempt & Qualifying Companies	1190-1191	622-627
Feasibility Study – Eastern Beach/Catalan Bay	981	262-263
Fibre Optic Link – Gibraltar /Lisbon	1146	550
Financial Services	1195	634-636
Fred Olsen Liners - Braemer	995	285-286
Frontier Fence	1199	646-647
Garrison Library	1101-1102	485-486
Garrod Road	1130	525
GBC	932-933	188-191
GHA – Alzheimer’s Disease	1087	463
GHA – Compensation Claims	1047-1050	394-400
GHA – Complaints Procedure	1051	401-403
GHA – Expenditure	1058	412-414
GHA – Health Centre	1053	406
GHA – Medical Certificates	1094	472-474
GHA – Mount Alvernia	1082	455-457
GHA – Post of Radiologist	1074	438-440

GHA Cost per Bed	1103	487-488
GHA Private Patients	1080	451-453
Gibraltar Chronicle – Public Commitment	1197	640-642
Gibraltar Community Care Limited	1236-1238	719-721
Gibraltar Community Care Ltd	1214	686
Gibraltar Day In London	1179-1185	607-615
Gibraltar Government Funding	1123	515
Gibraltar in Europe Business Development Scheme	1113	501
Gibraltar/Morocco Forum	1106	492
Gibraltarians Employed	845	34
Gibtel/Nynex	911-918	153-166
Goods Motor Vehicles	962-963	236-237
Government Assistance to Conferences	958	229
Government Debentures	1218	693-694
Government Lottery	906-907	146-148
GPMS – UK Pensioners Registered	1065-1071	426-432
Green Lane	954	221-222
Gun Wharf	1128	521-522
Harbour Views Promenade	947	213
Harbour Views Promenade	1105	490-491
Head 101 – Subhead (1)	900	134-135
Head 5B Social Services	825	3
Head 8A Subhead (13)	1175	599-601
Head 8A Subhead 22	1176	602-604
Head 8A Subhead 8(d)	1174	598
HMS Tireless	1242-1244	726-729
Hotel Arrears	972	250
Hotel Assistance Scheme	973	251
Hotel Beds	974-975	252-254
Hotel, Catering and Hospitality Services Course	1098-1099	480-482
House-Calls	1086	462
Housing	868-878	86-103
Housing – 50/50	890	119
Housing – Alameda House	899	132-133
Housing – Coelho House	897	128-130
Housing – Edinburgh House	884 – 886	111-114
Housing – Firedrake House	898	131
Housing – Laguna Estate	901	136-139
Housing – Laguna Estate Lifts	891	120
Housing – Varyl Begg Estate	893-896	122-127
Housing – Varyl Begg Estate Lifts	892	121
Housing Allocation Committee	888	116
Housing –Bishop Canilla House	879-883	104-110
I & D Fund – Expenditure	1215	687-688
Import Duty	1193	630-631
Imports	1240	724
Incidents of Bullying	1030	371
Incinerator	919-920	167-169
Income Tax – Corporation Tax	1219-1223	695-703
Income Tax – PAYE	1230-1233	711-715
Income Tax- Self-Employed Persons	1234	716
Incoming International Calls	910	152
Industrial Park – Lathbury Barracks	1135	534
In-Patient Admissions	1084	459-460
Input/Output Study	1239	722-723
Internet Cameras at the Frontier	1194	632-633
La Linea’s Technical Director For Tourism	986	272
Labour Advisory Board	862	74

Land Frontier – Refurbishment Works	998	291-292
Land Property Services – Contract	1156	564-565
Main Sewers	909	150-151
Medical Advisory Board	889	117-118
Meningococcal Infections	1077	445-447
Milbury Care Service	834-837	17-22
Minister’s Overseas Visit	993	281
Miss Gibraltar Contest 2001	980	260-261
Moroccan Nationals Employed	843	32
Mr Richard Balfe MEP	1210	679-680
Nature Conservancy Council	937-938	197-199
New Banking Licences	1118	507
New Entrants	856	58-59
New Harbours	1116	505
New Harbours – Arrears	1117	506
New Sports City	936	194-196
Non-Recognition By Spain of 350 Code	1154-1155	562-563
North Mole Industrial Park	1129	523-524
Number of Casual Workers	854	54-55
Number of Companies	1119	508-509
Number of Licensed Restaurants	994	282-284
Number of Nurses	1073	436-437
Number of Port Operators	996	287-
Number of Unemployed	847	39-40
Number of Unemployed	853	52-53
Number of Unemployed	857	60-61
Nun’s Well Tender	984	269-270
Nurseries	1034-1035	376-379
Objective 2 Programme	1121	512
OECD Tax Initiatives	1172-73	596-597
OECD Tax initiatives	1208	672-675
Oesco Contract	928	182
Offshore Betting	1169-1171	588-595
Ombudsman	1166-1167	580-585
Open/Closed Long -Term Benefits Fund	824	1-2
Out-Patient Allowances	1085	461
Out-Patient Attendances	1083	458
Paper On Gibraltar’s Decolonisation	1201	650-651
Patient Referrals To Spain	1091-1093	467-471
Patient Referrals to UK	1088-1090	464-466
Patients Referrals to Spain	1059-1060	415-420
Pay Review	1165	578-579
Port Authority	1162	575
Post 16 Education	1040	384-385
Post of Captain of the Port	1163	576
Post of Chief Executive	1079	449-450
Post of Collector of Customs	1161	574
Post of Commercial Projects Officer	1107	493-494
Post of Financial & Development Secretary	1159	569-572
Post of Personnel Manager	1160	573
Post of Terminal Assistant	991	279
Post of Terminal Supervisor (Grade II)	990	278
Post of Upper Rock Site Officer	1000	295-296
Postal Services	924-925	174-176
Prescription Charges	1054	407
Prescriptions (Number)	1055-1056	408-409
Private Motor Vehicles	964-965	238-241
Proposed Science Park	1133	531-532



Psycho - Geriatric Patients	1075	441-442
Public Bus Service	943-944	205-208
Qualifying Companies	1151	557-558
Reasoned Opinion Against Spain	1200	648-649
Residential Properties	1149	555
Residential Property	1152	559
Rock Hotel	1131-1132	526-530
Rosia Bay	961	234-235
SCADA Controller Link Project	905	144-145
School Attendants	1039	383
Sea Outfall Study	939	200
Senior Citizens Association	829	9
Short Term Benefits Fund	1212	684
Social Advisory Board	887	115
Social Assistance	826	4
Social Insurance Schedules	839-842	26-31
Spanish Nationals Employed	846	36-38
Spanish Pensioners	1198	643-645
St Martin's School	1028-1029	366-370
St Mary's School	1032	373-374
Students Wishing to Study In Spain	1001-1004	297-302
Supreme Court of Gibraltar – Judgements	1241	725
Supreme Court Rules	1196	637-639
Surveillance Cameras	1157	566-567
Technical Talks Between UK/Spain	1207	671
Telephone Numbering Problem	1153	560-561
Terms Of Engagement	855	56-57
The Protected Cell Companies Ordinance	1120	510-511
The Upper Rock Nature Reserve (Admission Fees) Regulation 1993	999	293-294
Theatre Royal	1096-1097	476-479
Theatre Royal	1045	392
Tourism – Persons Interviewed	976-979	255-259
Tourism Advisory Council	992	280
Tourism Co-operation Agreement – Los Barrios	957	226-228
Tourism Co-operation Agreement – La Linea	956	224-225
Tourist Boards Roadshow – Seville Cordoba	988-989	275-277
Transfer of Boats At Western Beach to Coaling Island	1168	586-587
Transport – Driving Licences	948-949	214-216
Transport – MOT Building – Eastern Beach	951	218
Transport – Number of New Registrations	950	217
Transport – Parking Tickets	946	210-211
Transport – Seat Belts	953	220
Truant Children	1036	380
Upper Rock - Admission Fees	959	230-231
Upper Rock Firebreaks	940	201
Vacancies Filled	850-851	48-50
Varyl Begg Estate – Garages	927	180-181
Victoria Stadium – Squash Court	934	192
Visas For Non-EU Nationals	1178	606
Visit of Travel Journalists From Spain	987	273-274
Vocational Cadets	849	45-47
Vocational Cadets	1095	475
Watergardens Waiting Bays	945	209
Waterport Distiller	921-922	170-172
Westside School	1043	388-390
Work Permits	848	41-44
World War II Tunnels	985	271
Youth Clubs	902-904	140-143

**NO. 824 OF 2001**

**THE 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 April 2001?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

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

**Answer to Question 824 of 2001**

The transfers made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund by month since April 2001 are as follows:-

	£
April 2001	910,000
May 2001	800,000
June 2001	1,350,000
July 2001	800,000
August 2001	560,000
September 2001	1,310,000
<b>Total</b>	<b>£ 5,730,000</b>

**SUPPLEMENTARY TO QUESTION NO 824 OF 2001**

**HON J L BALDACHINO :**

In August 2001 the figures appear to be lower, is there an explanation for that?

**HON MRS Y DEL AGUA:**

No explanation that I am aware of.

**HON J L BALDACHINO:**

If the hon Member has not got the information, can she find out and let me know?

**HON MRS Y DEL AGUA :**

Yes.

**HON CHIEF MINISTER :**

The answer is, although the hon Member will check it, that pensioners do not all come on a monthly basis. The hon Member will notice that there are two months in the quarter with a slightly lower figure, which is then higher in the third, at the quarter end month. As this money is transferred, only as it is required on a cash flow basis, as pensions are drawn from the Closed Long-Term Benefits Fund, then it just generates a need for more money to be sent on those particular months. I think that is the explanation that some pensioners come on a quarterly basis to collect their pensions. We will check that out to confirm that that is the case.

**NO. 825 OF 2001**

**THE HON J L BALDACHINO**

**HEAD 5-B SOCIAL SERVICES**

Can Government state how much has been spent to date from Head 5-B Social Services, subhead 5 (c) contingencies, giving a breakdown?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

A total of £12,772.94 has been spent to date from Head 5-B Social Services, subhead 5(c) Contingencies. The breakdown is as follows:-

<b><u>EQUIPMENT</u></b>	<b><u>AMOUNT</u></b>
Mobility Aids	£ 5,406.19
Manual handling equipment	
And independent living aids	£ 7,366.75
	<hr/>
<b>Total</b>	<b>£12,772.94</b>
	<hr/>

**SUPPLEMENTARY TO QUESTION NO 825 OF 2001**

**HON J L BALDACHINO :**

Has any body been refused, that has applied for anything under this Head?

**HON MRS Y DEL AGUA :**

Not that I am aware of.

**NO. 826 OF 2001****THE HON J L BALDACHINO****SOCIAL ASSISTANCE**

Can Government state the number of persons receiving Social Assistance each month from April to the end of October 2001 giving a breakdown by age and sex?

**ANSWER****THE HON THE MINISTER FOR SOCIAL AFFAIRS****HON MRS Y DEL AGUA :**

The information requested by the hon Member is set out in the written schedule that I now hand him.

<b>2001</b>	<b>Males</b>	<b>Females</b>	<b>Total</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>April</b>	124	162	286	54	85	82	65
<b>May</b>	121	163	284	52	90	74	68
<b>June</b>	118	164	282	47	86	83	66
<b>July</b>	109	162	271	44	84	83	60
<b>August</b>	106	168	274	45	92	82	55
<b>September</b>	102	167	269	44	88	82	55
<b>October</b>	102	183	285	47	92	89	57

**NO. 827 OF 2001**

**THE HON J L BALDACHINO**

**CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the balance of the Closed Long-Term Benefits Fund for each month of April, May, June, July, August, September and October 2001 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 No 827 of 2001**

The balance of the Closed Long-Term Benefits Fund from 1<sup>st</sup> January 2001 to 30<sup>th</sup> September 2001 (the figures for October 2001 are as yet not available) 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:-

	30-Apr-01	31-May-01	30-Jun-01	31-Jul-01	31-Aug-01	30-Sep-01
	£	£	£	£	£	£
Fund Account- Opening Balance	575,419	468,684	680,561	811,032	743,265	427,550
<u>"Local Account"</u>						
Opening Balance	197,681	87,413	156,238	451,277	361,229	53,468
<u>Add</u>						
Transfers from the Open Long-Term Benefits Fund	910,000	800,000	1,350,000	800,000	560,000	1,310,000
Other Receipts	3,414	3,688	6,963	5,326	2,734	4,147
<u>Less</u>	11,111,095	891,101	1,513,201	1,256,603	923,963	1,367,615
Pension Payments	(1,023,682)	(734,863)	(1,061,924)	(895,374)	(870,495)	903,969
Closing Balance	87,413	156,238	451,277	361,229	53,468	463,646
<u>"Spanish Account"</u>						
Opening Balance	377,738	381,271	524,323	359,755	382,036	374,082
<u>Add</u>						
Receipts from DFID	450,000	360,000	1,060,000	430,000	370,000	970,000
<u>Less</u>	827,738	741,271	1,584,323	789,755	752,036	1,344,082
Pension Payments	(446,467)	(216,948)	(1,224,568)	(407,719)	(377,954)	(1,047,488)
Closing Balance	381,271	524,323	359,755	382,036	374,082	296,594
<u>Fund Account – Closing Balance</u>	468,684	680,561	811,032	743,265	427,550	760,240

**NO. 828 OF 2001**

**THE HON J L BALDACHINO**

**CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the number of pensioners being paid with entitlement to payment for each month of April, May, June, July, August, September and October 2001 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?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The information requested by the hon Member is set out in the written schedule that I now hand to him.



**Answer to Question No 828 of 2001**

	<b>April 01</b>	<b>May 01</b>	<b>June 01</b>	<b>July 01</b>	<b>Aug 01</b>	<b>Sept 01</b>	<b>Oct 01</b>
Pre-1969 Spanish pensioners	7267	7252	7230	7221	7207	7197	7174
British Pensioners (Gib UK Nat)	4735	4696	4684	4699	4691	4690	4698
Moroccan Pensioners	1214	1180	1180	1205	1215	1220	1227
Other Nationalities	348	332	333	333	333	335	338
<b>Total</b>	<b>13564</b>	<b>13460</b>	<b>13427</b>	<b>13458</b>	<b>13446</b>	<b>13442</b>	<b>13437</b>

**NO. 829 OF 2001**

**THE HON J L BALDACHINO**

**SENIOR CITIZENS' ASSOCIATION**

Have Government received representations from the Pensioners Association for Senior Citizens to be exempted from the payment of the annual television licence fee?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

I am not aware of any association known as the Pensioners Association. The hon Member may be referring to the Gibraltar Senior Citizens Association. A representation, to which the hon Member's question refers, was included in a list of items for an agenda for a meeting sent to the Chief Minister on 6<sup>th</sup> October 2000.

**SUPPLEMENTARY TO QUESTION NO 829 OF 2001**

**HON J L BALDACHINO :**

I presume a decision will be taken in that meeting , is that correct?

**HON CHIEF MINISTER :**

No, a decision has not been taken. Although the matter remains on review, the hon Member knows that the Government receive many requests from associations and the Gibraltar Senior Citizens Association is no exemption. It is not possible to agree to all of them, some of them have got practical difficulties beyond the financial advantage that will be delivered to the beneficiaries. This is not one of the requests that has yet been exceeded to and the Government have made no commitments to agree to it at any stage which is not to say that it will not be agreed to at some stage but it has not been agreed to yet.

**NO. 830 OF 2001**

**THE HON J L BALDACHINO**

**DISABILITY ALLOWANCE**

Will Government consider extending the disability allowance payments to all severely disabled persons and not limit it only to mentally disabled persons?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Disability Allowance payments are not limited only to mentally disabled persons.

**SUPPLEMENTARY TO QUESTION NO 830 OF 2001**

**HON J C PEREZ :**

Is it not the case that this is so by statutory right, that the other disabled persons can only get those benefits on the discretion of the Head of Department like the hon Lady told me at the last meeting of the House when I questioned her on this specific matter?

**HON MRS Y DEL AGUA :**

Yes, the Director does have discretion but the distinction is not made between mentally and physically disabled persons, but between those born with the disability and those who have become disabled later on in life.

**HON J C PEREZ :**

Is the hon Lady saying then that no one has a statutory right to those benefits and that disabled persons are also granted those benefits at the discretion of the Director? What I understood the last time was that mentally disabled persons had it by statutory right and that other disabled persons was at the discretion of the Director.

**HON MRS Y DEL AGUA :**

I do not know where the hon Member got that information from but it certainly did not come from my department.

**HON J C PEREZ :**

Yes but.....

**MR SPEAKER:**

Next Question

**HON J C PEREZ :**

But can the Minister clarify what the position is?

**MR SPEAKER:**

No you have been given an answer.

**HON J C PEREZ :**

No we have not got the answer.

**MR SPEAKER:**

You have got the answer she wants to give you.

**HON J C PEREZ:**

No, she might want to give me another answer, she might want to explain that the...

**MR SPEAKER:**

Order, next question, unless the Leader of the Opposition wants to ask a supplementary to which he is entitled.

**HON J J BOSSANO:**

I would like you to quote the Standing Order to which you are referring.

**MR SPEAKER:**

I am not going to quote any Standing Order that is my decision.

**HON J J BOSSANO :**

But I have to tell you that I consider that you are acting in a way, which hinders the Opposition from carrying out their role in this House

**MR SPEAKER:**

It does not, you can at any time bring a motion. Next question.

**NO. 831 OF 2001**

**THE HON J L BALDACHINO**

**BISHOP HEALY HOME**

Can Government confirm how many children are currently being cared for in the Bishop Healy Home giving a breakdown by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 832 and 833 of 2001.

**NO. 832 OF 2001**

**THE HON J L BALDACHINO**

**BISHOP HEALY HOME**

Can Government state when the decision was taken to move the Children's residence service from the Bishop Healy Home to a refurbished Government flat?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 831 and 833 of 2001.

**NO. 833 OF 2001**

**THE HON J L BALDACHINO**

**BISHOP HEALY HOME**

What plans do Government have for the property housing the Bishop Healy Home, once the Children's Residence services is moved?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question No 831 of 2001**

There are currently 20 children and young people resident at the Bishop Healy Home. The attached table, which I now hand over, shows the breakdown by age and sex.

**Answer to Question No 832 of 2001**

Government took a decision to replace the children's residential service with smaller more appropriate accommodation in December 2000.

**Answer to Question 833 of 2001**

Bishop Healy House will be adapted to provide a unit for people who present challenging learning disabilities and behaviour and who require significant staff support and supervision.



**Answer to Question No 831**

**BISHOP HEALY HOUSE – BREAKDOWN BY AGE**

<b><u>AGE</u></b>	<b><u>MALE</u></b>	<b><u>FEMALE</u></b>
0-4	2	1
5-9	4	3
10-14	3	5
15-18	1	1
<b>TOTALS</b>	<b>10</b>	<b>10</b>

**NO. 834 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state how many of the posts held by persons contracted by Milbury outside Gibraltar have now been localised?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Out of the five qualified posts held by persons contracted by Milbury outside Gibraltar, one of them has been released for local recruitment.

**SUPPLEMENTARY TO QUESTION NO 834 OF 2001**

**HON J L BALDACHINO :**

When was it released?

**HON MRS Y DEL AGUA :**

It was released about one week ago approximately.

**HON J L BALDACHINO :**

If this was the agreement originally signed with Milbury, why has it taken Milbury such a long time to find people and teach people for those posts which was part and parcel of the contract that was given out to Milbury? Why has it taken so long and why has the post not been localised before?

**HON MRS Y DEL AGUA :**

It is not a question of teaching or taking so long to teach a person, it is just a unilateral decision that has been taken between Government and Milbury. We think this is the appropriate time to release one of those posts and that is what we have done.

**HON J L BALDACHINO :**

But it was part and parcel and it was up to Milbury under the agreement that they signed originally for Milbury to bring local people up to the standard that was required for those posts. I suppose that Milbury had that requirement under the agreement that they signed with them, why has it not been done before?

**HON MRS Y DEL AGUA :**

I think it might be appropriate and I had intention of mentioning it on another question, that the Milbury contract has been extended for a further year which means that the contract would have come to an end, in November this year, it has been extended for a further year and this has been the first post that has been released of the five that will be released eventually.

**NO. 835 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state what extra services were provided by Milbury in the Financial year 1998/1999 when they received extra funding from the Government of £53,000?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 836 and 837 of 2001.

**NO. 836 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state what extra services were provided by Milbury in the Financial Year 1999/2000 when they received extra funding from the Government of £64,820?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 835 and 837 of 2001.

**NO. 837 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state what extra services were provided by Milbury in the Financial year 2000/2001 when they received extra funding from the Government of £89,000?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question No 835 of 2001**

Milbury care Services Ltd provided in the financial year 1998/1999 the following extra services for which they received extra funding from Government of £53,000:-

- ◆ Reimbursement of Cadet Training for Dr Giraldi Home
- ◆ Replacement of Cook at the Bishop Healy Home
- ◆ The provision of an extra senior Social Worker for Child Care
- ◆ Additional Respite Care for Dr Giraldi
- ◆ Provision of a Stay and Play Scheme.

**Answer to Question 836 of 2001**

Milbury Care Services Ltd provided in the Financial year 1999/2000 the following extra services for which they received extra funding from Government of £64,820:-

- ◆ Day Care for Dr Giraldi
- ◆ Support Worker pay increase
- ◆ Home Service Support
- ◆ Inflation
- ◆ Lime Kiln Steps Project

### **Answer to Question 837 of 2001**

Milbury Care Services Ltd provided in the Financial Year 2000/2001 the following extra services for which they received extra funding from Government of £89,000:-

- ◆ The unitisation of Dr Giraldi
- ◆ Extra staff cover for Bishop Healy Home
- ◆ Additional staff for St Bernadette's

### **SUPPLEMENTARY TO QUESTION NOS 835, 836, AND 837 OF 2001**

**HON J L BALDACHINO :**

Have all the provisions that the Minister has just stated being provided by Milbury, there is non that Milbury has still not provided for, is that it?

**HON MRS Y DEL AGUA :**

They have all been provided.

**HON J L BALDACHINO :**

What is the project at Lime Kiln Steps?

**HON MRS Y DEL AGUA :**

Lime Kiln Steps is a Specialist Residential Service for two difficult teenagers that we have in care at the moment.

**HON J L BALDACHINO :**

The Lime Kilm Steps project for the two difficult, teenagers, is that in a private flat or is it that the flat belongs to the Government?

**HON MRS Y DEL AGUA :**

It is a flat which has been lent by the Housing department to the Social Services on a temporary basis.

**NO. 838 OF 2001****THE HON J L BALDACHINO****DR GIRALDI HOME**

Can Government state how many individuals applied for respite facilities at Dr Giraldi Home and how many were accommodated giving a breakdown for each of the months of April, May, June, July, August, September, and October 2001?

**ANSWER****THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The table gives the information requested concerning the breakdown of figures for the use of the respite facilities of Dr Giraldi Home from April –September 2001. The figure for October 2001 is not yet available.

<b>Respite Hours</b>				<b>Sitting Hours</b>	
	<b>Application</b>	<b>Met</b>	<b>Hours Used</b>	<b>Numbers</b>	<b>Hours Used</b>
<b>April</b>	7	7	744	14	1146
<b>May</b>	10	9	639	15	1075
<b>June</b>	10	8	717	15	1117
<b>July</b>	7	7	959	13	723
<b>August</b>	10	8	862	12	545
<b>September</b>	10	9	872	14	695



## **SUPPLEMENTARY TO QUESTION NO 838 OF 2001**

**HON J L BALDACHINO :**

An application was received but was not able to be accommodated is there an explanation for that, was it because there were no facilities available or because of something else?

**HON MRS Y DEL AGUA :**

The hon Member might be aware, respite includes staying overnight and obviously the reason for not being able to accommodate these people is because the four beds that are available were taken up at that precise moment in time.

**HON J L BALDACHINO :**

I presume that the reason for that is that there were other people also applying at the same time for the duration of that period, and, how was the decision then taken that somebody was not allocated that time of somebody else, does the hon Member know the criteria about that?

**HON MRS Y DEL AGUA :**

I am not aware of the criteria used or the administrative arrangements made by Milbury but I am aware as I said before if they were not given that time, I cannot say that in practice all the respite applications were met because if they were not provided respite in the particular time the person was asking for they were provided respite either the following weekend or during the week.

**HON J L BALDACHINO :**

It is clear that not all the respite hours were met because if there were, say for example in one area there were 10 applications and only eight were met so it means that not everybody that applied for respite did get respite in that time.

**HON CHIEF MINISTER :**

Yes, that is clear, as is the answer the Minister has given the hon Member which is that when there are more applications for a particular facility on a particular day than there are resources available they cannot all be met at the time. It is like going to a hotel and being told that "it is full but you can come tomorrow, sir," and that is what happens with overnight respite because we are limited to a number of beds.

**HON J L BALDACHINO :**

I gather that much that is why I ask which criteria is used for somebody's application to be turned down and for the benefit of others. There must be a criteria under those circumstances.

**HON MRS Y DEL AGUA:**

It may be first come first served, it may be that they take into consideration the needs of the person that has applied for respite. I am not certain as I have said before the criteria that is used.

**NO. 839 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state the number of employers who have returned the Social Insurance schedules for the second and third quarters and the number of employees covered by such returns respectively?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 840, 841, and 842 of 2001

**NO. 840 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state the number of employers issued with Social Insurance Contribution schedules in the first quarter and the number who have returned the schedules to-date and the number of employees covered by the schedules returned?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 839, 841, and 842 of 2001

**NO. 841 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many social insurance schedules have been issued to employers and the number of employers, in respect of employees for the second, third and fourth quarter to-date of the current year?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 839, 840, and 842 of 2001

**NO. 842 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many social insurance schedules for self-employed persons have been issued in respect of the second, third and fourth quarter to-date, of the current year?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question 839 of 2001**

In the second and third quarter of 2001, 884 and 580 employers respectively have returned the social insurance schedules covering 11,160 and 9,763 employees respectively.

**Answer to Question 840 of 2001**

In the first quarter of 2001, 1692 employers have been issued with schedules, 896 employers have returned the social insurance schedules covering 12,288 employees.

**Answer to Question 841 of 2001**

In the second, third and fourth quarter of 2001, 1545, 1452 and 1480 employers respectively have been issued with social insurance schedules covering 18,419, 16,452 and 16,811 social insurance schedules respectively.

**Answer to Question No 842 of 2001**

In the second, third and fourth quarter of 2001, 925, 849 and 853 self-employed persons have been issued with social insurance schedules.

**SUPPLEMENTARY TO QUESTION NOS 839 TO 842 OF 2001**

**HON J J BOSSANO :**

I believe in the original start of the schedules, in the first quarter there were 20,000 employees covered. In fact the figures that have been given subsequently are below that. Is that based on the non-returns?

**HON MRS Y DEL AGUA :**

It is based on non-returns and on the fact that some employers notified that they did not have those employees working with them any longer.

**HON J J BOSSANO:**

When the employer is notified in respect of the social insurance, is this then reflected in action being taken in respect of the registration of those employees in the ETB as still being in employment with open contracts or not?

**HON MRS Y DEL AGUA :**

I am afraid I do not have the answer to that question, I can find out for the hon Member.

**HON J J BOSSANO:**

In respect of the persons that leave employment within the quarterly period, is the employer required to do anything to notify the termination from a social insurance point of view or is he expected to do that at the end of the quarter?

**HON CHIEF MINISTER :**

No, there is no requirement to notify termination to social insurance on a quarterly basis. It is simply reflected in the non-return of the subsequent quarters return or its partial return if somebody leaves during the quarter.

**HON J J BOSSANO:**

So the answer is that in fact he is not required to do it within the quarter it is only by the failure to appear at the end.

**HON CHIEF MINISTER:**

There are termination notification requirements to the employment service under the employment regulations. The hon Member has asked as I have understood him whether there are similar termination notification requirements to the social insurance

department. The answer is, there is not. One simply submits ones return when it is next due.

**HON J J BOSSANO :**

But in fact is it not the case that when the social insurance cards system was in operation, employers were required to hand in the card stamped up to the date of termination in order to facilitate the persons right to unemployment benefit. How is that dealt with in the present system?

**HON CHIEF MINISTER :**

Employers may well do it, one thing is that they will do it and another thing is whether they have got a requirement and certainly as used to be the case, it was always the employee that used to end up chasing the employer to do the paperwork so that the employee could access some statutory benefit rights and I suspect it is still working in that manner.

**HON J J BOSSANO :**

What had to be produced then was evidence that the man's insurance had been paid in order to be able to entitle him to the benefit. Now what I am asking is how is that done in the present system, because in the old system the cards had to be stamped up-to-date and if somebody wanted to claim unemployment benefit and the employer had not returned the stamped card, then he was expected to deliver it. How is that done in the present system where there is a quarterly schedule?

**HON CHIEF MINISTER:**

I wish to check that this is the complete answer but of course payments are now due monthly so the employer even though he only sends in his return quarterly, the payments are monthly, I suppose it is possible to still have to demonstrate what the hon Member is asking in respect of the current months so to speak but one of the great advantages of this system is of course that employers have to stay much more up-to-date currently on their payments, but I will double check what the full answer to that question is, in other words whether there is some mechanism whereby the employer has to do everything co-extensively in time with the termination to assist the outgoing employee in claim of whatever benefit he wants.

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**HON CHIEF MINISTER:**

Can I clarify something that I said in error this morning to the hon Leader of the Opposition. There is in fact in the new regulations the obligations to notify termination to the Social Security Department. New Regulation 8 (1) says, "An employer shall on the termination of the employment forthwith return the contribution schedule together with the remittance for the contribution payable to the Director or such other persons.



**NO. 843 OF 2001**

**THE HON J L BALDACHINO**

**MOROCCAN NATIONALS EMPLOYED**

Can Government state of the Moroccan nationals employed in the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2001, how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question Nos 844 and 846 of 2001.

**NO. 844 OF 2001**

**THE HON J L BALDACHINO**

**BRITISH NATIONALS EMPLOYED**

Can Government state of the 271 British Nationals employed in the 2<sup>nd</sup> quarter and of the 307 employed in the 3<sup>rd</sup> quarter how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question Nos 843 and 846 of 2001.

**NO. 845 OF 2001**

**THE HON J L BALDACHINO**

**GIBRALTARIANS EMPLOYED**

Can Government state of the Gibraltarians employed in the 2<sup>nd</sup> and 3<sup>rd</sup> quarter of 2001 how many were registered with the Employment Agency giving a breakdown for each month by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 845 of 2001**

| <b>April 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------------|--------------|-------------|---------------|--------------|
|                   | Under 18     | 4           | 1             | 5            |
|                   | 18-24        | 13          | 10            | 23           |
|                   | Over 25      | 10          | 10            | 20           |
|                   | <b>Total</b> | <b>27</b>   | <b>21</b>     | <b>48</b>    |

| <b>May</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------|--------------|-------------|---------------|--------------|
|            | Under 18     | 1           | 3             | 4            |
|            | 18-24        | 10          | 5             | 15           |
|            | Over 25      | 13          | 14            | 27           |
|            | <b>Total</b> | <b>24</b>   | <b>22</b>     | <b>46</b>    |

| June | Age          | Male      | Female    | Total     |
|------|--------------|-----------|-----------|-----------|
|      | Under 18     | 4         | 3         | 7         |
|      | 18-24        | 15        | 2         | 17        |
|      | Over 25      | 17        | 14        | 31        |
|      | <b>Total</b> | <b>36</b> | <b>19</b> | <b>55</b> |

| July | Age          | Male      | Female    | Total     |
|------|--------------|-----------|-----------|-----------|
|      | Under 18     | 5         | 3         | 8         |
|      | 18-24        | 12        | 11        | 23        |
|      | Over 25      | 13        | 7         | 20        |
|      | <b>Total</b> | <b>30</b> | <b>21</b> | <b>51</b> |

| August | Age          | Male      | Female    | Total     |
|--------|--------------|-----------|-----------|-----------|
|        | Under 18     | 2         | 0         | 2         |
|        | 18-24        | 13        | 8         | 21        |
|        | Over 25      | 10        | 7         | 17        |
|        | <b>Total</b> | <b>25</b> | <b>15</b> | <b>40</b> |

| September | Age          | Male      | Female    | Total     |
|-----------|--------------|-----------|-----------|-----------|
|           | Under 18     | 3         | 2         | 5         |
|           | 18-24        | 17        | 12        | 29        |
|           | Over 25      | 10        | 9         | 19        |
|           | <b>Total</b> | <b>30</b> | <b>23</b> | <b>53</b> |

**NO. 846 OF 2001**

**THE HON J L BALDACHINO**

**SPANISH NATIONALS EMPLOYED**

Can Government state of the 444 Spanish nationals employed in the 2<sup>nd</sup> quarter and of the 495 employed in the 3<sup>rd</sup> quarter how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 846 of 2001**

British Nationals employed in the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter 2001 which are new entrants to the Local Labour Market.

|  |    |
|--|----|
|  |    |
|  | 32 |
|  | 23 |
|  | 35 |
|  | 43 |
|  | 29 |
|  | 32 |

Spanish Nationals employed in the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter 2001 which are new entrants to the Local Labour Market.

|  |    |
|--|----|
|  |    |
|  | 52 |
|  | 42 |
|  | 76 |
|  | 79 |
|  | 71 |
|  | 84 |

Moroccan Nationals employed in the 1<sup>st</sup> and 2<sup>nd</sup> Quarter 2001 which are new entrants to the Local Labour Market.

|  |   |
|--|---|
|  |   |
|  | 0 |
|  | 0 |
|  | 0 |
|  | 0 |
|  | 0 |
|  | 0 |

**SUPPLEMENTARY TO QUESTION NOS 843, 844, AND 845 of 2001**

**HON J L BALDACHINO :**

In comparison of new entrants to the people employed in particular to the Spanish labour, it appears that they take quite a high percentage of new people coming in relation to the local labour market. Is there an explanation for that, that they do special jobs that local people could not do and therefore employers prefer to employ Spanish workers or is it that they prefer to employ Spanish workers in detrimental to local people.

**HON H CORBY :**

No. Most of the Spanish nationals are employed in the construction industry and they are there for a short while and then they go back.

**HON J L BALDACHINO :**

When they come in for a short period of time is it that they are employed locally, it is not that they are detached workers coming in and out.

**HON CHIEF MINISTER:**

The explanation is a variety of all the possibilities that the hon Member has himself suggested. There are some areas of activity in Gibraltar where either employers for some reason prefer non-residents or residents prefer not to seek employment. Construction, restaurant type work, shopkeepers, shop assistants on the Main Street. These are businesses where the employers tend to favour cross-frontier workers. On the other hand there are areas of the economy where there are very few cross-frontier workers employed because those are the areas of employment to which the local prefers to dedicate his aspirations. All that said there is yet another category of industry which cannot find the necessary skills that they need in Gibraltar and therefore are obliged to import them, for example, the ship-repair yard brings in temporary workers from time to time, construction workers as my hon Colleague has already said falls into that category. The economy would not be serviceable using only the locally available pool of unemployed labour. The hon Member knows this

from the days that he was in Government, despite the intense commitment to training that the Government have deployed in the last two years, there are still many amongst the two to three hundred Gibraltarians that persistently remain in the unemployment register who either are not really seeking employment or make no genuine effort to acquire the skills that the changing economy requires. The Government do not give up on them, we continue to improve increasing amounts of training schemes and training resources to them, but certainly it is the employer that identifies his needs and satisfies them accordingly and that is how it should be.

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**NO. 847 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – NUMBER OF UNEMPLOYED**

How many Gibraltarians joined the Unemployment register during each month since January 2001 to date giving a breakdown by age and sex groups?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 847 of 2001**

| January | Age      | Male | Female | Total |
|---------|----------|------|--------|-------|
|         | Under 18 | 17   | 11     | 28    |
|         | 18-24    | 36   | 20     | 56    |
|         | Over 25  | 44   | 25     | 69    |
|         | Total    | 97   | 56     | 153   |

| February | Age      | Male | Female | Total |
|----------|----------|------|--------|-------|
|          | Under 18 | 5    | 5      | 10    |
|          | 18-24    | 21   | 16     | 37    |
|          | Over 25  | 29   | 19     | 48    |
|          | Total    | 55   | 40     | 95    |



| March | Age          | Male      | Female    | Total      |
|-------|--------------|-----------|-----------|------------|
|       | Under 18     | 6         | 4         | 10         |
|       | 18-24        | 25        | 14        | 39         |
|       | Over 25      | 23        | 33        | 56         |
|       | <b>Total</b> | <b>54</b> | <b>51</b> | <b>105</b> |

| April | Age          | Male      | Female    | Total      |
|-------|--------------|-----------|-----------|------------|
|       | Under 18     | 8         | 9         | 17         |
|       | 18-24        | 24        | 15        | 39         |
|       | Over 25      | 28        | 22        | 50         |
|       | <b>Total</b> | <b>60</b> | <b>46</b> | <b>106</b> |

| May | Age          | Male      | Female    | Total     |
|-----|--------------|-----------|-----------|-----------|
|     | Under 18     | 7         | 5         | 12        |
|     | 18-24        | 21        | 10        | 31        |
|     | Over 25      | 20        | 34        | 54        |
|     | <b>Total</b> | <b>48</b> | <b>49</b> | <b>97</b> |

| June | Age          | Male      | Female    | Total      |
|------|--------------|-----------|-----------|------------|
|      | Under 18     | 9         | 2         | 11         |
|      | 18-24        | 28        | 21        | 49         |
|      | Over 25      | 24        | 24        | 48         |
|      | <b>Total</b> | <b>61</b> | <b>47</b> | <b>108</b> |

| July | Age          | Male      | Female    | Total      |
|------|--------------|-----------|-----------|------------|
|      | Under 18     | 5         | 5         | 10         |
|      | 18-24        | 17        | 24        | 41         |
|      | Over 25      | 31        | 21        | 52         |
|      | <b>Total</b> | <b>53</b> | <b>50</b> | <b>103</b> |

| August | Age          | Male      | Female    | Total      |
|--------|--------------|-----------|-----------|------------|
|        | Under 18     | 9         | 4         | 13         |
|        | 18-24        | 29        | 20        | 49         |
|        | Over 25      | 28        | 31        | 59         |
|        | <b>Total</b> | <b>66</b> | <b>55</b> | <b>121</b> |

| September | Age          | Male      | Female    | Total      |
|-----------|--------------|-----------|-----------|------------|
|           | Under 18     | 9         | 7         | 16         |
|           | 18-24        | 24        | 27        | 51         |
|           | Over 25      | 33        | 40        | 73         |
|           | <b>Total</b> | <b>66</b> | <b>74</b> | <b>140</b> |

**NO. 848 OF 2001**

**THE HON J L BALDACHINO**

**WORK PERMITS**

Can Government state the number of Work Permits issued from 1<sup>st</sup> April to the end of October 2001 giving a breakdown for each month by occupation, sex and nationality?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand over to him.

**SUPPLEMENTARY TO QUESTION NO 848 OF 2001**

**HON J L BALDACHINO :**

Seeing that in the previous answers there were no Moroccan nationals that were new entrants to the local labour market, is it that the issue of these permits have been renewals?

**HON H CORBY:**

It can be renewals and it can also be a change of employment.

# Answer to Question 848 of 2001

Work Permits issued on the 2<sup>nd</sup> and 3rd Quarter of 2001

| April 01     | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   | 1     |   | 1      |
| Professional |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     | 1        |   |        |   |     |   |     |   |         | 2 |         |   |       |   |          |   |             |   |       | 2 | 5      |
| Semi-skilled |          |   |        |   | 15  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 15     |
| Domestic     |          |   |        |   |     | 2 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |
| Catering     |          |   |        |   | 3   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 4      |
| Skilled      |          |   |        |   | 5   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 5      |
| Director     |          |   |        | 1 |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 1      |
| Total        | 1        |   |        | 1 | 23  | 3 |     |   |         | 2 |         |   |       |   |          |   |             |   | 1     | 2 | 33     |

| May 01       | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Professional |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        | 1 |     | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |
| Semi-skilled |          |   |        |   | 10  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 10     |
| Domestic     |          |   |        |   | 1   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 1      |
| Catering     |          |   | 1      |   | 1   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 3      |
| Skilled      |          |   |        |   | 6   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 6      |
| Director     |          |   | 1      |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 1      |
| Totals       |          |   | 2      | 1 | 18  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 23     |

| June 01      | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   | 1        |   |        |   |     | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |
| Professional | 1        |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 1      |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        |   |     |   |     |   |         |   | 1       |   |       |   |          |   |             |   |       |   | 1      |
| Semi-skilled |          |   | 1      |   | 11  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 12     |
| Domestic     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Catering     |          |   |        |   | 3   | 1 |     |   |         |   |         |   |       |   |          |   |             |   | 1     |   | 5      |
| Skilled      |          |   |        |   | 1   | 1 |     |   |         |   | 1       |   |       |   |          |   |             |   |       |   | 3      |
| Director     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Totals       | 2        |   | 1      |   | 15  | 3 |     |   |         |   | 2       |   |       |   |          |   |             |   | 1     |   | 24     |

| July 01      | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   |          |   |        | 1 | 1   |   |     |   |         |   |         |   |       |   |          |   |             |   | 6     |   | 8      |
| Professional |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   | 1     |   | 1      |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   | 1     |   | 1      |
| Semi-skilled |          |   | 1      |   | 9   | 2 |     | 1 |         |   |         |   |       |   |          |   |             |   | 1     |   | 14     |
| Domestic     |          |   |        |   |     | 2 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |
| Catering     |          |   |        |   | 2   | 1 |     |   |         |   |         |   |       |   |          |   |             |   | 2     | 5 |        |
| Skilled      |          |   |        |   | 6   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 6      |
| Director     |          |   |        |   |     |   |     |   |         |   |         |   | 1     |   |          |   |             |   | 1     | 1 | 3      |
| Totals       |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 40     |

| Aug 01       | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   | 1     |   | 1      |
| Professional |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   | 2           |   |       |   | 2      |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   | 1     |   | 1      |
| Semi-skilled |          |   |        |   | 3   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 3      |
| Domestic     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Catering     |          |   | 1      |   | 4   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 6      |
| Skilled      |          |   |        |   | 3   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 3      |
| Director     |          |   | 1      |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |
| Totals       |          |   | 2      |   | 10  | 1 |     |   |         |   |         |   |       |   |          |   | 2           |   | 1     | 2 | 18     |

| Sept 01      | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   |          |   |        |   |     |   |     |   |         |   |         |   | 1     |   |          |   |             |   |       |   | 1      |
| Professional | 1        |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 1      |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Semi-skilled |          |   |        | 1 | 3   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 4      |
| Domestic     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Catering     |          |   |        |   | 2   |   |     | 1 |         |   |         |   |       |   |          |   |             |   |       | 1 | 4      |
| Skilled      |          |   |        | 1 | 5   |   |     |   |         |   |         |   |       |   |          |   |             |   | 1     |   | 7      |
| Director     |          | 1 |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   | 2     |   | 3      |
| Totals       | 1        | 1 |        | 2 | 10  |   | 1   |   |         |   |         |   | 1     |   |          |   |             |   | 3     | 1 | 20     |

**NO. 849 OF 2001****THE HON J L BALDACHINO****VOCATIONAL CADETS**

Can Government state how many Vocational Cadets were in employment in each month from January 2001 to October 2001 giving a breakdown by age, sex and trade?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

No Trainees were in employment.

**Answer to Question No 849 of 2001**

| <b>January</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|----------------|--------------|-------------|---------------|--------------|
|                | Under 18     | 22          | 19            | 41           |
|                | 18-24        | 39          | 26            | 65           |
|                | Over 25      | 6           | 1             | 7            |
|                | <b>Total</b> | <b>67</b>   | <b>46</b>     | <b>113</b>   |

| <b>February</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-----------------|--------------|-------------|---------------|--------------|
|                 | Under 18     | 22          | 19            | 41           |
|                 | 18-24        | 39          | 27            | 66           |
|                 | Over 25      | 6           | 1             | 7            |
|                 | <b>Total</b> | <b>67</b>   | <b>47</b>     | <b>114</b>   |

| <b>March</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|--------------|--------------|-------------|---------------|--------------|
|              | Under 18     | 22          | 19            | 41           |
|              | 18-24        | 39          | 28            | 67           |
|              | Over 25      | 6           | 1             | 7            |
|              | <b>Total</b> | <b>67</b>   | <b>48</b>     | <b>115</b>   |

| <b>April</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|--------------|--------------|-------------|---------------|--------------|
|              | Under 18     | 24          | 20            | 44           |
|              | 18-24        | 42          | 30            | 72           |
|              | Over 25      | 6           | 1             | 7            |
|              | <b>Total</b> | <b>72</b>   | <b>51</b>     | <b>123</b>   |

| <b>May</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------|--------------|-------------|---------------|--------------|
|            | Under 18     | 24          | 17            | 41           |
|            | 18-24        | 36          | 31            | 67           |
|            | Over 25      | 7           | 1             | 8            |
|            | <b>Total</b> | <b>67</b>   | <b>49</b>     | <b>116</b>   |

| <b>June</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------|--------------|-------------|---------------|--------------|
|             | Under 18     | 22          | 19            | 41           |
|             | 18-24        | 34          | 30            | 64           |
|             | Over 25      | 7           | 3             | 10           |
|             | <b>Total</b> | <b>63</b>   | <b>52</b>     | <b>115</b>   |

| <b>July</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------|--------------|-------------|---------------|--------------|
|             | Under 18     | 21          | 18            | 39           |
|             | 18-24        | 33          | 33            | 66           |
|             | Over 25      | 7           | 3             | 10           |
|             | <b>Total</b> | <b>61</b>   | <b>54</b>     | <b>115</b>   |

| <b>August</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|---------------|--------------|-------------|---------------|--------------|
|               | Under 18     | 18          | 18            | 36           |
|               | 18-24        | 31          | 29            | 60           |
|               | Over 25      | 6           | 3             | 9            |
|               | <b>Total</b> | <b>55</b>   | <b>50</b>     | <b>105</b>   |

| <b>September</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------------|--------------|-------------|---------------|--------------|
|                  | Under 18     | 35          | 19            | 54           |
|                  | 18-24        | 36          | 30            | 66           |
|                  | Over 25      | 6           | 3             | 9            |
|                  | <b>Total</b> | <b>77</b>   | <b>52</b>     | <b>129</b>   |

## **SUPPLEMENTARY TO QUESTION NO 849 OF 2001**

**HON J L BALDACHINO:**

How can that be, can the Minister give an explanation?

**HON H CORBY:**

Yes, the Vocational Trainees are not employed with training providers during the training placement but are given on the job training, to make them employable at completion. The number of Vocational Trainees placed with the training providers from January to October is given in the schedule that I now hand over to him.

**HON J L BALDACHINO :**

When the Minister has said that they are not in employment as such, that they are placed, I suppose that they are paid, and is it that they are still paid by the Employment Agency and is it that they still pay social insurance, do they do that or not?

**HON H CORBY:**

They are placed by the Employment Service. The Training Ministry pays for them.

**HON J L BALDACHINO:**

Could I have the numbers that are not in employment but are placed, I have always understood that they were in a sort of employment because they were employed by the Employment Agency because the Employment Agency is the one that takes social insurance like anybody else that is in employment. Now, that they are not employed by the person where they have been placed, that is something different but I understood that they were employed by the Employment Agency but I do not mind rephrasing next time the question and adding as to where they are placed.

**HON CHIEF MINISTER:**

The original answer was that persons placed under the Vocational Cadets Scheme are not in employment. In other words the relationship that exists between them and the person with whom they are placed is not the relationship of employer, employee. They are placed as part of their training scheme and hope that at the end of their training scheme a proper employment will be found for them. Whilst they are on the scheme they are not in employment, they are on Training Placement. They are paid for by the fund and that does not establish either in law an employee/employer relationship, although there is a relationship between them because there are mutual obligations and mutual rights. But it is not an employment relationship in the placement.



**NO. 850 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – VACANCIES FILLED**

Can Government state of the vacancies filled in the 2<sup>nd</sup> quarter of 2001 how many were for part-time employment giving a breakdown by sex and age for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question No 851 of 2001.

**NO. 851 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – VACANCIES FILLED**

Can Government state of the vacancies filled in the 3<sup>rd</sup> quarter of 2001 how many were for part-time employment giving a breakdown by sex and age for each month?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 851 of 2001**

| Month        | MALES     |           |           | FEMALES   |            |            | Total      |
|--------------|-----------|-----------|-----------|-----------|------------|------------|------------|
|              | Under 18  | 18-24     | Over 25   | Under 18  | 18-24      | Over 25    |            |
| April        | 1         | 4         | 12        | 6         | 20         | 31         | 74         |
| May          | 6         | 4         | 12        | 4         | 13         | 31         | 70         |
| June         | 7         | 15        | 19        | 6         | 33         | 41         | 121        |
| July         | 8         | 18        | 10        | 7         | 31         | 36         | 110        |
| August       | 2         | 8         | 14        | 4         | 17         | 19         | 64         |
| September    | 1         | 16        | 12        | 7         | 23         | 40         | 99         |
| <b>Total</b> | <b>25</b> | <b>65</b> | <b>79</b> | <b>34</b> | <b>137</b> | <b>198</b> | <b>538</b> |

**SUPPLEMENTARY TO QUESTION NOS 850 AND 851 OF 2001**

**HON J L BALDACHINO:**

I do not know if the Minister has the information I am going to ask for with him but maybe he could provide it once I request it. On the question of the females in part-time employment is it that they normally take up part-time employment in the retail sector, is that where the majority are employed?

**HON H CORBY:**

I do not have that information with me but I will certainly find out and let the hon Member know.

**NO. 852 OF 2001**

**THE HON J L BALDACHINO**

**CAMMELL LAIRD**

Can Government state how many persons were employed by Cammell Laird or alternatively in the Shipping Industry as at the end of March 2001 and at the end of September 2001 and how many of these were Gibraltarians?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

As at the end of March:-

|               |   |     |
|---------------|---|-----|
| Gibraltarians | - | 109 |
| Other         | - | 126 |
| Total         | - | 235 |

And as at the end of September:-

|               |   |     |
|---------------|---|-----|
| Gibraltarians | - | 117 |
| Other         | - | 176 |
| Total         | - | 293 |

**NO. 853 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – NUMBER OF UNEMPLOYED**

Can Government state of the Gibraltarians registered with the Employment Agency as at the 2<sup>nd</sup> and 3<sup>rd</sup> quarter of 2001 how many were registered as looking for part-time jobs giving a breakdown for each month, by sex and age?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand over to him.

**Answer to Question No 853 of 2001**

Unemployed Gibraltarians registering for part-time in the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter

| <b>April 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------------|--------------|-------------|---------------|--------------|
|                   | Under 18     | 0           | 0             | 0            |
|                   | 18-24        | 0           | 6             | 6            |
|                   | Over 25      | 0           | 22            | 22           |
|                   | <b>Total</b> | <b>0</b>    | <b>28</b>     | <b>28</b>    |

| <b>May 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-----------------|--------------|-------------|---------------|--------------|
|                 | Under 18     | 0           | 0             | 0            |
|                 | 18-24        | 0           | 4             | 4            |
|                 | Over 25      | 0           | 20            | 20           |
|                 | <b>Total</b> | <b>0</b>    | <b>24</b>     | <b>24</b>    |

| <b>June 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------------|--------------|-------------|---------------|--------------|
|                  | Under 18     | 0           | 0             | 0            |
|                  | 18-24        | 0           | 3             | 3            |
|                  | Over 25      | 0           | 12            | 12           |
|                  | <b>Total</b> | <b>0</b>    | <b>15</b>     | <b>15</b>    |

| <b>July 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------------|--------------|-------------|---------------|--------------|
|                  | Under 18     | 0           | 0             | 0            |
|                  | 18-24        | 0           | 1             | 1            |
|                  | Over 25      | 0           | 8             | 8            |
|                  | <b>Total</b> | <b>0</b>    | <b>9</b>      | <b>9</b>     |

| <b>August 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|--------------------|--------------|-------------|---------------|--------------|
|                    | Under 18     | 0           | 0             | 0            |
|                    | 18-24        | 0           | 3             | 3            |
|                    | Over 25      | 0           | 10            | 10           |
|                    | <b>Total</b> | <b>0</b>    | <b>13</b>     | <b>13</b>    |

| <b>Sept 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------------|--------------|-------------|---------------|--------------|
|                  | Under 18     | 0           | 0             | 0            |
|                  | 18-24        | 0           | 6             | 6            |
|                  | Over 25      | 0           | 13            | 13           |
|                  | <b>Total</b> | <b>0</b>    | <b>19</b>     | <b>19</b>    |

#### **SUPPLEMENTARY TO QUESTION NO 853 OF 2001**

**HON J L BALDACHINO:**

Could the Minister clarify a point, if I look at the information just given, during the period of the 2<sup>nd</sup> and 3<sup>rd</sup> quarter there are no Gibraltarian males registered as looking for part-time jobs, yet when it comes to the employment which is the answer that the Minister gave me before, one finds that there are Gibraltarians being employed on a part-time basis.

**HON H CORBY :**

In which question?

**HON J L BALDACHINO:**

In Question No 851 of 2001 the information that was given by the Minister shows that there were males employed as part-timers, yet none of them registered under the male column that he has just given me looking for part-time jobs. Is it that the Employment Agency when a part-time job comes up is offered to those males that are registered looking for a normal job and then it is up to them whether they take it or not?

**HON H CORBY:**

Yes. That is quite possible but I will certainly look at it and give the hon Member an explanation.

**NO. 854 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – NUMBER OF CASUAL WORKERS**

Can Government give a monthly breakdown of the vacancies for casual workers opened with the ETB by Cammell Laird or, alternatively in the Shipping Industry in the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarter of 2001 and of these how many have been taken by Gibraltarians?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The number of casual workers taken by the shipping industry is :-

| MONTH     | NUMBER OF WORKERS TAKEN ON        |
|-----------|-----------------------------------|
| January   | 0                                 |
| February  | 1                                 |
| March     | 0                                 |
| April     | 0                                 |
| May       | 19 (2 of which were Gibraltarian) |
| June      | 3                                 |
| July      | 2 (1 which was Gibraltarian)      |
| August    | 1 (1 which was Gibraltarian)      |
| September | 0                                 |

**SUPPLEMENTARY TO QUESTION NO 854 OF 2001**

**HON J L BALDACHINO:**

Could the Minister then agree of those males that have been employed in part-time jobs, very few have taken up the casual work in the shipping industry, is that correct?

**HON H CORBY:**

I cannot answer the hon Member because I have not got this information with me.

**HON J L BALDACHINO:**

But it is clear with the figures that he has just given that this could not be possible?

**HON H CORBY:**

I have not got that information.

**HON CHIEF MINISTER:**

The hon Member should also take note that one of his questions, the one about the shipping industry, relates to casual workers and the previous one refers to part-time workers and I understand that there is difference between the two so he cannot make the deduction that he has made in the supplementary.

**HON J L BALDACHINO:**

That was what I wanted to establish that one had nothing to do with the other one.



**NO. 855 OF 2001**

**THE HON J L BALDACHINO**

**TERMS OF ENGAGEMENT**

Can Government state how many Terms of Engagements were registered with the Employment Agency:-

- (a) in April 2001,
- (b) in May 2001,
- (c) in June 2001,
- (d) in July 2001,
- (e) in August 2001,
- (f) in September 2001,
- (g) in October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The number of notice of Terms of Engagements registered with the Employment Service as at:

|                                 |        |
|---------------------------------|--------|
| 30 <sup>th</sup> April 2001     | 18045  |
| 31 <sup>st</sup> May 2001       | 18006  |
| 30 <sup>th</sup> June 2001      | 17920  |
| 31 <sup>st</sup> July 2001      | 18336  |
| 31 <sup>st</sup> August 2001    | 18329  |
| 30 <sup>th</sup> September 2001 | 18256; |

these figures include directors and self-employed.

**HON J L BALDACHINO:**

Has the Minister got the figures for October 2001?

**HON H CORBY:**

No because it is only as at the end of September 2001.

**HON J L BALDACHINO:**

Could the Minister give the figures excluding the directors and the self-employed?

**HON H CORBY:**

As at the

|                                 |   |        |
|---------------------------------|---|--------|
| 30 <sup>th</sup> April 2001     | - | 15104  |
| 31 <sup>st</sup> May 2001       | - | 15126  |
| 30 <sup>th</sup> June 2001      | - | 15155  |
| 31 <sup>st</sup> July 2001      | - | 15563  |
| 31 <sup>st</sup> August 2001    | - | 15542  |
| 30 <sup>th</sup> September 2001 | - | 15467. |

**HON J J BOSSANO:**

In the past when we have been looking at the Terms of Engagements there was always this problem of the length of time that employers took to get round to informing the ETB in submitting the termination, is that still a continuing problem or has that now been taken out of the system, the Government were expecting some improvement in the situation as a result of the legislation that they brought in which amongst other things penalised failure to return the termination terms on time?

**HON H CORBY:**

It is not as bad as it used to be because of the legislation but there are still a few that do not send them back as soon as we would like them but the problem is downscaled at the moment.

**NO. 856 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – NEW ENTRANTS**

Can Government state of the other Non-EEC persons employed in the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> quarter of 2001 how many were new entrants to the Local Labour Market giving a breakdown by nationality and job title for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 856 of 2001**

| 1 <sup>st</sup> Quarter 2001 |             |        |                  |
|------------------------------|-------------|--------|------------------|
| Month                        | Nationality | Amount | Profession/Trade |
| January                      | -           | 0      | -                |
| February                     | Venezuelan  | 1      | Professional     |
|                              | Phillipino  | 1      | Professional     |
| March                        | Chinese     | 3      | Professional     |
|                              | Thai        | 2      | Professional     |
|                              | Swiss       | 1      | Managerial       |
|                              | Pakistani   | 1      | Medical          |
| Total                        |             | 9      |                  |

| <b>2<sup>nd</sup> Quarter 2001</b> |                    |               |                            |
|------------------------------------|--------------------|---------------|----------------------------|
| <b>Month</b>                       | <b>Nationality</b> | <b>Amount</b> | <b>Profession/Trade</b>    |
| April                              | -                  | 0             | -                          |
| May                                | Russian<br>Swiss   | 1<br>1        | Professional<br>Managerial |
| June                               | Turkish            | 1             | Managerial                 |
| <b>Total</b>                       |                    | <b>3</b>      |                            |

| <b>3<sup>rd</sup> Quarter 2001</b> |                                                      |                       |                                                                 |
|------------------------------------|------------------------------------------------------|-----------------------|-----------------------------------------------------------------|
| <b>Month</b>                       | <b>Nationality</b>                                   | <b>Amount</b>         | <b>Profession/Trade</b>                                         |
| July                               | American<br>Ukranian<br>Mauritian<br>Swiss<br>Polish | 1<br>1<br>1<br>1<br>1 | Professional<br>Managerial<br>Catering<br>Managerial<br>Medical |
| August                             | Pakistani<br>Indian<br>Swiss                         | 2<br>1<br>1           | Medical<br>Catering<br>Managerial                               |
| September                          | Brazilian<br>Swiss<br>Chinese<br>Malaysian           | 1<br>1<br>1<br>1      | Skilled<br>Professional<br>Professional<br>Professional         |
| <b>Total</b>                       |                                                      | <b>13</b>             |                                                                 |

**SUPPLEMENTARY TO QUESTION NO 856 OF 2001**

**HON J L BALDACHINO:**

Under medical, is it that they are employed by the Health Authority?

**HON H CORBY:**

I assume that they are but I do not have the information with me, it might be on a private basis that they are employed, I would have to find that information for him in due course.

**NO. 857 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – NUMBER OF UNEMPLOYED**

Can Government give a breakdown by month of male and female unemployed Gibraltarians aged 18 and over from 1<sup>st</sup> April 2001 to October 2001 receiving:-

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

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to question 857 of 2001**

Breakdown of unemployed Gibraltarians over 18 receiving payments from 1 April 2001 to September 2001

|                  | <b>Unemployment Benefit</b> |               | <b>Social Assistant</b> |               | <b>No Payment</b> |               | <b>Total</b> |               |
|------------------|-----------------------------|---------------|-------------------------|---------------|-------------------|---------------|--------------|---------------|
|                  | <b>Male</b>                 | <b>Female</b> | <b>Male</b>             | <b>Female</b> | <b>Male</b>       | <b>Female</b> | <b>Male</b>  | <b>Female</b> |
| <b>2001</b>      |                             |               |                         |               |                   |               |              |               |
| <b>April</b>     | 61                          | 37            | 90                      | 36            | 31                | 52            | 182          | 125           |
| <b>May</b>       | 53                          | 42            | 85                      | 29            | 30                | 54            | 168          | 125           |
| <b>June</b>      | 37                          | 39            | 75                      | 23            | 39                | 50            | 151          | 112           |
| <b>July</b>      | 25                          | 36            | 74                      | 27            | 38                | 53            | 137          | 116           |
| <b>August</b>    | 35                          | 46            | 65                      | 22            | 45                | 54            | 145          | 122           |
| <b>September</b> | 30                          | 36            | 69                      | 23            | 47                | 82            | 146          | 141           |
|                  |                             |               |                         |               |                   |               |              |               |

**SUPPLEMENTARY TO QUESTION NO 857 OF 2001**

**HON J L BALDACHINO:**

The completion of these figures that have just been handed over was it done by the Employment Agency or were they done by the Social Security Department?

**HON H CORBY:**

No they were done by the Employment Agency.

**NO. 858 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT - CONTRACTS TERMINATED**

Can Government give a breakdown by nationality and industry for each month from April 2001 to October 2001 in respect of employment contracts terminated?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

| Employment Contracts Terminated by Nationality & Industry for April-June 2001 |       |     |     |     |     |     |     |     |     |     |     |     |      |     |     |     |     |     |
|-------------------------------------------------------------------------------|-------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|------|-----|-----|-----|-----|-----|
| Industry                                                                      | April |     |     |     |     |     | May |     |     |     |     |     | June |     |     |     |     |     |
|                                                                               | GIB   | BRI | SPA | MOR | EEC | OTH | GIB | BRI | SPA | MOR | EEC | OTH | GIB  | BRI | SPA | MOR | EEC | OTH |
| Shipbldg, repair etc                                                          | 2     | 3   | 3   | 2   | -   | -   | 2   | 1   | 7   | -   | -   | -   | 2    | -   | 2   | -   | -   | -   |
| M/f of food & tobacco                                                         | 1     | -   | -   | 1   | -   | -   | -   | 1   | -   | 1   | -   | -   | -    | -   | 2   | -   | -   | -   |
| Printing & Publishing                                                         | 8     | 1   | -   | -   | -   | -   | 1   | -   | -   | -   | -   | -   | 2    | 1   | -   | -   | -   | -   |
| M/f nec (clothing et cetera)                                                  | -     | -   | -   | -   | -   | -   | 1   | -   | -   | -   | -   | 1   | -    | -   | -   | -   | -   | 1   |
| Building & Construction                                                       | 17    | 16  | 18  | 4   | 1   | -   | 20  | 23  | 34  | 7   | -   | -   | 25   | 26  | 27  | 2   | 2   | -   |
| Electricity supply                                                            | -     | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | 2    | -   | -   | -   | -   | -   |
| Water supply                                                                  | -     | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | -   | 2    | -   | -   | -   | -   | -   |
| Sea transport/shipping                                                        | 2     | -   | -   | -   | -   | 1   | 4   | -   | -   | -   | -   | -   | 4    | -   | 1   | -   | 1   | -   |

|                               |    |   |    |   |   |   |    |    |    |    |   |   |    |    |    |   |    |   |
|-------------------------------|----|---|----|---|---|---|----|----|----|----|---|---|----|----|----|---|----|---|
| Port & services               | -  | - | -  | - | - | - | -  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| Road transport                | 1  | - | 1  | - | - | - | 1  | -  | 1  | -  | 1 | - | 2  | -  | 1  | - | -  | - |
| Post & telecomm               | -  | - | -  | - | - | - | 2  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| Air transport related         | 2  | - | -  | - | - | - | -  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| W/sale food, drink            | 4  | - | -  | 1 | - | - | 3  | 1  | -  | -  | - | - | 6  | -  | 1  | - | 1  | - |
| Wholesale fuel                | 4  | - | -  | - | - | - | -  | -  | -  | -  | - | - | 3  | -  | 1  | - | -  | - |
| Wholesale nec                 | 1  | 2 | 2  | - | - | - | 3  | -  | -  | -  | 1 | - | 2  | 1  | -  | - | -  | 1 |
| Retail - food                 | 12 | 1 | 10 | - | - | - | 11 | 4  | 6  | 1  | - | - | 11 | 4  | 11 | 2 | 1  | - |
| Retail – drink & tobacco      | 1  | - | 1  | - | - | - | 3  | -  | -  | -  | - | - | 3  | -  | -  | 1 | -  | - |
| Retail – clothing, footwear   | 7  | 4 | 4  | - | - | - | 11 | 2  | 4  | -  | 1 | - | 7  | 1  | 2  | - | -  | - |
| Retail – household goods      | -  | 2 | -  | - | - | - | 2  | -  | 1  | -  | - | - | 8  | 1  | -  | - | -  | - |
| Retail nec                    | 7  | 2 | 9  | - | 1 | - | 3  | 6  | 7  | 2  | - | 2 | 69 | 15 | 11 | 7 | 5  | 6 |
| Hotels, hostels, guest houses | 3  | 1 | 1  | - | 1 | - | 1  | 3  | 3  | 2  | - | - | -  | 3  | 3  | 4 | 1  | - |
| Restaurants, cafes etc        | 11 | 8 | 13 | 1 | 2 | - | 14 | 15 | 12 | 10 | 3 | 2 | 8  | 19 | 35 | 5 | -  | - |
| Bars licensed to sell alcohol | 3  | 3 | 3  | 1 | - | - | 4  | 10 | -  | -  | - | - | 3  | 5  | 1  | - | -  | - |
| Tourist svcs nec              | 7  | - | -  | - | - | - | -  | 7  | -  | -  | - | - | 6  | 3  | -  | - | -  | - |
| Banking & finance             | 5  | 1 | -  | - | 1 | 1 | 6  | 2  | 1  | -  | 1 | 4 | 14 | 4  | 1  | - | -  | 1 |
| Insurance & real estate       | 6  | 2 | -  | - | 1 | - | 8  | 1  | -  | -  | - | 3 | 34 | 9  | 4  | - | 1  | 1 |
| Legal, account, other svc     | 21 | 5 | 4  | 2 | - | - | 21 | 12 | 4  | 1  | 4 | 1 | 53 | 16 | 4  | - | 10 | 5 |
| Public administration         | 10 | - | -  | - | - | - | 14 | -  | -  | -  | - | 1 | 12 | -  | -  | - | -  | - |
| Education services            | -  | - | -  | - | - | - | -  | 1  | -  | -  | - | - | 3  | 1  | -  | - | -  | - |
| Medical/health services       | 1  | - | -  | - | - | - | 1  | 2  | -  | -  | - | - | 5  | 3  | -  | - | 1  | - |
| Welfare, charity, rel svcs    | 1  | 1 | -  | - | - | - | 1  | -  | -  | -  | - | - | 5  | -  | 1  | - | 1  | - |
| Entertainment & sport         | 7  | 2 | -  | - | - | - | 14 | 6  | -  | -  | 2 | - | 6  | 3  | -  | - | 1  | 2 |
| Repairs – consumer goods      | 1  | - | -  | - | - | - | 3  | 1  | 1  | -  | - | - | 4  | -  | 1  | 1 | -  | - |
| Police/fire services          | 4  | 1 | -  | - | - | - | 7  | 1  | -  | -  | - | - | 2  | 1  | 2  | - | -  | - |
| Defence                       | 5  | 1 | -  | - | - | - | -  | 2  | -  | -  | - | - | 3  | -  | -  | 1 | -  | - |
| Sanitary services             | -  | - | -  | - | - | - | 1  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| Services nec                  | 17 | 6 | 6  | 4 | 1 |   | 26 | 9  | 18 | 5  | 3 | 1 | 36 | 15 | 11 | 3 | 6  | 9 |



# **Employment Contracts Terminated by Nationality & Industry for April-June 2001**

| Industry                      | July |     |     |     |     |     | August |     |     |     |     |     | September |     |     |     |     |     |
|-------------------------------|------|-----|-----|-----|-----|-----|--------|-----|-----|-----|-----|-----|-----------|-----|-----|-----|-----|-----|
|                               | GIB  | BRI | SPA | MOR | EEC | OTH | GIB    | BRI | SPA | MOR | EEC | OTH | GIB       | BRI | SPA | MOR | EEC | OTH |
| Shipbldg, repair etc          | 4    | 3   | 4   | -   | 2   | 1   | 5      | -   | 4   | -   | -   | -   | 8         | -   | 18  | -   | 6   | -   |
| M/f of food & tobacco         | -    | -   | -   | -   | -   | -   | -      | -   | 1   | -   | -   | -   | -         | -   | -   | 1   | -   | -   |
| Printing & Publishing         | 1    | 2   | -   | -   | -   | -   | 1      | 1   | -   | -   | -   | -   | 11        | 2   | -   | -   | -   | -   |
| M/f nec (clothing et cetera)  | 1    | 3   | -   | -   | -   | 2   | 1      | -   | -   | -   | -   | -   | 1         | -   | -   | -   | -   | -   |
| Building & Construction       | 15   | 19  | 39  | 3   | 4   | 1   | 27     | 20  | 34  | 3   | -   | -   | 21        | 10  | 55  | 3   | 2   | -   |
| Electricity supply            | 1    | -   | -   | -   | -   | -   | 8      | -   | -   | -   | -   | -   | 3         | -   | -   | -   | -   | -   |
| Water supply                  | 1    | -   | -   | -   | -   | -   | 8      | -   | -   | -   | -   | -   | 3         | -   | -   | -   | -   | -   |
| Sea transport/shipping        | 2    | -   | -   | -   | -   | -   | 3      | -   | 1   | -   | -   | -   | 2         | -   | -   | -   | -   | -   |
| Port & services               | -    | -   | -   | -   | -   | -   | -      | -   | -   | -   | -   | -   | 1         | -   | -   | -   | -   | -   |
| Road transport                | -    | -   | -   | -   | -   | -   | 4      | -   | 2   | 2   | -   | -   | 1         | -   | -   | -   | -   | -   |
| Post & telecomm               | 5    | -   | -   | -   | -   | -   | 13     | -   | -   | -   | -   | -   | 5         | -   | -   | -   | 1   | -   |
| Air transport related         | 2    | -   | -   | -   | -   | -   | 1      | -   | -   | -   | -   | -   | -         | -   | -   | -   | -   | -   |
| W/sale food, drink            | -    | 1   | 1   | -   | -   | -   | 8      | 1   | -   | -   | -   | -   | 24        | 3   | 11  | 3   | -   | -   |
| Wholesale fuel                | -    | -   | -   | -   | -   | -   | -      | -   | 1   | -   | -   | -   | -         | -   | -   | -   | -   | -   |
| Wholesale nec                 | 1    | 1   | -   | -   | -   | -   | 1      | 1   | 1   | 1   | -   | -   | 3         | -   | -   | -   | -   | -   |
| Retail - food                 | 10   | 6   | 5   | -   | -   | -   | 28     | 5   | 20  | 4   | -   | -   | 14        | 1   | 6   | -   | -   | -   |
| Retail - drink & tobacco      | 4    | 2   | -   | 1   | -   | -   | 4      | 1   | -   | -   | -   | -   | 4         | -   | -   | -   | -   | -   |
| Retail - clothing, footwear   | 1    | -   | 2   | -   | -   | 1   | 3      | 3   | 2   | -   | -   | -   | 4         | 1   | 1   | -   | -   | -   |
| Retail - household goods      | -    | 1   | -   | -   | -   | -   | 1      | -   | 1   | -   | -   | -   | -         | 2   | 1   | -   | -   | -   |
| Retail nec                    | 14   | 3   | 4   | -   | 1   | -   | 12     | 3   | 9   | 1   | -   | 2   | 14        | 1   | 8   | 2   | -   | 2   |
| Hotels, hostels, guest houses | 4    | -   | -   | -   | 1   | -   | 5      | 4   | 1   | 1   | 2   | -   | 6         | 2   | 3   | 1   | 2   | -   |
| Restaurants, cafes etc        | 9    | 15  | 14  | 2   | 3   | 1   | 17     | 19  | 17  | 5   | 2   | 1   | 14        | 12  | 25  | 2   | 1   | -   |
| Bars licensed to sell alcohol | 3    | 4   | 3   | 1   | -   | -   | 3      | 5   | 2   | 1   | -   | -   | 3         | 1   | 1   | -   | -   | -   |
| Tourist svcs nec              | 4    | 1   | -   | -   | -   | -   | 6      | 1   | 1   | -   | -   | -   | 3         | 1   | 1   | -   | 1   | -   |
| Banking & finance             | 12   | 1   | 1   | -   | 1   | -   | 21     | 1   | -   | -   | 4   | -   | 16        | 1   | -   | -   | 3   | -   |

|                            |    |    |   |   |   |   |    |    |   |   |   |   |    |    |    |   |   |   |
|----------------------------|----|----|---|---|---|---|----|----|---|---|---|---|----|----|----|---|---|---|
| Insurance & real estate    | 4  | -  | - | - | - | - | 3  | 2  | - | - | - | - | 1  | 1  | -  | - | - | - |
| Legal, account, other svc  | 21 | 13 | 4 | 1 | 1 | 2 | 26 | 4  | 4 | - | 2 | - | 14 | 12 | 6  | - | 2 | - |
| Public administration      | 12 | -  | - | - | - | - | 16 | 1  | - | - | - | - | 9  | 1  | -  | - | - | - |
| Education services         | -  | -  | - | - | - | - | 4  | 1  | - | - | - | - | 2  | -  | -  | - | - | - |
| Medical/health services    | 1  | -  | - | - | - | - | 14 | 2  | - | - | - | - | 7  | 2  | -  | - | - | - |
| Welfare, charity, rel svcs | 2  | -  | - | 1 | - | - | -  | -  | - | - | - | - | 3  | -  | -  | - | - | - |
| Entertainment & sport      | 13 | 9  | 1 | - | - | 1 | 10 | 8  | - | - | - | - | 9  | 2  | -  | - | 3 | 1 |
| Repairs – consumer goods   | 5  | 5  | 1 | - | - | - | 2  | 2  | 2 | - | 1 | - | 5  | -  | -  | - | - | - |
| Police/fire services       | 1  | 1  | 1 | - | - | - | 4  | 2  | - | - | - | - | 4  | -  | 1  | - | - | - |
| Defence                    | 6  | 3  | - | 1 | - | - | 1  | 2  | - | - | - | - | 6  | 3  | -  | - | - | - |
| Sanitary services          | 1  | -  | - | - | - | - | -  | -  | - | - | - | - | -  | 1  | -  | - | - | - |
| Services nec               | 23 | 7  | 6 | 4 | - | - | -  | 40 | 9 | 4 | 1 | - | 30 | 16 | 20 | 6 | 1 | 1 |

### **SUPPLEMENTARY TO QUESTION NO 858 OF 2001**

**HON J L BALDACHINO:**

Has the Minister got the totals?

**HON H CORBY:**

No I have not.

**HON J L BALDACHINO:**

I could add it up by myself there is no problem but when I ask future questions Could I have the totals?

**HON CHIEF MINISTER:**

The hon Member does not ask for the totals he asks only for a breakdown. If he wants the totals he should ask for them.

**HON J L BALDACHINO:**

I will do that next time I ask the question.

**NO. 859 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT REGULATIONS (OFFENCES) ORDINANCE**

Can Government state how many fixed penalties have been imposed on employers in respect of how many employees in each month of April, May June, July, August, September and October 2001 under the Employment Regulations (Offences) Ordinance, 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**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 859 of 2001**

**April 2001**

Number of inspections carried out was 18.  
1 Fixed Penalty Notice was issued.  
No Fixed Penalty Notices were paid.  
1 Pending case with the Attorney General.

**May 2001**

Number of inspections carried out was 8.  
No Fixed Penalty Notices were issued.  
No Fixed Penalty Notices were paid  
No Pending cases with the Attorney General.

### **June 2001**

Number of inspections carried out was 25.  
1 Fixed Penalty Notice was issued.  
No Fixed Penalty Notices were paid.  
No Pending cases with the Attorney General.

### **July 2001**

Number of inspections carried out was 16.  
No Fixed Penalty Notices were issued.  
1 Fixed Penalty Notice was paid.  
No Pending cases with the Attorney General.

### **August 2001**

Number of inspections carried out was 22.  
1 Fixed Penalty Notice was issued.  
1 Fixed Penalty Notice was paid.  
No Pending cases with the Attorney General.

### **September 2001**

Number of inspections carried out was 17.  
No Fixed Penalty Notices were issued.  
No Fixed Penalty Notices were paid.  
No Pending cases with the Attorney General.

The provisions are as follows:-

- (1) Regulation 8(2A) of the Income Tax (Pay As You Earn) 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 4(1) of the Social Security (Contributions) Regulations (Duty to Register).
- (4) 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).
- (5) Regulation 4 of the Employment Regulations 1994 (Duty to Notify Director of Vacancy).
- (6) Regulations 7 of the Employment Regulations 1994 (Duty to apply to the Director for a permit in relation to a non-entitled worker).

## **SUPPLEMENTARY TO QUESTION NO 859 OF 2001**

**HON J L BALDACHINO:**

On the question of the one pending case with the Attorney General, which is in April 2001, is it that the person refused to pay the fixed penalty?

**HON H CORBY:**

Yes, this was the case that was settled in court in October. I think it was reported in the Gibraltar Chronicle not long ago.

**HON J L BALDACHINO:**

So the case is no longer a pending case with the Attorney General?

**HON H CORBY:**

No that was settled in court already.

**HON J L BALDACHINO:**

So it was settled out of court or within court?

**HON H CORBY:**

No, in court.

**HON CHIEF MINISTER:**

Can I just remind, the hon Member may not have forgotten, he asked whether the person refused to pay the fixed penalty. He will recall there is no obligation to pay the fixed penalty. This is an opportunity to pay a fixed penalty which one is perfectly at liberty not to pay, rather like a parking ticket, if one accepts it one pays, if not one waits to see if one is summoned to court. There is no obligation to pay a fixed penalty so the question of refusal does not arise. One may want to argue it out in court. I am not saying that nothing that he has said suggests that he thinks the contrary but I just wanted to take this opportunity to make that clear to him.

**HON J J BOSSANO:**

But it makes sense does it not that somebody that accepts that he has committed the offence will pay? The implication that if he goes to court is that he is going to challenge the payment and therefore he is refusing to pay because he does not think that the ETB is right.

**HON CHIEF MINISTER:**

He challenges not the payment but the fact that he committed the offence for which he has been invited to pay, yes, in other words he is contesting the facts upon which the thing is based.

**HON J L BALDACHINO:**

In June 2001 where it says one fixed penalty notice was issued, and no fixed penalty notice was paid and yet the case is not pending. Is it that the person has still not decided which way he is going, whether he is going to pay the fixed penalty or not or is it related in any way? It might not be related to that case.

**HON H CORBY:**

No it is not related, it is still being pursued.

**NO. 860 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – DETACHED WORKERS**

Can Government state the number of workers that were registered with the Employment Agency as “Detached Workers” in the 2<sup>nd</sup> quarter of 2001 giving a breakdown for each month, their trade and nationality?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question No 861 of 2001.

**NO. 861 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – DETACHED WORKERS**

Can Government state the number of workers that were registered with the Employment Agency as “Detached Workers” in the 3<sup>rd</sup> quarter of 2001 giving a breakdown for each month, their trade and nationality?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 861 of 2001**

| <b>APRIL 2001</b>  |              |              |           |          |           |
|--------------------|--------------|--------------|-----------|----------|-----------|
| <b>Nationality</b> | <b>Trade</b> |              |           |          |           |
|                    | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish            | -            | -            | 20        | 5        | 25        |
| British            | -            | -            | -         | -        | 0         |
| Other EEC          | 3            | -            | 20        | -        | 23        |
| Other Non EEC      | -            | -            | -         | -        | 0         |
| Moroccan           | -            | -            | -         | -        | 0         |
| <b>Total</b>       | <b>3</b>     | <b>-</b>     | <b>20</b> | <b>5</b> | <b>48</b> |



| MAY 2001      |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | -            | -            | 42        | 8        | 50        |
| British       | 1            | -            | 3         | -        | 4         |
| Other EEC     | -            | -            | 5         | -        | 5         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>1</b>     | <b>-</b>     | <b>50</b> | <b>8</b> | <b>59</b> |

| JUNE 2001     |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | -            | -            | 55        | 3        | 58        |
| British       | 1            | -            | 14        | -        | 14        |
| Other EEC     | -            | -            | -         | -        | 0         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>1</b>     | <b>-</b>     | <b>69</b> | <b>3</b> | <b>72</b> |

| JULY 2001     |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | -            | -            | 33        | 2        | 35        |
| British       | -            | -            | 1         | -        | 1         |
| Other EEC     | -            | -            | -         | -        | 0         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>-</b>     | <b>-</b>     | <b>34</b> | <b>2</b> | <b>36</b> |

| AUGUST 2001   |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | 1            | -            | 52        | -        | 53        |
| British       | -            | -            | 1         | -        | 1         |
| Other EEC     | -            | -            | -         | -        | 0         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>1</b>     | <b>-</b>     | <b>53</b> | <b>-</b> | <b>54</b> |

| SEPTEMBER 2001 |              |              |           |          |           |
|----------------|--------------|--------------|-----------|----------|-----------|
| Nationality    | Trade        |              |           |          |           |
|                | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish        | -            | -            | 25        | -        | 25        |
| British        | -            | -            | 1         | -        | 1         |
| Other EEC      | -            | -            | -         | -        | 0         |
| Other Non EEC  | -            | -            | 1         | -        | 1         |
| Moroccan       | -            | -            | -         | -        | 0         |
| <b>Total</b>   | <b>-</b>     | <b>-</b>     | <b>27</b> | <b>-</b> | <b>27</b> |

**NO. 862 OF 2001**

**THE HON J L BALDACHINO**

**LABOUR ADVISORY BOARD**

Can Government state how many times has the Labour Advisory Board met since January 2001?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The Labour Advisory Board has convened on the following dates:-

22<sup>nd</sup> January 2001  
19<sup>th</sup> March 2001  
21<sup>st</sup> May 2001  
15<sup>th</sup> August 2001  
9<sup>th</sup> October 2001.

**NO. 863 OF 2001**

**THE HON J L BALDACHINO**

**DRUG REHABILITATION CENTRE**

Can Government state how many persons have been admitted as in-patients and how many persons been given help as out-patients at Bruce’s Farm Drug Rehabilitation Centre since the 1<sup>st</sup> March 2001 giving a breakdown by age and sex for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand over to him.

**Answer to Question 863 of 2001**

|        | IN PATIENTS |   |       |   |     |   | OUT PATIENTS |   |       |   |     |   |
|--------|-------------|---|-------|---|-----|---|--------------|---|-------|---|-----|---|
|        | -18         |   | 18-24 |   | 25+ |   | -18          |   | 18-25 |   | 25+ |   |
|        | M           | F | M     | F | M   | F | M            | F | M     | F | M   | F |
|        |             |   |       |   |     |   |              |   |       |   |     |   |
| March  | 1           |   | 1     |   | 3   | 2 | 3            |   | 4     | 3 | 6   | 3 |
| April  |             |   |       |   | 5   |   |              |   | 2     | 1 | 6   | 2 |
| May    |             |   |       |   | 2   |   |              |   | 1     | 1 | 7   | 2 |
| June   |             |   |       | 1 | 4   |   |              |   |       | 2 | 3   | 1 |
| July   |             |   | 1     |   | 2   |   |              |   |       |   | 2   | 1 |
| August |             |   |       |   | 2   | 2 |              |   | 1     |   | 7   | 6 |
| Sept   |             |   | 1     |   | 2   |   | 1            |   | 2     |   | 5   | 2 |

## **SUPPLEMENTARY TO QUESTION 863 OF 2001**

**HON J L BALDACHINO:**

In the figures that the Minister has just given me it appears that more persons over the age of 25 are using the facilities than those under that age. Is there an explanation for that?

**HON H CORBY:**

No, the 18's to 24's usually consume a certain kind of drug and it is only when they come up the scale in as far as drugs are concerned that they go up to the higher or what they call a class which I do not classify as 'A'. I classify all drugs as 'A' and that is why on the 25's we have more persons because they have gone into a different kind of scenario in as far as drugs are concerned.

**HON J L BALDACHINO:**

In the question of the outpatients is it that this help is given to people who have other problems, for example, in that figure is there included the advice that is also given to families or is it just purely patients?

**HON H CORBY:**

The out-patients is only for families, these are families that want advice or do not know how to deal with it when the person is up there, there is also advice for children of in-patients as well.

**HON J L BALDACHINO:**

When somebody has a problem with alcohol are they included as out-patients or in-patients?

**HON H CORBY:**

They are included as in-patients. All I have to say to the hon Member is that with alcohol addiction we can not detoxify patients at Bruce's Farm. We can do the rehabilitation side of it but it is death threatening in as far as alcohol is concerned so we have to do the detox on a twenty-four hour basis in the hospital.

**NO. 864 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – SURVEY REPORT**

Can Government provide the number of employers in each industrial group in respect of the answer given to Question No 516 of 2001 showing the number of full-time employees in the private sector as at October 1998?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 864 of 2001**

|     |                                         |   |     |
|-----|-----------------------------------------|---|-----|
| 1.  | Shipbuilding                            | - | 8   |
| 2.  | Other Manufacture                       | - | 24  |
| 3.  | Electricity & Water Supply              | - | 3   |
| 4.  | Construction                            | - | 70  |
| 5.  | Wholesale and Retail                    | - | 302 |
| 6.  | Hotels & Restaurants                    | - | 73  |
| 7.  | Transport & Communication               | - | 62  |
| 8.  | Financial Intermediation                | - | 94  |
| 9.  | Real Estate & Other Business Activities | - | 138 |
| 10. | Public Administration                   | - | 3   |
| 11. | Education                               | - | 6   |
| 12. | Health & Social Work                    | - | 16  |
| 13. | Other Services                          | - | 60  |
|     | Total                                   | - | 859 |

## **SUPPLEMENTARY TO QUESTION NO 864 OF 2001**

**HON J J BOSSANO:**

I was told in respect of this particular Employment Survey that GBC appeared in the private sector, can the Government identify in which of the 13 categories would it be under another service or would it [*interruption*].

**HON CHIEF MINISTER:**

No I do not have that information I would have to give that to him later. We will come to you in a few moments, we think it is in Transport and Communication Item 7 on that list.

**HON J J BOSSANO:**

In Public Administration there are three employers in the private sector that seems peculiar, could they be Government Agencies or something like that or is there another explanation?

**HON CHIEF MINISTER:**

I can think of the Government Gibraltar Development Corporation and possibly although I do not know whether the Elderly Care Agency has been there but we will get a breakdown of Item 10 as well so that the hon Member can see which are the three public administrations as well as whether GBC is included under Item 7.

-----

**HON CHIEF MINISTER:**

I wonder if before the hon Member rises to ask that question I can just provide the information that I undertook to provide the Leader of the Opposition in respect of Question No 864 of 2001. All of the information there is in the private sector and therefore the question is which entities are listed as private sector albeit that they refer to public administrations rather than the other way round. It is this, I contend public administration to include GBC, The Financial Services Commission and Companies House. The Elderly Care Agency about which he did not ask but which I speculatively mentioned in my response actually is in item 12, Health and Social Work and GBC which I also mentioned speculatively in my response is not in item 7 Transport and Telecommunications but actually in item 13, Other Services under Broadcasting because item 13 includes a group labelled quote, "Other Community and Social Services." Under which they fit GBC. But hon Members will notice on reflection from his question that the question related to the private sector and therefore all of the projects are private sector therefore it does not include the Government as I mentioned this morning.

**NO. 865 OF 2001**

**THE HON J C PEREZ**

**BUILDINGS & WORKS DEPARTMENT**

Can Government state at what stage they are in the negotiations with the workforce of the Buildings and Works Department over their intended restructure following the report they commissioned?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Aswered together with Question No 866 of 2001.



**NO. 866 OF 2001**

**THE HON J C PEREZ**

**BUILDINGS & WORKS DEPARTMENT**

Can Government confirm that the Senior Officer heading the Buildings and Works Department has opted to retire?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 865 of 2001**

In relation to the consultation process with the Unions following the joint Union/Government Report on Buildings and Works such talks are on-going.

**Answer to Question 866 of 2001**

With regard to the Senior Officer at the Buildings and Works Department such talks are of a confidential nature.

**SUPPLEMENTARY TO QUESTION NOS 865 AND 866 OF 2001**

**HON J C PEREZ:**

I have not asked the Minister whether he is having talks with the Senior Officer, I am asking him to confirm that he has opted to retire or not which is something which is public. Senior Officers when they retire, these things are made public. I am not saying why he is retiring. I am not saying that he is resigning I am only saying is he retiring?

That is one supplementary the other is, can the Minister state more or less how many meetings have been held with the staff side in relation to the on-going negotiations as he calls them?

**HON J J NETTO:**

The Senior officer has not opted to retire. In relation to the second supplementary, how many meetings have we had with the Unions, we have had numerous, we have had a number of meetings with the unions and we still envisage to have many more.

**HON J C PEREZ:**

Does the Minister involve himself directly or is this being driven by the Personnel Manager's department?

**HON CHIEF MINISTER:**

The Personnel Department is not responsible for the restructuring of departments which is what this involves. This project is being handled on the Government side by the Minister for Housing assisted by the Deputy Chief Minister, Keith Azzopardi, given the extensive range of issues that are involved. Government are not willing to conduct what is a delicate, historically delicate process in respect of a historically difficult department in the public domain and I am sure the hon Member is sufficiently experienced in matters of industrial relations to understand just as I know that he is sufficiently experienced now in matters of Opposition politics to understand why he would want to try and do it but he equally would understand that these are not things that can be carried out in the public domain. They are complicated, extensive, raise many issues, some issues in which merit lies carefully balanced and it is a process which the Government have undertaken. There is no industrial dispute. This is a matter of Government policy seeking to restructure a department and the Government will make a full statement on that policy when it is in a position to implement it.

**HON J C PEREZ:**

How near are Government to making an offer to the workforce in terms of their pay and conditions in respect of them agreeing to move away from a Government department which is the basis on which the negotiations are being held according to the information provided to this House by the Chief Minister?

**HON CHIEF MINISTER:**

I am not willing to answer that question except to say that this is not a question of making offers, this is a question of working groups having been established on a stake holder basis to establish a consensus for a viable future within the public sector for the Buildings and Works department on the basis of a well resourced department on the basis of a motivated well trained, well managed department so that everyone who works in this department in Government in the future may do so with confidence and job satisfaction. This is not a question of Government making an offer which the Union accepts or does not accept it is a question of both sides really the same approach we are following in the Electricity Department and in the Post Office Department, it is a question of the Government sitting down to reshape the future of this Government Service for the benefit not just of the tax payer but also the citizen as a user and equally important from the Government's point of view the interests of the

employees of the department. So we do not see it as a negotiation we see it as a common discussion, a common process in which the staff side has the same stake as the Government. We do not see it in terms of offers and acceptance although obviously in the discussion both sides put on the table the things that they would like to see emerge in this reformatted structure and there is an element of negotiation in that respect. I do not want suggest that there is no negotiation but it is not in the offer and counter offer type.

**HON J C PEREZ:**

I take it then that there is no particular time-table, that it could take a short time or that it could be a lengthy process.

**HON CHIEF MINISTER:**

No, no one is involved in discussions with a pistol put to their heads. This is a long-standing problem in this department and I believe has been in need of attention for many, many, many years. It is now being done, the Government are not establishing any deadlines but of course the Government have a policy commitment to improve the services to tenants of Council Houses and therefore the Government are willing to give an extensive and reasonable period for this process so that no one feels that they are taking part in it under duress or with a sort of Damocles but of course if there is no solution within a reasonable period of time the Government can not just shove its shoulders and walk away.

**HON J J BOSSANO:**

Is it the policy of the Government that when the time comes that they have got either with or without the agreement of the other stake holders as he puts it, that they are entitled to alter the Terms of Employment of the employees or is it a voluntary matter whether people accept having their terms altered?

**HON CHIEF MINISTER:**

That question is entirely hypothetical that the Government have not even addressed. The Government have advised as to what the position is in that respect but the Government are not there, they are not devoting any time or effort into considering that possibility.

**HON J J BOSSANO:**

I am not sure I am asking the Government what their policy is I do not know what is hypothetical about that, either their policy is that Terms of Engagement which are different from the existing ones have to be individually voluntarily accepted or the people can be required to accept them, which of the two is it?

**HON CHIEF MINISTER:**

But then that is not a matter of policy that is a matter of law in other words whether somebody's Terms of Employment can or can not be altered is not a matter of opinion for the Government or a policy for the Government, it is a matter of law and therefore the Government does not have a policy, is not required to have a policy on the matter, what the Government has to have a policy about is whether even if it can within the law to impose, whether the Government as a matter of policy would choose to use that right, that is a matter of policy but not as to whether it is able to do so, that is a matter of law.

**HON J J BOSSANO:**

Therefore in the context of the answer to the first supplementary what the Government are saying is that they have not yet got to the stage of considering whether they will do one or the other, is that the case?

**HON CHIEF MINISTER:**

The word 'yet' which is mischievously inserted is superfluous to the question and the answer. 'Yet' suggests that the Government have it there as some sword of Damocles hanging over the heads of the staff. The Government's policy on the restructuring of departments is that they require to be done on a consensual basis otherwise not only do they bring a host of other problems but indeed it does not even succeed in achieving the original objective which is to restructure the department in which there is good moral and commitment from the staff. So, whatever may be the position in theory, the practice is that the Government would be extremely reluctant, it would have to be a very last case resort in extremist and the Government have not yet considered to take the steps that the hon Member is hypothetically mooted.

**NO. 867 OF 2001**

**THE HON J C PEREZ**

**BREWERY CRUSHER TUNNEL**

Can Government state whether material containing asbestos has been stored in a cave at Europa Point just opposite to where the Mosque is situated?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Yes, asbestos is being temporarily stored at Brewery Crusher Tunnel.

**SUPPLEMENTARY TO QUESTION NO 867 OF 2001**

**HON J C PEREZ:**

When the Minister says temporarily what plans has he got to remove the asbestos from there and dispose of it?

**HON J J NETTO:**

Once sufficient bags of asbestos to load a lorry is available a private company transports them for final disposal in Spain.

**HON J C PEREZ:**

Can the Minister state for how long they have been stacked in the cave?

**HON J J NETTO:**

I could not tell the hon Member for how long they have been stacked in this particular tunnel but it is a policy of Buildings and Works I am not aware of any other Government Department or even the MOD having a similar policy departmentally but I could not say for how long. All I can say is that as and when asbestos sheeting or down pipes are removed they are placed obviously in proper bags for this particular purpose, this whole operation is overseen by the Environmental Agency, the Factory Inspector, we have even had a consultant from UK who looked at the whole procedure and we obviously comply with this. Once we have sufficient bags to fill a lorry load it is taken to Spain for final disposal. I believe it is somewhere in Cordoba.

**HON J C PEREZ:**

So the Minister is satisfied that it is in keeping with Health Regulations

**HON J J NETTO:**

The advice I am given is that the experts in which in this case is the Factory Inspectorate, The Environmental Agency and I have just said now we have even had the opportunity of a UK consultant in this field, all of them are satisfied that procedures are adhered to.

**HON J L BALDACHINO:**

Just on a question of safety, what provisions have been made in this case for anybody from the general public entering this area?

**HON J J NETTO:**

It is just not possible for members of the public to have access to the tunnel. The tunnels are closed, locked and the only people who have access to that key is the Safety Officer of the Buildings and Works.

**HON J L BALDACHINO:**

Is it a cave or a tunnel?

**HON CHIEF MINISTER**

It is the Brewery Crusher system tunnel complex.

**NO. 868 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – PRE-WAR FLATS**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 869 of 2001.

**NO. 869 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – POST-WAR FLATS**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The extensive factual and statistical information requested by the hon Member is set out in the written Schedule that I now hand to him.

**Answer to Question No 868 of 2001**

There are 41 pre-war flats currently vacant. The room composition and date they came vacant are as follows:-

**South**

|          |   |                      |
|----------|---|----------------------|
| 2 x 2RKB | - | 20.6.01<br>16.10.1   |
| 2 x 3RKB | - | 21.05.01<br>03.09.01 |

**Town**

|          |   |                                                              |
|----------|---|--------------------------------------------------------------|
| 6 x 1RKB | - | 14.3.98 (x2)<br>22.01.01<br>25.01.01<br>15.08.01<br>16.10.01 |
|----------|---|--------------------------------------------------------------|



|           |   |          |
|-----------|---|----------|
| 13 x 2RKB | - | 11.05.98 |
|           |   | 26.05.00 |
|           |   | 17.10.00 |
|           |   | 11.12.00 |
|           |   | 22.01.01 |
|           |   | 29.01.01 |
|           |   | 05.02.01 |
|           |   | 15.03.01 |
|           |   | 24.04.01 |
|           |   | 12.06.01 |
|           |   | 20.06.01 |
|           |   | 28.08.01 |
|           |   | 15.10.01 |

|           |   |          |
|-----------|---|----------|
| 12 x 3RKB | - | 15.09.98 |
|           |   | 18.10.00 |
|           |   | 05.11.00 |
|           |   | 15.11.00 |
|           |   | 25.01.01 |
|           |   | 29.01.01 |
|           |   | 13.02.01 |
|           |   | 27.02.01 |
|           |   | 17.07.01 |
|           |   | 26.09.01 |
|           |   | 01.10.01 |
|           |   | 22.10.01 |

|          |   |          |
|----------|---|----------|
| 5 x 4RKB | - | 04.09.00 |
|          |   | 26.02.01 |
|          |   | 02.04.01 |
|          |   | 11.06.01 |
|          |   | 01.10.01 |

|          |   |          |
|----------|---|----------|
| 1 x 5RKB | - | 19.03.01 |
|----------|---|----------|

### **Answer to Question No 869 of 2001**

There are 116 post-war flats currently vacant; 52 in the North, 24 in the South and 40 in the Town area. The room composition and date they became vacant are as follows:

|           |   |               |
|-----------|---|---------------|
| 10 x 1RKB | - | 21.11.00      |
|           |   | 08.05.01      |
|           |   | 10.05.01      |
|           |   | 04.06.01      |
|           |   | 18.07.01      |
|           |   | 23.07.01      |
|           |   | 24.08.01      |
|           |   | 16.10.01 (x3) |

|           |   |               |
|-----------|---|---------------|
| 24 x 2RKB | - | 03.10.00      |
|           |   | 13.01.01      |
|           |   | 22.01.01      |
|           |   | 19.02.01      |
|           |   | 19.03.01      |
|           |   | 04.04.01      |
|           |   | 24.04.01      |
|           |   | 08.05.01      |
|           |   | 15.05.01      |
|           |   | 18.05.01      |
|           |   | 02.07.01      |
|           |   | 09.07.01      |
|           |   | 12.07.01      |
|           |   | 16.07.01      |
|           |   | 02.08.01      |
|           |   | 14.08.01      |
|           |   | 28.08.01      |
|           |   | 05.09.01      |
|           |   | 24.09.01      |
|           |   | 01.10.01      |
|           |   | 18.10.01      |
|           |   | 26.10.01 (x2) |
|           |   | 29.10.01      |

|           |   |               |
|-----------|---|---------------|
| 57 x 3RKB | - | 15.03.99      |
|           |   | 12.05.00      |
|           |   | 14.06.00      |
|           |   | 06.10.00 (x2) |
|           |   | 28.11.00      |
|           |   | 04.01.01      |
|           |   | 12.01.01      |
|           |   | 19.03.01 (x2) |
|           |   | 02.04.01 (x2) |
|           |   | 03.04.01      |
|           |   | 04.04.01 (x3) |
|           |   | 06.04.01      |
|           |   | 17.04.01 (x3) |
|           |   | 27.04.01      |
|           |   | 14.05.01      |
|           |   | 15.05.01 (x2) |
|           |   | 21.05.01      |
|           |   | 24.05.01      |
|           |   | 30.05.01      |
|           |   | 12.06.01 (x2) |
|           |   | 20.06.01      |
|           |   | 26.06.01      |
|           |   | 29.06.01      |
|           |   | 03.07.01      |
|           |   | 17.07.01 (x2) |
|           |   | 01.08.01      |
|           |   | 28.08.01      |
|           |   | 05.09.01      |
|           |   | 14.09.01 (x2) |

21.09.01  
 05.10.01  
 09.10.01 (x3)  
 11.10.01  
 13.10.01  
 15.10.01 (x2)  
 16.10.01  
 17.10.01  
 22.10.01 (x3)  
 23.10.01 (x3)

24 x 4RKB - 12.08.00  
 05.02.01  
 04.04.01  
 06.04.01  
 04.06.01 (x2)  
 12.06.01  
 19.06.01  
 06.07.01  
 16.07.01  
 17.07.01  
 15.08.01  
 14.09.01  
 18.09.01  
 01.10.01  
 02.10.01  
 05.10.01  
 08.10.01  
 15.10.01  
 16.10.01  
 23.10.01  
 26.10.01 (x2)  
 29.10.01

1 x 5RKB - 30.04.01

### **SUPPLEMENTARY TO QUESTION NOS 868 AND 869 OF 2001**

**HON DR R G VALARINO:**

On the pre-war flats, which are currently vacant, will they all be suitable for human habitation or will some of them never be allocated?

**HON J J NETTO:**

Well that will depend when the flat in question is surveyed and it will depend obviously after being surveyed whether Buildings and Works in some cases, or the Electricity Department in other cases are content that the particular flat will be fit for human habitation. Obviously if they were not then obviously it would not be the case.

**NO. 870 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING PRE-WAR FLATS**

Can Government state how many pre-war housing units have been allocated since 1<sup>st</sup> May 2001, broken down by month to-date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 871 and 872 of 2001.

**NO. 871 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – POST WAR FLATS**

Can Government state how many post-war housing units have been allocated since 1<sup>st</sup> May 2001, broken down by month to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 870 and 872 of 2001.

**NO. 872 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – PRE POST-WAR FLATS**

Can Government state how many of the pre and post-war housing units which have been allocated since 1<sup>st</sup> May 2001 have been on a do-it-yourself basis?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The extensive, factual and statistical information requested by the hon Member is set out in the written Schedule that I now hand to him.

**Answer to Question No 870 of 2001**

Pre-war housing units allocated since 1<sup>st</sup> May 2001 is as follows:-

|           |   |    |
|-----------|---|----|
| May       | - | 3  |
| June      | - | 4  |
| July      | - | 6  |
| August    | - | 1  |
| September | - | 3  |
| October   | - | 2  |
|           |   | —  |
| Total     |   | 19 |
|           |   | —  |

**Answer to Question 871 of 2001**

Post-war housing units allocated since 1<sup>st</sup> May 2001 is as follows:

|           |   |    |
|-----------|---|----|
| May       | - | 12 |
| June      | - | 12 |
| July      | - | 13 |
| August    | - | 12 |
| September | - | 8  |

|         |   |    |
|---------|---|----|
| October | - | 15 |
|         |   | —  |
| Total   |   | 72 |
|         |   | —  |

### **Answer to Question 872 of 2001**

Housing units allocated since 1<sup>st</sup> May 2001 on a do-it-yourself basis is as follows:

|          |   |    |
|----------|---|----|
| Pre-war  | - | 7  |
| Post-war | - | 27 |
|          |   | —  |
| Total    |   | 34 |
|          |   | —  |

### **SUPPLEMENTARY TO QUESTION NOS 870 TO 872 OF 2001**

**HON DR R G VALARINO:**

On the pre-war housing units allocated since the 1<sup>st</sup> May, most of these were social cases?

**HON J J NETTO:**

In theory yes it would be the case but not necessarily exclusively on social cases either but the majority would be social cases.

**HON DR R G VALARINO:**

Could the Minister find out and let me know at a later date?

**HON J J NETTO:**

Yes , I will find out.

**HON DR R G VALARINO:**

I am only asking this because in Question No 103 of 2001 the Minister also said that he did not have that information with him and in fact I will quote directly from what I said, "Could the Minister let me have that information when he has got it at hand." And he said "Yes," but I never did get it so I hope that I do get it this time.

**HON J J NETTO:**

Definitely I will make an effort to provide him with the information.

**NO. 873 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – PRE-WAR FLATS**

Can Government state how many tenants of pre-war housing units are on rent relief and how much has been spent from the £430,000 provided for in the Social Assistance Fund Appendix 'G' to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 874 of 2001.



**NO. 874 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – POST WAR FLATS**

Can Government state how many tenants of post-war housing units are on rent relief and how much has been spent from the £430,000 provided in the Social Assistance Fund Appendix 'G' to-date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 873**

Sixty tenants of pre-war housing units are currently on rent relief.

**Answer Question 874**

Four hundred and eighty-eight tenants of post war housing units are currently on rent relief.

£214,999.98 has been spent from the £430,000 provided in the Social Assistance Fund for both.

**NO. 875 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

Can Government state how many applicants are in the Housing Waiting List who have met the two years qualifying period giving a breakdown of their flat requirements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 876, 877 and 878 of 2001.

**NO. 876 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 875, 877 and 878 of 2001.

**NO. 877 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 875, 876 and 878 of 2001.

**NO. 878 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

Can Government state what is the number of applicants who are socially recommended, their requirements and how many are classified as homeless?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The extensive factual and statistical information requested by the hon Member is set out in the written Schedule that I now hand to him.

**Answer To Question 875**

There are 215 applicants in the Housing waiting List. The breakdown of the flat requirement is as follows:-

1RKB – 96      2RKB – 34      3RKB – 50      4RKB – 29      5RKB – 6

**Answer To Question 876**

There are 298 applicants in the Housing Pensioner Exchange List. The breakdown of Government tenants and private sector tenants is as follows:

|                        |   |     |
|------------------------|---|-----|
| Government Tenants     | - | 234 |
| Private Sector Tenants | - | 64  |

**Answer To Question 877**

There are a total of 11 applicants medically categorised as follows:-

A – 4              B – 2              C – 5

The housing requirements of these 11 applicants is as follows:-

1RKB – 4      2RKB – 4      3RKB – 3

**Answer To Question 878**

There are 17 housing applicants socially recommended as follows:

A – 11      B – 1      C – 5

The housing requirements of these 17 applicants is as follows:-

1RKB – 8      2RKB – 3      3RKB – 5      4RKB - 1

Two are classified as homeless.

**SUPPLEMENTARY TO QUESTION NOS 875 TO 878 OF 2001**

**HON DR R G VALARINO:**

I note that the last time the Minister answered this question, and the answer is in the April Hansard, was 22, it has gone down to 11 which I am glad. Could he more or less tell me how long an applicant on medical category 'A' has to wait before they are re-housed

**HON J J NETTO:**

It is impossible to give the hon Member that kind of answer because at the end of the day whether we are talking about housing medical people or people with social or even people on the actual list it all depends on the supply and availability of flats coming in. It would be impossible for me to determine approximately whether it would be one day or one year or 20 years. What I can say to the hon Member is that for the last two years we have put a lot of effort to try and bring down the numbers of medical and social cases and in some cases to the detriment of people in the waiting list, because of the medical or social condition of these numbers, but to give an exact date would be practically impossible because it is related to the supply of flats.

**HON DR R G VALARINO:**

If they had to wait 20 years they would be dead by then but unless applicants were medically categorised this is done as a fairly quick exercise, in fact I have an applicant who was medically categorised 'A' in March of this year who he probably knows who really needs urgent re-housing and so far there has been no chance of any re-housing as far as medical categorisation is concerned, that is why I asked that simple question on the amount of time.

**HON CHIEF MINISTER:**

In the first place the House is not the place to transact the business of an individual case, the House is the place where the Government can be challenged on facts of their policies. The hon Member will understand that how long it takes to re-house somebody depends primarily on the housing requirements and what the availability of flats of that particular size are. Now, the hon Member has made a quip about the 20 years, he ought to be aware that the Minister referred to 20 years in the context of simply illustrating that it was not possible to fix a period of time, it depended on supply. The hon Member should be aware that however long it now takes the position is vastly improved from what it has ever been under any other Government before so I do not know if people used to die when he was in Government because if they were they are dying less now. The Government have given very significant additional priority to people on the category 'A' list, for example the hon Member recalled that we built Bishop Canilla Home which enabled us at the stroke of a pen to eliminate almost the totality of medical 'A' listed elderly people. So, it really is not fair in the context of such an enormous effort and dedication of resources for the hon Member to come to this House saying that he knows of one case in which the applicant has been waiting since the beginning of the year. It will always regrettably be possible for the hon Members to bring to the House one case which it has not yet been possible to resolve but that is not the test of the reasonableness of the system. I think the hon Member would in a generous moment acknowledge that.

**HON DR R G VALARINO:**

I thank the Chief Minister for his answer except that in this case I am referring to I personally saw the Minister for Housing about three months ago and brought this question of this gentleman and this lady up and I am simply worried about their health. Now on applicants who are socially recommended has he got any idea about how long applicants who are socially recommended have to wait before they get rehoused?

**HON J J NETTO:**

It is the same answer as given before.

**HON DR R G VALARINO:**

But considering the amount of flats he has just said are empty in Gibraltar both pre and post war, surely a push could be made by the Housing Agency to try to eliminate these sort of problems.

**HON CHIEF MINISTER:**

Well the hon Member was presumably listening when he and his Colleague the Hon Juan Carlos Perez and I were debating the need to restructure the Buildings and Works department, neither Ministers nor clerks of the Housing Department do the repair works themselves in these flats, the repair work is actually done by the staff, the industrial staff of the Buildings and Works Department and therefore that is why we think the department needs restructuring amongst other reasons because it takes too long for empty flats to be put in a condition where they can be offered to a new tenant.

I know that the hon Member is not trying to be disingenuous on purpose. He understands what the system is, the system is that there is a supply of flats that comes back to the Government, sure, those flats take too long to be put in a condition where they can be offered to a new tenant. Government are trying to address that with a long, laborious process fraught with industrial relations difficulty but even when they are available to the Government, even when they do come refurbished to the Government so that the Minister and the Housing Allocation Committee are able to do their work, there is then three different sources of demand for that flat. Those flats that do become available are then under demand from the people on the Housing Waiting List, the ordinary Housing Waiting List who have been waiting patiently a long time, the so called social cases some of which are more deserving than others. There are many genuine deserving social cases that is understandable and the third category are the medical category. So the Housing Allocation Committee has to dispense the flats that become available as fairly as they can. The hon Member knows that these decisions are not made at Ministerial level between the people of the Housing Waiting List, the people on the Medical List and the people on the Social List and they are the ones that adjudicate on the relative urgency. Of course it would be possible to come back to this House next Question Time and not have the hon Member able to raise a case of a medical person that he knows, how? Well it is very simple the Government could allocate all the houses that become available to medically categorised patients. That means that the ordinary list would never move, the people would feel that they would have to make a medical case before they could get a house and therefore our Housing system would therefore not become one based on universal need but one based only on medical need and the system would very quickly descend into that. Not to say that the medical need is not great. I know that he understands the system I just wanted to put it on record so that he did not think that the administration of the system is in any sense unsympathetic to medical cases, far from being unsympathetic to medical cases there is an increased amount of sympathy for medical cases but of course not to the complete exclusion of the other two categories aspirant to housing.



**NO. 879 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government state whether there are any non-occupied flats at Bishop Canilla House?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

There is only one of the specially adapted flats available in the whole block.

**SUPPLEMENTARY TO QUESTION NO 879 OF 2001**

**HON DR R G VALARINO:**

Could the Minister confirm that there is a flat there in which the lady has been at Mount Alvernia for a considerable amount of time and the flat is lying fallow.

**HON J J NETTO:**

The hon Member would have to give me notice to try and collate the information for him. I can get the information and pass it on to him but I do not have it available with me at the moment.

**HON CHIEF MINISTER:**

I should perhaps like to add to that that the hon Member should not assume from the answer that even if there was the case that he is referring to that that necessarily suggests anything untoward. It is not the policy of the Government as I am sure he would approve of the policy, to dispossess elderly people of their houses simply because they go into Mount Alvernia. A lot of people come out of Mount Alvernia. Well yes, not many but the last thing one wants to do to elderly people that have a

chance of being rehabilitated in Mount Alvernia is to deprive them of all hope by taking their house away no sooner have they walked in through the front door of Mount Alvernia, and therefore there is a policy of not removing the house until it becomes perfectly clear that a particular person is unlikely to leave Mount Alvernia. I am sure that is the policy that the hon Member approves, I just say that because the question as put suggested that if it were the case that there was a lady in Mount Alvernia with a flat but the Government have somehow grabbed the flat quick, that is not the approach.

**HON DR R G VALARINO:**

No that was never my intention.

**NO. 880 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government state whether all the remedial works at Bishop Canilla House have now been completed?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 881, 882 and 883 of 2001.

**NO. 881 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government reassure this house that further water penetration will not occur at Bishop Canilla House this winter contrary to what has happened during the past two years?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 880, 882 and 883 of 2001.

**NO. 882 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government state the cost to Government of the fire extinguishers provided at Bishop Canilla House and what department of Government or who will be responsible for their maintenance?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 880, 881 and 883 of 2001.

**NO. 883 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Have Government now identified a site to build further housing units for the elderly similar to those at Bishop Canilla House?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question Nos 880 and 881 of 2001**

I can confirm that all remedial works have now been completed. There is nevertheless, continuous monitoring of the situation, especially during and immediately after it has rained, to gauge the effectiveness of the repairs undertaken by the contractor and to deal with any problems that might arise. This is particularly relevant during the last rains when there was a reoccurrence of a couple of problems that had previously been seen to by the contractor. Such problems were a damp patch within a dwelling and a small amount of water penetration through the anteroom roof louvre. Both problems have now been rectified although the relevant department will continue monitoring the situation.

**Answer to Question No 882 of 2001**

The cost of the fire extinguishers was £396.00. the Management company will be responsible for their maintenance.

**Answer to Question 883 of 2001**

The Government are looking and considering various sites and options for the purpose of delivering our Housing manifesto commitments.

**SUPPLEMENTARY TO QUESTION NOS 880,881,882 AND 883 OF 2001**

**HON DR R G VALARINO:**

On the remedial works in fact the Minister mentioned this at the last Meeting of the House they are still on-going because they have found dampness in about 30 of the flats. Has this dampness problem now been cured and could he confirm if it is the contractor who has done the work and that there has been no expense to Government?

**HON J J NETTO:**

Yes, the flats have been prepared and it is the contractor who is paying for it therefore not Government.

**HON DR R G VALARINO:**

As far as Question No 883 of 2001 identifying a site for further housing units for the elderly similar to Bishop Canilla House has any progress been done on this, are we any further into finding sites?

**HON CHIEF MINISTER:**

The Government are intending to do further housing of this sort in accordance with our manifesto commitment, unique in our manifesto, to continue to do housing of this sort but we are seeking to do it in the context of the other housing provisions the Government are working on to provide and not in isolation. So, sites are being chosen in which either exclusive housing for the elderly can be built or which an element of housing for the elderly can be provided in the context of other housing so as not always only to create blocks exclusively for elderly people.

**NO. 884 OF 2001**

**THE HON DR R G VALARINO**

**EDINBURGH HOUSE**

Have Government now taken a decision as to whether fire extinguishers will be provided at Edinburgh House?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 885 and 886 of 2001.



**NO. 885 OF 2001**

**THE HON DR R G VALARINO**

**EDINBURGH HOUSE**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 884 and 886 of 2001.

**NO. 886 OF 2001**

**THE HON DR R G VALARINO**

**EDINBURGH HOUSE**

Have there been one or more cases of infestation by cockroaches at Edinburgh House and what action has been taken by Government?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 884 of 2001**

In relation to the item of fire extinguishers, the decision is that there is no requirement by law to install them. May I take the opportunity to add that when this question was last asked in the House the Chief Minister pleaded the Fourth Amendment but may I reassure the Chief Minister that I am keeping within the law therefore there is no need for the Fourth Amendment.

**Answer to Question No 885 of 2001**

The number of tenants on rent relief is 18.

**Answer to question No 886 of 2001**

Lastly, cases of infestation of cockroaches are dealt with by the Environmental Agency as and when required. I am advised that the level of incidence is of no greater extent to other Housing Estates.

**SUPPLEMENTARY TO QUESTION NOS 884, 885, 886 OF 2001**

**HON DR R G VALARINO;**

If I remember correctly the Chief Minister pleaded the Fourth Amendment on a question on Bishop Canilla House and not on Edinburgh House. Be that as it may, on the question of cockroaches at Edinburgh House, from what I hear.....

**HON CHIEF MINISTER:**

If there were a problem with cockroach infestation on Government Housing Estate it most certainly would be the Government's problem. That is not what the Minister has said. What he has said is that the problem is not particularly greater there than in any other Housing Estate that is not to admit that there is a problem of infestation.

**HON DR R G VALARINO:**

No. The only thing that has come to my knowledge is that there are people working, trying to get rid of cockroaches there, where as the same thing does not happen in other areas around Gibraltar, but there has been a problem at Edinburgh House.

**HON J J NETTO:**

From what I am told the reclamation side of Gibraltar tends to have a higher incidence of cockroach infestation but let me also say that I have been supplied by the Environmental Agency on the number of occasions that they have attended in relation to cockroaches and from looking at these papers I can see that on four occasions they have gone to Edinburgh House to deal with other matters like mosquitoes, bees, ants but this is not uncommon with their duties in any other Housing Estate.

**NO. 887 OF 2001**

**THE HON DR R G VALARINO**

**SOCIAL ADVISORY BOARD**

Can Government state on how many occasions since the 1<sup>st</sup> May 2001 the Social Advisory Board has met to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 888 and 889 of 2001.

**NO. 888 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING ALLOCATION COMMITTEE**

Will Government State on how many occasions since the 1<sup>st</sup> May 2001 the Housing Allocation Committee has met?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 887 and 889 of 2001.

**NO. 889 OF 2001**

**THE HON DR R G VALARINO**

**MEDICAL ADVISORY BOARD**

Will Government state on how many occasions since the 1<sup>st</sup> May 2001 the Medical Advisory Board has met to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 887 of 2001**

The Housing Advisory Committee has met on four occasions since the 1<sup>st</sup> May 2001.

**Answer to Question No 888**

The Housing Allocation Committee has met on five occasions since the 1<sup>st</sup> May 2001.

**Answer to Question No 889**

The Medical Advisory Board has met on three occasions since the 1<sup>st</sup> May 2001.

**SUPPLEMENTARY TO QUESTION NOS 887, 888 AND 889 OF 2001**

**HON DR R G VALARINO:**

Would I remind the Minister that the object of the exercise has always been that the board would meet once a month, May, June, July, August, September, October so that it seems they are not meeting once a month. The Minister mentioned when this was last asked that round robbins were the order of the day. I also asked him about the round robbins and could he let me know about them. He did not have the information at hand but said he would find out and let me know but unfortunately I have received nothing from him on this question.

**HON J J NETTO:**

I cannot recall him asking me for that bit of information but that said if he wants information I can obviously pass it to him. In relation to his earlier comment as to when do or how often do the various statutory bodies meet, it is true that the yardstick applied is, normally once a month but that is very much the Housing Allocation Committee which normally meets once every month and that has always been the case and is the case on this particular occasion as well. I can also tell him now that the particularly with the Medical Advisory Board even though they have met on three occasions they have once gone through round robin on a particular urgent case as well. May I also say that the hon Member ought to take note of the fact that the people who compose the Medical Advisory Board are people who are extremely busy, one is talking about a Consultant, a GP, and the OT and these are people who have a very busy schedule of work in their own departments and sometimes it is not possible to meet. May I also say that the number nowadays of social cases are so low to previous years that there is no such need to meet as often as otherwise would have been the case. So that is another factor to be taken into account as well.

**HON DR R G VALARINO:**

The problem is that the Housing Allocation Committee really depend on the Medical Advisory and the Social Advisory Boards meeting and recommending cases. If the Medical Advisory Committee only meets three times in say six months they will obviously recommend less numbers than what is usual. To me, it is not an answer that these people are extremely busy. I know how busy doctors are, I know how busy all the members of Government are and of the Opposition but it is not really an answer. If such a member is so busy then really he should not be on the board and somebody else could be there instead who would be able to meet more regularly. I am glad that the round robin method was used on this occasion.

**NO. 890 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING**

Have Government now identified the site to build further housing units for sale on a 50/50 basis?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

As stated in answer to Question No 883 of 2001 the Government are looking and considering various sites and options for the purpose of delivering our Housing manifesto commitments.

**SUPPLEMENTARY TO QUESTION NO 890 OF 2001**

**HON DR R G VALARINO:**

The Minister had a meeting with Action for Housing last March when he said he was identifying sites, or the Government would be identifying the site, again I ask, are Government any further down this road of identifying a site?

**HON J J NETTO:**

On the first part of his question I am glad that he is privy to the minutes of my regular meeting with Action for Housing however, the answer he is seeking to have now have been given by the Chief Minister in the previous question. There is no point served in repeating word for word what the Chief Minister said.



**NO. 891 OF 2001**

**THE HON DR R G VALARINO**

**LAGUNA ESTATE – LIFTS**

Have Government now taken a decision as to when they will start to install lifts at Laguna Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 901 of 2001.

**NO. 892 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE - LIFTS**

Have Government now taken a decision as to when they will start to install lifts at Varyl Begg Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 893 to 896 of 2001.

**NO. 893 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Will Government ensure that the severe water penetration experienced in a great number of housing units at Varyl Begg Estate will be remedied before the start of the winter season?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 892, 894 to 896 of 2001.

**NO. 894 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Will Government ensure that they prevent further water ingress through the balconies at Varyl Begg Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 892, 893, 895 and 896 of 2001.

**NO. 895 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Will Government ensure that windows at Varyl Begg Estate which are no longer water-tight and have perished rubber surroundings are replaced as a matter of urgency prior to the winter rains?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 892 to 894 and 896 of 2001.

**NO. 896 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Have Government now decided on a date when all remedial and beautifying works will commence at Varyl Begg Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 892 of 2001**

In relation to when the Government are going to take a decision to install lifts in Varyl Begg Estate, such decision was taken and communicated to this House at my budget speech in this Financial Year.

**Answer to Question No 893 of 2001**

On the subject of water penetration this has been occurring since 1976, that is, since the Estate was inaugurated. It is for this reason that the GSD Government will seek to address this longstanding problem, which should have been tackled much earlier.

**Answer to Question 894 of 2001**

With regard to water ingress through the balconies this is repaired as and when it gets reported. With regard to repairs to windows generally, when a report for repairs comes in, Buildings and Works makes an attempt to repair it. However, if the state of the windows is beyond repair, the window is then placed on a list for replacement.

**Answer to Question No 896 of 2001**

Finally, on remedial and beautification of the Estate, this answer is contained in Hansard.

## **SUPPLEMENTARY TO QUESTION NOS 892, 893, 894, 895 AND 896 OF 2001**

**HON DR R G VALARINO:**

As far as severe water penetration is concerned certainly nobody before this year has complained to me that there has been this severe amount of water penetration. Since the Minister mentioned a specific date this may shed some light on this matter.

**HON J J NETTO:**

It seems to me that the hon Member is not aware of the problems Varyl Begg Estate has had since the estate was actually inaugurated in 1976. It has been a constant problem of water penetration. I know this because I actually grew up in Varyl Begg and from the beginning it was a design fault. This is nothing new and let me add that the only attempt by previous Government's the AACR and GSLP, is that they tried unsuccessfully to put a pitched roof within the parapet wall but they never succeeded in eradicating the problems of water penetration in the estate. It is only now that the GSD Government are dealing with the tender documents and the designs in order to cure that long lasting problem but I am amazed that the hon Member is not aware of the problems at Varyl Begg Estate.

**HON J J BOSSANO:**

Can I say for the record that we had nothing to do with the pitched roofs. The pitched roofs were done before 1988 and the House was informed at the time the work was done successfully. I think there was a dispute about the payments to Taylor Woodrow but my recollection of what happened before 1988 was that.

**HON J J NETTO:**

On the first part of the Leader of the Opposition's question he might be right, it might be on the last year of the AACR Government when the pitched roof was done I am not quite sure whether it was in the last year or in 1988 but definitely I can assure this House from the statement made to me by my management that every single year, gangs from Buildings and Works go to every single roof in Varyl Begg and they start removing some of the layers of different material that they have laid down on the roofs, only to do the same work year after year after year and this has happened since 1976. So, I am amazed that nobody seems to be aware of these problems in Varyl Begg until now.

**HON DR R G VALARINO:**

It has only been recently that people have complained to me so I can not say how long it has gone before this but when he talks about this going on for years and the work having to be done every year for how many years will the work have to be done before the problem is eradicated?

**HON J J NETTO:**

I have just answered the question, I have already told him that if he would have read my budget speech, it was only a couple of months ago, he would have noticed that I said in my budget speech that we intend in this Financial Year to carry out all the preparatory work in terms of tender documents and hopefully be in a position before the end of the Financial Year where the tender documents are actually out and obviously a contractor will be engaged and work will start. The manner in which the works will start most probably depending on final discussions with Technical Services department would mean, I do not know whether the hon Members are listening to the answer or not but the manner in which the works will start will mean that they will start doing probably one particular roof or one particular building along with the lift of that building in order to try and cause less amount of inconvenience as possible and then obviously they will be moving on from one particular block to the next. It would most probably be the case that they will probably start on the bigger blocks of the estate and then coming down to the smaller ones. That is probably the case but those are still details that we are ironing out with Technical Services department.

**HON DR R G VALARINO:**

The water ingress is coming through, mainly what, the roofs?

**HON J J NETTO:**

Yes. I do not know whether the hon Member knows that in Varyl Begg Estate the design was done originally so that all the water collection goes through the middle of the building. It is not the classical or the traditional block which has a pitched roof over the parapet wall with gutters and pipes down to the sewers. This is not the case in Varyl Begg it was never designed as such. Therefore, what we have is that the water is collected at the roof and it goes right through the middle of the roof and down into ducts and that has been most of the source of the problem and the Leader of the Opposition said that he was not aware of actually anyone coming to him. Well, I can tell this House that my father and my mother have been reporting this since 1976 and that is why I am aware of this and this is one of the reasons why I have now resorted to not going to my mother's house at lunch-time because she actually keeps asking me when the work is going to be done. So I am perfectly aware, extremely aware of the problems in Varyl Begg and for how long these have been going on.



**NO. 897 OF 2001**

**THE HON DR R G VALARINO**

**COELHO HOUSE**

Can Government explain the delay into the repairs of Coelho House, when is it now likely that the works will start and what will be the completion date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

In relation to the delay in commencing the works at Coelho House such explanation was given to the hon Member in Question No 93 of 2001. However, the contract has now been awarded and it is anticipated that the works will commence in early November.

**SUPPLEMENTARY TO QUESTION NO 897 OF 2001**

**HON DR R G VALARINO:**

When was the Tender awarded?

**HON J J NETTO:**

I think it must have been awarded a couple of months ago.

**HON DR R G VALARINO:**

This is what I mean by the delay into the repairs of Coelho House and not previous to this.

**HON CHIEF MINISTER:**

These jobs do not just involve sending a man round with a stepladder and a pot of paint which is how it used to be done before. These repairs are done on a thorough basis and even once the contract is awarded the successful Tenderer needs time to mobilise and time to do the works. The hon Member is most ungenerous in the way he formulates his question in this area. There is a massive programme of public housing refurbishment afoot. Public housing which has been allowed to dilapidate over many decades, in fact so many decades that it probably, most of it, or some of it is the fault of the hon Member in his previous incarnation in this House but the fact of the matter is that it is not possible to do it all at the same time. The hon Member only has to look up towards the top of the rock, the area of Calpe Road, to see how many buildings are currently being worked on simultaneously in the area. There are projects at different phases of the programme some of them are at the design stage, some of them are at the stage of contract documents being drawn up, some of them are in the phase of the pro Tender process being in operation, others have been awarded and the contractor has started and others have been awarded and the contractor has not started but it has got to be seen in the overall context of a very broad programme involving the refurbishment of almost every Government estate building in Gibraltar over a very few years involving a very significant dedication of financial resources for this exercise much of it, not to say all of it, very long overdue and it is really if he does not mind my saying so very churlish for the hon Member to question the Government as to why there has been six weeks delay in the starting of the refurbishment of a block of flats, the refurbishment of which was not even in his manifesto. So I presumably if he had been elected into office it would not have been a question of six weeks delay in starting, it would be a question of the job never being done at all.

**HON DR R G VALARINO:**

I thank the Chief Minister for his generous and political reply except that he did mention in a previous Question, to the Leader of the Opposition, that there was problem because there was not enough labour force to be able to deal with all the repairs. This is why I am so concerned about when the work will start and what will be the completion date?

**HON CHIEF MINISTER:**

That is what I have tried to explain to the hon Member. When one is trying to refurbish practically the whole of the housing stock it is not just a question of financial resources that have to be rationed out, it is also the fact that there is not enough building industry capacity in Gibraltar to do all the work at the same time and therefore the work has to be staggered because the Buildings and Works Department have got a certain capacity and then all these other companies and it is usually the same three or four that tender for these sort of major works, they have got a certain limited amount of personnel and capacity and that therefore the work has got to be done at a speed that reflects not just the speed and the amount in which Government can make financial resources available but also the extent of the capacity that exists in the building industry in Gibraltar to do the work. I am sure of the hon Member who appears not to have been aware of the need for refurbishment works at other housing estates in Gibraltar but I am sure that if he has driven past Coelho House he will have been left in no doubt whatsoever of the need for refurbishment works to be carried out

to this block, which is why the Government in their manifesto gave it a degree of priority. As to the last part of his supplementary the contract will by now have a completion date. It also has to be said that these completion dates are very rarely delivered there is almost always frustrating and annoying delays. Some of it due to the fact of the nature of the works, for example, I think it is this contract, the Minister will correct me if I am wrong, that there has had to be an agreement by the contractor at Government's request to delay the commencement date because the works involved demolishing all the balconies, the hon Member knows that a lot of these houses round the back some of them round the front but most of them round the back, have got these balconies a pillar of balconies that cuts in at every floor and a lot of tenants as it is not unusual in housing estates in Gibraltar have incorporated those balconies mostly into their kitchens although some of them into other things but usually into their kitchens. If the contractor goes in now in November or even in October and starts ripping out what is in effect that end of somebody's kitchen, Christmas will be upon them and all these people will have no kitchen during the Christmas Holiday period. I think the tenants requested, I am almost certain this is the block in question where the tenants requested that the ripping down of the balconies which is really the starting point of the work should be delayed until the New Year so that they would not be disrupted at home during the Christmas festivities so there are things of that thought and I remember that there were similar problems up in Willis's House and MacFarlane House. These are very disruptive works it involves a lot of demolition, a lot of re-building as well as just refurbishment, with people living inside in the meantime.

**NO. 898 OF 2001**

**THE HON DR R G VALARINO**

**FIREDRAKE HOUSE**

Can Government state when the present works at Firedrake House are due for completion and what has been the cost of the project so far; what will be the total cost of the project once completed?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

At this stage only preparatory works have been carried out, that is, the placing of scaffolding around the block. The actual works are envisaged to commence in mid-November and are due for completion in 10 weeks post commencement, depending on any unforeseen eventuality. Finally, the approximate cost is £20,000.

**SUPPLEMENTARY TO QUESTION NO 898 OF 2001**

**HON DR R G VALARINO:**

Could the Minister let me know whether flats 10 and 12 of Fearless House are included in this project?

**HON J J NETTO:**

I fear that the hon Member has mistaken the name of the building between Firedrake and Fearless, we are talking about Firedrake not about Fearless.

**NO. 899 OF 2001**

**THE HON DR R G VALARINO**

**ALAMEDA ESTATE**

Can Government state how many empty housing units are there are there at present in Alameda Estate broken down by each individual block?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

There are four empty housing units at present in Alameda Estate. The breakdown is as follows:

|                |   |   |
|----------------|---|---|
| Picton House   | - | 1 |
| Victoria House | - | 1 |
| Ross House     | - | 2 |

**SUPPLEMENTARY TO QUESTION 899 OF 2001**

**HON DR R G VALARINO:**

In a written reply given to me by the Minister, dated the 20<sup>th</sup> February 2001, he said that the flats were in Picton House, Victoria House and Ross House. Are they still the same flats?

**HON J J NETTO:**

The information I have is only two of those four are the same.

**HON DR R G VALARINO:**

Which two if I may so boldly ask?

**HON J J NETTO:**

One in Picton House and one in Victoria House.

**HON DR R G VALARINO:**

Considering that these houses have been empty for at least nine months going on to a year is it not a bit long to have to wait for re-allocation.

**HON J J NETTO:**

In Victoria House there was a delay because that particular unit is now going to be divided for two purposes. One for the purpose of adjoining into the next door neighbour who is under-housed and the remaining part will be for a medical case.

**NO. 900 OF 2001**

**THE HON DR R G VALARINO**

**HEAD 101 – SUBHEAD (1)**

Can Government state what amount of Head 101, subhead (1) has been spent to date and on what projects?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The amount of £849,261 has been spent to date on the Improvement and Development Fund Head 101, Subhead 1 Major Remedial Works and Repairs to housing stock. A breakdown of this expenditure is as follows:-

|                                                          |                 |
|----------------------------------------------------------|-----------------|
| Repairs to Housing Stock (Miscellaneous Small Projects)  | £54,180         |
| Replacement of windows                                   | £96,188         |
| Miscellaneous Scaffolding Projects                       | £57,268         |
| Laguna Estate                                            | £60,927         |
| Heathfield House                                         | £152,503        |
| Anderson House                                           | £173,216        |
| Glacis Estate                                            | £31,225         |
| MacMillan House                                          | £136,650        |
| Moorish Castle Social Club                               | £20,640         |
| Reprovision of Works to Edinburgh House & Bishop Canilla | £58,424         |
| Sunrise Court                                            | £ 8,040         |
|                                                          | <hr/>           |
| <b>Total</b>                                             | <b>£849,261</b> |
|                                                          | <hr/>           |

**SUPPLEMENTARY TO QUESTION NO 900 OF 2001**

**HON DR R G VALARINO:**

Since that seems to form part of the answer could I have the breakdown or at least a copy of the breakdown.

**HON J J NETTO:**

Yes I will pass a copy to the hon Member.

**HON DR R G VALARINO:**

Thank you.



**NO. 901 OF 2001**

**THE HON DR J J GARCIA**

**LAGUNA ESTATE**

Who were the three tenderers who submitted bids for the construction of bin stores and the beautification of Laguna Estate and how much did each bid?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 891 of 2001**

The decision has not yet been taken as to how, when or whether to install lifts in the Laguna Estate. The matter remains under review due to technical difficulties with installation in that Estate.

**Answer to Question 901 of 2001**

The three tenderers who submitted bids for the construction of bin stores and the beautification of Laguna Estate were:

1. Sando (Gibraltar) Ltd
2. Amco (Gibraltar) Ltd
3. Sharrock Shand Ltd

The successful tenderer which in this case was Amco (Gibraltar ) Ltd with a bid of £1,276,771.17 was not the lowest bidder.

## **SUPPLEMENTARY TO QUESTION NOS 889 AND 901 OF 2001**

**HON DR J J GARCIA:**

The actual question asked how much did each of them bid, would the Minister have that information available?

**HON CHIEF MINISTER:**

No, the practice of the Government is to identify the unsuccessful bidders but not the amount that they bid which is a matter of commercial-in-confidence for them. We do however inform the House about any policy issues that we think may arise if the tender is not given to the lowest bidder. The hon Member would have noticed that the answer states that the successful tenderer was not the lowest bidder. That enables the hon Member to scrutinise the Government's reasons for that decision which does not depend on the amount of the unsuccessful bid which has never been published as a matter of practice.

**HON DR J J GARCIA:**

Can the Minister then say why the tender was not awarded to the lowest bidder?

**HON J J NETTO:**

Well, as with all tenders the award criterion was not exclusively based on the lowest offer. In this particular case given the rather complex works required which included the laying of ducts and new electrical installations the tender was awarded with particular regard to past track record. Unfortunately the lowest tenderer, Sando (Gibraltar) Ltd being relatively new on the Gibraltar scene scored lower than the next lowest tenderer Amco (Gibraltar) Ltd .

**HON DR R G VALARINO:**

On the question of lifts at Laguna Estate will the Government be able to overcome the technical problems that they say exist and has the hon Minister read, I think it was the Hon Mr Baldachino that reminded him that there had been a detailed review of this by one of the last Government's.

**HON CHIEF MINISTER:**

The Government's manifesto commitment is to install lifts in all those Government housing estates where it is practicable to do so. Government fully intend to honour that manifesto commitment and indeed start has already been made as he knows in several estates. Laguna Estate is a particularly problematical estate for the installing of lifts, a number of reasons. Firstly, the landings into which lifts could be installed whether they can be installed at all are not at the level of the entrances to the flat. Secondly, there is no internal staircase so that the lift can only be established on the highway, on the public highway. In some blocks it is possible to install them around

the back in a place where it will not cause disruption to traffic flows, pavements, parking areas and things of that sort. Therefore, this is not an ordinary situation, there are other estates where it is not possible at all, there is neither space nor a courtyard, there are a few which are simply non-starters. There are many estates where it is relatively simple and there are some estates like this one which is very border line. It is either not possible in every block but possible in some blocks, in some blocks it is possible but only on the basis of eliminating other amenities such as parking or pavements or things of that sort, and then there is and even where it is possible it is much more expensive than it should be because of the additional structural works required. For all of these reasons this estate the decision has not yet been taken to proceed with the estate and if asked whether the Government intend to proceed with installing lifts where it is possible in this estate the answer that we would give is that at the moment the decision is not to proceed at the moment but that is not to mean or to suggest that it is out of the question. It simply means that it is being looked at in greater detail and we would only commit ourselves when we know what it would cost, who would get it, who would not get it whether that is going to create more problems than not given that, issues of that sort. It is a matter upon which the Government have done a new survey and we have a block by block report of where it is possible and where it is not in the Laguna Estate.

**HON J J BOSSANO:**

I know that the Government have said that it is not the practice to say how much the unsuccessful lowest bid was but can they give an indication of whether there was a very big difference, presumably the difference is taken into account if there is a very small difference or very big difference.

**HON CHIEF MINISTER:**

Yes indeed. No single criteria, the hon Member knows that when these tenders are advertised it is specifically stated that the tender board reserves the right not to allocate to the lowest tenderers. The difference was insignificant in the context of a contract of this sort and it was less than £50,000 or £60,000. There are many reasons why a tender might not be given to the lowest bidder, for example, the bid may not be in accordance with all the specifications required. In this case I seem to recall that the tender board took the view that Sando (Gibraltar) Ltd had no track record whatsoever at that time in Gibraltar and that it was not appropriate to award a major public housing tender to a company whose track record could not and therefore likely performance could not be measured. My understanding, please do not hold me to it, is that Sando had subsequently been awarded a tender but this was the first one for which they bid and that was the view that the Tender Board came to.

**HON J J BOSSANO:**

In the original answer the Government said that the complexity of the work that was involved, in fact, the construction of the bin stores is not the complicated part of the work, could he elaborate what is it that makes it technically complex in respect of the beautification of the Laguna Estate which is the other element as we understand it that the tender was invited for and given the size of the tender presumably this is going to be something that involves quite a lot of things being pulled down and replaced, what is involved, we are talking about £1.25 million?

**HON J J NETTO:**

The additional works are the laying of ducts and new electrical installation, generally speaking very much the kind of work that was carried out in Glacis Estate. The lifting up of all the common areas, the paving stones replaced with new ones, the re-provision of street furniture lightings, that kind of work.

**HON J J BOSSANO:**

What about parking areas?

**HON J J NETTO:**

One of the problems in Laguna Estate is the lack of spaces for parking and what we are trying to do is try and maximise as much as we can albeit that we know that we will never have a situation like Edinburgh House where there is sufficient parking spaces for everyone. Unfortunately that is the state of play when the Laguna Estate was done just after the war and what we are trying to do is to maximise more parking spaces.

**NO. 902 OF 2001**

**THE HON S E LINARES**

**YOUTH CLUBS**

Can the Minister state what is the cost involved in keeping the youth clubs opened during the weekend?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 903 of 2001.

**NO. 903 OF 2001**

**THE HON S E LINARES**

**YOUTH CLUBS**

Can the Minister state where the funds that were used for opening youth clubs during the weekend have been diverted to within the Youth Service?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The total cost of opening all four youth clubs during the weekend for a period of three hours with one paid session worker in attendance in each would be £325.16. The only youth club that had funds available to open at weekends was the Youth Centre. None of the other youth clubs opened during weekends unless there was a purpose. Because attendances at the youth centre fell progressively over the last few years this was not renewed after the summer of 2000. Funds have been utilised for extra sessions during weekdays. There have also been more club outings during weekends which have taken place locally or in Spain. More sessions were used in employing three new session workers who were provided with training and supervision during this time. In summary these funds were used to pay for youth work sessions which is the purpose for which they are intended.

**NO. 904 OF 2001**

**THE HON S E LINARES**

**YOUTH MANAGEMENT COUNCIL**

Can the Minister give this House an explanation why he has seen it fit to disband the Youth Management Council?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

There is no such entity as the Youth Management Council, if the hon Member means the Youth Centre's Management Committee, this has been disbanded because it has no longer a role to play in the running of the Youth Centre and the other facilities situated at Montagu Bastion. This committee was appointed 12 years ago in order to give voluntary leaders a platform from where to voice their views and/or support the officer responsible for running Montagu Bastion. Voluntary leadership in youth clubs has fallen dramatically since. Not just in the Youth Centre but in other Youth clubs too. In order to continue providing a service for young people "paid" session workers were employed. Only two of the present Management Committee are volunteers. Neither of them is involved in running the Youth Centre. They run a martial art group and a gym within Montagu Bastion. The rest of the Management Committee are all paid session workers employed by the Youth Service. They are hence Government employees who come under the direction of the Senior Youth and Community Officer or his representative.

## **SUPPLEMENTARY TO QUESTION 904 OF 2001**

**HON S E LINARES:**

Can the Minister state what platform can volunteers now or what platform do volunteers have now in order to bring up problems that they might encounter?

**HON LT COL E M BRITTO:**

I have just indicated that there are very few volunteer workers if any and therefore at the moment the present Management Committee is not fulfilling that function and that is why it is being disbanded.

**HON S E LINARES:**

Is it not the case that there are few volunteers because of these actions that the Government are taking?

**HON LT COL E M BRITTO:**

The actions as the hon Member calls them have not been taken by this Government. session workers go back quite a long time. The Management Committee was formed precisely to give volunteers who are working within different sections of the Youth Centre and Montagu Bastion a feedback into the system. These same people have with the passage of time and not necessarily in the period of this Government become paid session workers and therefore are employees of the Government and they come under the Senior Youth and Community Officer and are answerable to him as employees. What has been happening in practice is that they have been receiving directions through the normal chain of command and then subsequently have taken off their pay pack and put on a supposedly volunteer hat and in the Management Committee tried to influence events in a different way. The paid session workers have a very valuable job to do which they are doing and they do it in answer to the chain of command of the people senior to them and we are studying ways of providing feedback into management and middle management of the Youth Centre.



**NO. 905 OF 2001**

**THE HON J C PEREZ**

**SCADA CONTROLLER LINK PROJECT**

Can Government state whether part of the new equipment related to the Scada Controller Link Project has been damaged beyond economical repair and if so can they give reasons for this, the cost of the damage and the new delay in realising the project?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Yes, Sir. Some ancillary items were damaged following some flooding which affected Orange Bastion Distribution Centre. The cost of the damage is estimated at £10,000. The replacement of these items could add six months delay to the project.

**SUPPLEMENTARY TO QUESTION NO 905 OF 2001**

**HON J C PEREZ:**

Can the Minister give us an idea on when the project would now be completed and what is the new completion date?

**HON LT COL E M BRITTO:**

The last date that I projected I think it was during the debate on the estimates was the end of this year so by implication we are looking into the middle of the second half of 2002.

**HON J C PEREZ:**

Can he confirm that the source of the problem was that the equipment was placed in an area that became flooded as a result of a burst pipe or something?

**HON LT COL E M BRITTO:**

Yes, ironically when the store was identified there were pipes inside the building and the pipes were diverted to prevent any leaking damaging the equipment. The pipes were directed outside the building, subsequently one of these pipes burst and water flooded the building and because the building is unoccupied it was not identified immediately and this is the damage that occurred to the equipment. The pipes were diverted to prevent the problem arising and consequently they caused the problem.

**NO. 906 OF 2001**

**THE HON J C PEREZ**

**GOVERNMENT LOTTERY**

Have Government now decided when they intend to open up the running of the lottery to public participation, as stated by the Minister during the budget debate, prior to the expiry of the contract presently held by Maxstead?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The contract with Maxstead Holdings Ltd expires in November 2003. Government are currently researching and exploring options available on possible changes. Before any public announcements are made one of the first steps will be to inform Maxstead and the other Lottery Agents of the Government's ideas and proposals.

**SUPPLEMENTARY TO QUESTION NO 906 OF 2001**

**HON J C PEREZ:**

Is it that the Government now have ideas and proposals rather than opening to ideas as the Minister said in the Budget. The Minister if I recall well said in the Budget that the idea was to get ideas from the public?

**HON LT COL E M BRITTO:**

The idea of the Government is to go out into the private sector and to seek ideas and to seek proposals, then put out these proposals. What we are currently exploring is the best way of going about this. The Treasury is now taking a more active role in the responsibility for the lottery and the research is being done there.

**NO. 907 OF 2001****THE HON J C PEREZ****GOVERNMENT LOTTERY**

Can Government state what is the number of unsold lottery tickets in the last Financial Year ending 31 March 2001 and the figure for each draw since then?

**ANSWER****THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The number of unsold Lottery tickets for the Financial Year ended 31 March 2001 was 175,531.7 I now hand the hon Member a list detailing the figures for each draw since 1 April 2001.

| <b>Draw Number</b> | <b>Unsold Tickets</b> |
|--------------------|-----------------------|
| 7/01               | 6,613.6               |
| 8/01               | 7,130.8               |
| 9/01               | 6,918.6               |
| 10/01              | 6,600.3               |
| 11/01              | 6,936.6               |
| 12/01              | 7,123.3               |
| 13/01              | 6,293.6               |
| 14/01              | 6,679.6               |
| 15/01              | 7,343.1               |
| 16/01              | 7,275.0               |
| 17/01              | 7,467.7               |
| 18/01              | 7,100.4               |
| 19/01              | 7,497.4               |
| 20/01              | 7,109.1               |
| 21/01              | 7,284.7               |
| <b>Total</b>       | <b>105,373.8</b>      |

**SUPPLEMENTARY TO QUESTION 907 OF 2001**

**HON J C PEREZ:**

Would the hon Member say that the matter is getting worse rather than better?

**HON LT COL E M BRITTO:**

I have not done a detailed study myself but it looks as if they are more or less the same.

**NO. 908 OF 2001**

**THE HON J C PEREZ**

**EUROPA ROAD – RETAINING WALL**

Can Government say whether the contract for the proposed retaining wall between Loreto Convent and the Mount, Europa Road, was awarded to the lowest tenderer and what are the commencement and completion dates of the contract?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The contract for the proposed retaining wall between Loreto Convent and the entrance to the Mount, at Europa Road, was awarded to Profield Contractors Ltd, who were the lowest tenderer, in the sum of £129,335.50. The contract commencement date was the 2 July 2001 and the originally programmed completion date, based on a 12 week contract period, was the 24<sup>th</sup> September 2001. The contractor has however, experienced delays due to the configuration of the existing random rubble retaining wall being different to what was envisaged at design stage. This has meant that revised methods of working have had to be adopted to cater for this.

**SUPPLEMENTARY TO QUESTION NO 908 OF 2001**

**HON J C PEREZ:**

Has the Minister now got a new completion date from the contractor?

**HON LT COL E M BRITTO:**

Yes I am advised that the revised completion date is the 16<sup>th</sup> December 2001.

**NO. 909 OF 2001**

**THE HON J C PEREZ**

**MAIN SEWERS**

Have Government still not identified what needs to be done to correct the defects in the sewer system, whereby sewage is flowing into the sea at Queesway Quay and causing an intolerable smell in the lower south area of town?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Government are aware of what needs to be done to correct the defect in the main sewer and are currently making the necessary arrangements for such works to be undertaken.

**SUPPLEMENTARY TO QUESTION NO 909 OF 2001**

**HON J C PEREZ:**

Could the Minister expand on that given that the last public position of the Government was that they were investigating the matter whether the sewer had in fact collapsed or not?

**HON LT COL E M BRITTO:**

The problem has been identified as a complete blockage of the main sewer due to the ingress of a significant volume of sand and the location of the blockage has been identified as being south of Alameda Estate and north of Jumpers Buildings. The northern extremity of the blockage has been identified, shall I say the position of the northern end of the blockage has been identified and networks have been made to determine the length of it, or where the southern extremity is. This is not a simple task as the invert level of the main sewer is at a depth of over 10 metres and the distance between the two manholes concerned is over 150 metres with access shafts being

extremely restricted and congested with incoming pipes. Consideration is being given to pulling a remotely controlled camera through the system but the significant length involved coupled with a very soft sediment lying at the base of the sewer makes this a very difficult task to undertake as the trolley supporting the camera has a tendency to sink in the silt deposit.

**HON J C PEREZ:**

So the matter is still being investigated to see the extent of the collapse but we are now supposing that it is a collapse in that area or the blockage is being done by ingress of sand from somewhere.

**HON LT COL E M BRITTO:**

Yes, the short answer is that the hon Member is partly right. We know that there is a large blockage of sand. We do not know whether that has been caused by a collapse in the sewer itself or by a small hole in the sewer ceiling through which the sand that had prevailed in Red Sands Road, as happened in John Mackintosh Hall, where sand has been filtering through that hole and has been extending sideways. As opposed to there being a block of a large rock there is a mound, a gradual slope from the end that we can see. It is clear that it has moved sideways, along the length of the sewer. What is not certain because we can see the open end of it, we are not certain how far it extends south. This is as I was trying to imply or to say, more difficult a task than it would seem. Ten metres when I was first told did not seem very deep to me until it was pointed out that it is a narrow shaft with a small diameter just for one man to go down and it is the height of a three storey building. That puts it more into perspective. When one gets to the bottom one has to move along in a maximum height of five feet. It is not a job that we particularly want to tackle by human resources but similarly we are finding difficulty in finding people with the right equipment to tackle the job concerned. There are a number of proposals on the table at the moment, there are two in fact and a third one imminent of people who think they may be able to tackle it. There are a number of resources both Gibraltarian and out of Gibraltar who have looked at it and have not been willing even to quote that shows the indication of the size of the problem but we are hopeful of being able to take a decision on moving ahead on taking definite steps within the next two weeks on progressing in starting to see whether the equipment we think can be used is in fact successful in being used.



**NO. 910 OF 2001**

**THE HON J C PEREZ**

**INCOMING INTERNATIONAL CALLS**

Can Government state whether the percentage of incoming international calls, excluding calls from Spain, continues at the levels of April this year, that is, 74 per cent via the 350 code and 26 per cent via the 0034 Spanish code, or whether this has now changed?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The telecommunications market was liberalised in Gibraltar by bringing into operation the Telecommunications Ordinance on 19<sup>th</sup> July 2001. The Government consider that it is no longer appropriate to provide information that could be commercially sensitive in answer to questions in this House, as this could be detrimental to the interests of Gibtel and GNC and give commercial advantage to their competitors. However, as I have answered a similar question before the market was liberalised, I will provide the information requested. The amount of incoming international traffic via the 350 code and the 0034 code oscillates up and down each month but is broadly in line with the April figures.

**NO. 911 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Does Gibtel still have enough numbers available to meet its commitments to customers?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 912, 913, and 914 of 2001.

**NO. 912 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Is Gibraltar Nynex considering the introduction of the three extra digit number shadowing for some of its customers?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 911, 913 and 914 of 2001.

**NO. 913 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

How many of the 480 telephone numbers available to Gibraltar Nynex in February have been used and how many are left?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 911, 912 and 914 of 2001.

**NO. 914 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

What is the total number of pre-paid cards activated by Gibtel since the new card system became operational?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Government understand Gibtel is presently able to satisfy demand for post-paid mobile services from the churn of numbers. Applications for the pre-paid service are being satisfied immediately and up to close of business on Monday 29 October 2001 Gibtel had activated 5,700 pre-paid cards. Gibtel inform me this information is publicly available in international GSM publications and in future could be obtained directly from them. The 480 numbers available to GNC in February have all been assigned to customers. However, when Gibtel was acquired by GNC on 27 September 2001, the Company released to GNC the "49" numbering sub-level it was using for its Pager service. GNC has informed the Government that it has therefore shelved its proposal to introduce number shadowing for the time being.

**SUPPLEMENTARY TO QUESTION NOS 911, 912, 913 AND 914 OF 2001**

**HON J C PEREZ:**

Could the Minister perhaps state the amount of the "49" level, is it the full range?

**HON LT COL E M BRITTO:**

The full range of 1000 numbers.

**NO. 915 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

When can we expect the decreases in international telecommunication charges envisaged by the Minister as a result of the acquisition by Gibraltar Nynex of the shareholding of Gibtel?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 916, 917 and 918 of 2001.

**ORAL**

**NO. 916 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Can Government confirm that moves within Gibtel and Gibraltar Nynex to reduce staff levels via offers of financial packages to selected employees are solely on the basis of voluntary acceptance?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 915, 917 and 918 of 2001.

**NO. 917 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Will Government state whether it is still the intention of the shareholders of Gibraltar Nynex to operate both companies independently, and if so, whether this is a short term objective or whether Gibtel will be found a new business role in the telecomms market?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 915, 916 and 918 of 2001.



**NO 918 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Can Government state whether Verizon has been required to inject more funds into Gibraltar Nynex in order for the company to buy the Gibtel shareholding?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Gibraltar Nynex Communications Limited which is jointly owned by Verizon Communications Incorporated and the Government, purchased 100 per cent of the Gibtel shares. Neither shareholder has been required to inject additional funds into the Company. Consequential to bringing GNC and Gibtel into common ownership, I can confirm that the Shareholders announced earlier this year that there will be no compulsory redundancies. The companies have announced that they will for the immediate future continue to trade separately. To oversee and co-ordinate the running of the two companies there is panel led by Tim Bristow, a Director of both Companies and comprising Charlie Fortunato, Managing Director of GNC and Lucio Randall, General Manager of Gibtel. The Companies have announced that further decreases in international charges are due to be implemented on 1 December 2001. The Companies inform me that this reduction has been made easier to implement as a consequence of the bringing them together into common ownership. With regards to the other questions on the way forward on the merger, these are operational matters that should be addressed to the companies and not the Government.

**SUPPLEMENTARY TO QUESTIONS NOS 915, 916, 917 AND 918 OF 2001**

**HON J C PEREZ:**

Are the decreases in international charges following a pattern within the European Union in respect of charges in the rest of the EU and is that an objective to achieve or are the decreases being looked at solely from the perspective of what is financially viable in the companies of Gibraltar?

**HON LT COL E M BRITTO:**

There are a combination of a number of factors involved two of them being the ones mentioned by the hon Member. Ideally the companies would like to see rates which

are as low or lower than the rest of Europe. The financial constrictions of the company obviously is a problem in this direction but there is a third factor which was highlighted last week by GNC and that is the need to rebalance tariffs in answer to EU Regulations and regulatory requirements. That obviously brings down international but there is a consequent increase in the national tariffs.

**HON J C PEREZ:**

But surely the rebalancing of tariffs as expressed within the EU does not necessarily impose an obligation on Gibtel or Nynex, on this occasion Nynex, to increase local charges at all. Is the increase in local charges the result of the decrease in international charges in respect of recovering some of the money that is due to be not recovered by the decreases?

**HON CHIEF MINISTER:**

The principal effect of the rebalancing requirement is simply this that one cannot use ones international service revenue to subsidise ones domestic service provision and that therefore each side of the equation has got to stand up on its own separately calculated cost base especially when one has got to make that local infrastructure available to ones competitors, otherwise one would be making that available to ones competitors at a higher level of charge than one charges oneself because one is cross subsidising with other revenue. So, it is theoretically possible, I suppose, for a company to rebalance by lowering, or rather one can raise one and lower the other, or one or the other but not both. In other words, rebalance does not necessarily mean I think I am right in saying that one has to increase one and decrease the other but rather that there should be no cross subsidy and if that can be achieved by touching only one of them, fine. If one is willing to give up some of ones revenue on international, I suppose it is a matter of commercial judgement for the company. The point is non cross subsidisation rather than mirroring what one is doing in one or the other.

**HON J C PEREZ:**

Arising out of the supplementaries does the internet traffic constitute part of the local rather than the international traffic and is the increase in local charges just a first step or a final step in balancing the situation?

**HON LT COL E M BRITTO:**

Internet traffic is obviously local traffic because it is charged at a local rate and there there has been no increase but it is classified and measured separately. So, there is local traffic, Internet traffic and there is international traffic. In regards whether it is a first step or not it has been classified by the company possibly as a first step. I cannot answer at this moment in time whether there will be a further increase or not because if there is a further increase it may be required by the regulator, it will depend on what is established as the cost of local traffic and if the cost of local traffic is charged to be higher than the present rate that is being charged, or something called the interconnection rate not the interconnection rate but something else anyway, we are back to what the Chief Minister said. The company is not allowed to be offering traffic

or charging its own. Traffic at less than it costs them and therefore running it at a loss and subsidising it for more profitable services elsewhere.

**HON J C PEREZ:**

Yes, but as I understood the Chief Minister he said that there should not be cross subsidies from the international to the local.

**HON LT COL E M BRITTO:**

Or from any other service?

**HON J C PEREZ:**

What the Minister is saying is that even the Internet service itself is accounted for separately and cannot cross charge into the rest of the local service which is installation and maintenance and local calls, or is it that the income of internet is also considered to be part of the local calls in the balancing between the international and the local?

**HON LT COL E M BRITTO:**

I am not quite sure what the hon Member means by Internet service?

**HON J C PEREZ:**

The income from the Internet charges.

**HON CHIEF MINISTER:**

There are two aspects of it, Nynex is an Internet service provider. It is also the domestic network provider whose network is used by all internet providers to connect their ISP to ones home and it is important that the hon Member distinguishes in the supplementary that he has formulated whether he is referring to Nynex's, when he talks about internet service by Nynex does he mean Nynex as an internet service provider or does he mean Nynex as a local network provider to its own internet service provider and to the other one.

**HON J C PEREZ:**

I mean the income derived by Gibraltar Nynex from providing direct and indirect services to the internet, they get an income, is that income calculated with the local charges or is that calculated separately to the local, is it the income for local charges in respect of the balancing of tariffs that needs to take place?

**HON CHIEF MINISTER:**

The hon Member is not formulating his question in a sensible way but from the last part of it I deduce that he means Nynex as a telephone service provider to Internet service providers and to Internet users. We forget for the purposes of this exchange the fact that Nynex happens to also be an Internet service provider. My understanding is that Nynex's revenue as a telephone company arising from the internet business is local traffic because that is the tariff that is paid by internet users from their domestic or business premises, local tariffs only, there is no international element to that.

**HON LT COL E M BRITTO:**

That is correct as far as it goes but I think it is useful to clarify that further. The user, the internet user, pays Gibraltar Nynex networks and GNC charges networks as the ISP an amount which is less than the 5p per unit for providing the service just as it would charge Gibnet or any other ISP that would come in the market. So the income derived by GNC the parent company is not the full charge. The full charge is paid to GNC networks who in turn pay a smaller amount to GNC for providing the telephone connection. So it gets, yes GNC provides the telephone line, GNC networks provides the Internet service. GNC networks charges the customer for providing that service and then GNC networks pay the parent company an amount and then in the final consolidation of accounts it all comes together but GNC is by design a separate company trading separately as required by the, so that it can be seen competing directly with other ISP users in the market.

**HON J J BOSSANO:**

I think there is a conflict between what we are being told now and what we were being told in an earlier supplementary, did the Minister not point out that the bill the customer gets is divided into three sections which identifies x minutes of internet calls, x minutes of local calls and so much time of international calls. I think the point that is being made is, if the internet calls on the bill of the individual subscriber to the telephone number nothing to do with the service provider, right, whether that revenue is subject to constraints of cross subsidies as between the charge made to people who are using the telephone to connect to the internet and the people who are using the telephone to talk to each other which are shown as separate items on the billing, or whether it is the two together which are treated as being incapable of cross subsidisation with the international side. Is there a restraint on the three or two of those three elements?

**HON LT COL E M BRITTO:**

I would need to establish whether there is a restraint on voice, local voice, but on local internet traffic I would need to establish whether the same rules of cross subsidy apply.

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**HON LT COL E M BRITTO:**

I also undertook to give some clarification to the Leader of the Opposition in answer to Question Nos 915 to 918 on Internet charges with your leave I would like to do it now. I was asked to clarify what was the relation on the cost of the Internet charge between GNC Networks and GNC. I think I may have given the wrong information, the situation is that the user receives from Nynex reflects the cost of the profit at 5p per unit. That revenue is entirely GNC revenue because it is traffic and it is considered local traffic because of the rate. GNC Networks has the ISP as in the case of any other ISP, their revenue is derived from charging the Internet user directly a separate monthly fee. Now, in respect of the question of whether such tariff was restricted by the EU ruling on cross subsidy the answer is no. No, because as a provision of an Internet service it is considered by the EU a retail service and therefore not a normal voice, provisional voice for the Internet and as such there is not this constriction on not being cross subsidised. That is the advice I have been given in the meantime.

**HON J J BOSSANO:**

Does that mean in fact that when we are looking at the restriction on cross subsidy from local to international the local calls that are generated by the use of telephones for transmission of data and internet excluded from the income of local calls or included because I am not sure which of the two is the implication of the answer?

**HON LT COL E M BRITTO:**

The implication is treated separately, that it is separate income, GNC looks at income from calls, from telephone calls and that is local traffic and that cannot be cross subsidised, whereas income from internet traffic is data as opposed to voice and that is not subject to current EU regulations on cross subsidy.

**HON J J BOSSANO:**

What I am trying to establish is, let me give a hypothetical example to illustrate what I am seeking to find out. If there was a situation where GNC was making a profit on local calls and choosing to charge less for international calls as a consequence, would they be able to use excess from internet usage or not?

**HON LT COL E M BRITTO:**

No it is two separate things. The two revenue streams are separate. The revenue from internet usage is not taken into account at all. It is not a matter of revenue it is a matter of tariff. The tariff charged for a local call cannot be subsidised by the tariffs charged by another service, could be international, or it could be something else. In other words, the company cannot run a service at a loss and we are not talking just of voice we are talking about other things, like directory enquiries for example, the company has to run its services on a cost basis and they cannot cross subsidise one service with the other.

**HON J J BOSSANO:**

But the Minister has just said that the Internet calls are currently not affected by that ruling?

**HON LT COL E M BRITTO:**

Yes

**HON J J BOSSANO:**

Then in that case how can Internet calls be treated differently from the rest having been told that they are not affected by that rule?

**HON LT COL E M BRITTO:**

Because the EU in its wisdom has defined Internet provision and Internet calls as, because they are data calls, they have designated them a retail service and not powers of this cross subsidy restriction.

**HON J J BOSSANO:**

Precisely but if they are not part of the cross subsidy restriction it means they can be used to cross subsidise, surely that is if the others cannot be used for cross subsidy and the Internet usage is not affected by that ruling then it means the Internet income is available for cross subsidy.

**HON LT COL E M BRITTO:**

I understand the question now, but that implies that the Internet service is functioning at a profit. The fact is that it is the other way round, that local calls have always been provided at a loss and subsidised by international and hence in the re-balancing the international comes down and the local goes up. So therefore there is not a situation where the local internet traffic can be used to subsidise anything because it in itself is being subsidised.

**HON J J BOSSANO:**

Just one more question to get a clear picture of the answer we are getting. Is Nynex then required to allocate costs to the Internet data transmission and to the local telephone voice transmission so as to be able to produce what the cost of one is and the cost of the other is?

**HON CHIEF MINISTER:**

It is required to allocate costs and indeed it has to get the Regulator's approval to its allocation of costs for the provision of the local telephone network because it is

obliged to make it available to competitors on a cost plus formula and therefore the element of cost has got to be approved by the Regulator.

**NO 919 OF 2001**

**THE HON J C PEREZ**

**INCINERATOR**

Do Government have any idea as to when they expect the incinerator to be fully operational again, and able to fulfil its main function of refuse incineration?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 920 of 2001.



**NO. 920 OF 2001**

**THE HON J C PEREZ**

**INCINERATOR**

Can Government state how many proposals they now have for the operation of the Incinerator, which are the parties involved, and when they expect to take a final decision on the matter?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Government are still considering two proposals for the Incinerator, the first from the FCC and the second from Northumbrian Lyonnaise International. The start of the operations at the Incinerator depends on which proposal is chosen and also the date on which the decision is made. The condition of the existing plant is such that the works necessary to refurbish the same are significant. In addition, there is a need to upgrade the plant to ensure compliance with more recent, relevant EU legislation. It is now envisaged that it will take about two years from signing the contract to completion of works on site.

**SUPPLEMENTARY TO QUESTION NO 920 OF 2001**

**HON J C PEREZ:**

So the position since the last time, is that there are only two proposals now under consideration although the Minister said that there were discussions with a third party which probably have not materialised into a proposal and why is it taking the Government so long to accept one proposal or the other given the time that they have been talking to these two parties?

**HON LT COL E M BRITTO:**

To start with there are two options, whether to knock the whole thing down and build it again or whether to refurbish it so we start from there and secondly the proposals that have been received have contained a number of qualifications and assumptions and ifs and buts which the Government have not been prepared to accept. The matter is complex enough to necessitate the proposals being sent to independent consultants of the Government to be assessed either too technical and too complicated for us to assess ourselves so the matter has been an on-going one they have been placing conditions, qualifications, assumptions, we have had them assessed the results have come back we have gone back to them and said no we do not accept this change that, the proposals have been changed or modified and the whole process is that, that is why it has taken so long.

**HON J C PEREZ:**

So when do Government expect to be in a position to award the contract which I presume from that date onwards would be two years before the incinerator is fully operational.

**HON LT COL E M BRITTO:**

I regret that I cannot give the hon Member a date because of what I have described that this on-going situation of us not agreeing to the qualifications and this is still an on-going process and until the proposals are to the Government's satisfaction or should I say to our consultant's satisfaction, we will not be in a position to accept that. So we are still going back and saying this is not acceptable bring up something else.

**HON J C PEREZ:**

So at the moment the proposals are with the independent consultant am I right?

**HON LT COL E M BRITTO:**

I am not sure whether they are with the independent consultant or back with the proposers but they are going backwards and forwards.

**HON J C PEREZ:**

We still have a number of people employed in the incinerator at the moment am I right?

**HON LT COL E M BRITTO:**

Yes there are a number of people there who are the original employees employed by Europa Incinerator Ltd which is a Government company.

**NO. 921 OF 2001**

**THE HON J C PEREZ**

**WATERPORT DISTILLER**

Can Government state whether the Waterport Distiller will decrease its output once the reverse osmosis plants are fully operational?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 922 of 2001.

**NO. 922 OF 2001**

**THE HON J C PEREZ**

**WATERPORT DISTILLER**

Can Government state whether the newly installed reverse osmosis plants are now operational?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The newly installed Reversed Osmosis plants have been commissioned and are producing excellent quality water. The Reverse Osmosis plants as the new most efficient source will normally produce at maximum output to meet a proportion of daily demand. Given current demand trends, one of the MSF distillers at Waterport will operate continuously at maximum output while production from the other distiller will fluctuate depending on total demand and this will effectively mean a reduction in the Waterport Distiller output. I trust the hon Member has followed that because I was having trouble reading it. To avoid a supplementary what it actually means in fact is yes to the hon Member's question the new RO plants are fully commissioned working to full capacity because they are cheaper more effective and produce as good or better water and therefore we are getting the most out of them. The MSF plants at Waterport, one would normally work at full capacity and the other one has been reduced in output so that between the two of them they meet the balance of the requirements after the output from the RO plants so by implication Waterport which was working at full capacity has now been reduced.

**SUPPLEMENTARY TO QUESTION NOS 921 AND 922 OF 2001**

**HON J C PEREZ:**

Would the Minister know more or less what is the life of the equipment in Waterport?

**HON LT COL E M BRITTO:**

No I would need notice of that question.

**HON J J BOSSANO:**

When the Minister says the new RO plants are more efficient or cheaper or whatever it was that he said in relation to the production of water is it that they have a lower consumption of electricity per gallon of water they produce, what is the nature of the advantage, is it in the fuel consumption?

**HON LT COL E M BRITTO:**

The efficiency is measured by the cost per ton of water produced and therefore by implication more economical use of the fuel being used to produce the water. It is measured by the final cost of the water and obviously the cost of the water production includes a number of factors.

**HON J J BOSSANO:**

Does the Minister have a figure showing what the cost is in respect of these new units compared to what was happening before?

**HON LT COL E M BRITTO:**

No but I suspect that the company would consider that commercial-in-competence to give that information but I do not have it here.

**NO. 923 OF 2001**

**THE HON J C PEREZ**

**DIRECTOR OF POSTAL SERVICES**

Do Government intend to fill the vacancy of Director of Postal Services which until recently was being filled by an officer in an acting capacity?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 924 and 925 of 2001.

**NO. 924 OF 2001**

**THE HON J C PEREZ**

**POSTAL SERVICES**

Can Government state the nature of the current negotiations with postal workers following the report they commissioned and can they state how many meetings have taken place with the representatives of the workforce over the last three months?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 923 and 925 of 2001.

**NO. 925 OF 2001**

**THE HON J C PEREZ**

**POSTAL SERVICES**

Can Government state whether any special arrangements are to be introduced at the Post Office for the delivery of mail over the Christmas season?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

As a result of the Post Office Review recently carried out, on-going discussions and negotiations are taking place between Government, the TGWU, GGCA and the Clerical and Postal Grades employed at the Post Office. These negotiations are at an advanced stage and Government consider it would be inappropriate and counter productive to make any further comment at this stage.

**SUPPLEMENTARY TO QUESTION NOS 923, 924 AND 925 OF 2001**

**HON J C PEREZ:**

That does not answer the question of the Director of Postal Services or whether there will be special delivery arrangements for the Christmas season.

**HON LT COL E M BRITTO:**

It does indirectly in that we prefer not to make further comments. At the moment there is a senior Government officer in charge of the Post Office and the Union have been told in the negotiations that this situation will continue that there will be a Senior Government Officer in overall charge over the Postal Services over and above any intermediate management that is put in.



**HON J C PEREZ:**

So what the Minister is really indicating is that he hopes that the new situation will have been arrived at before the Christmas Season which is only a month away when the bulk of the post starts coming in so that there are no special arrangements being prepared in case there is a backlog as there was last year, is that what the Minister is indicating?

**HON LT COL E M BRITTO:**

There are existing arrangements which will not be replaced until the negotiations are concluded. The hon Member can reach his own conclusions.

**HON J C PEREZ:**

No, the existing arrangements regrettably did not work last year and we had a situation where in January exceptional arrangements had to be arranged to clear the backlog for Christmas. I am pre-empting that whilst the negotiations take place if we have the same situation this year, certainly I think Government should pre-empt the situation so that instead of having an exceptional arrangement in January to clear the backlog of December we pre-empt the situation and have an arrangement for the Christmas mail to the satisfaction of everybody and we avoid having a backlog and give a better service to the community.

**HON CHIEF MINISTER:**

The Government consider that that would be most disruptive to the negotiations currently taking place.

**NO. 926 OF 2001**

**THE HON J C PEREZ**

**ELECTRICITY ARREARS**

Have Government now clarified which should be the definition of “arrears” in respect of water and electricity and whether this interpretation now tallies with what is meant by “arrears” when reading the Auditor’s Report?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Government’s view of what constitutes Electricity arrears was explained in detail to the hon Member in answer to Question Nos 345 of 2000 and 121 of 2001. The definition of what constitutes “electricity arrears” is identical in respect of the Treasury and in the context of the Principal Auditor’s Report. For the avoidance of doubt, I will confirm that electricity arrears at any date are the total amounts outstanding in respect of electricity charges in the Treasury books on that date. Water in Gibraltar is supplied by Lyonnaise des Eaux on a commercial basis and any matter to do with arrears on water is a matter entirely the responsibility of the Company.

**SUPPLEMENTARY TO QUESTION NO 926 OF 2001**

**HON J C PEREZ:**

If I now phrase my questions with asking for the total amount outstanding the Minister will have no problem in answering me which he had when I mentioned the word arrears after he had been answering questions of that nature in that phraseology before. The Minister said that he could not confirm in the question that he has mentioned whether the Auditor’s Report definition and the definition of the Treasury was the same one, that is why I am asking him today, so now that he has confirmed that it is the same one and the definition of arrears is total amounts outstanding. So that means that if I phrase my questions now in wanting figures of total amounts outstanding I will be able to get an answer and not be told that they cannot give it to me because there is no definition of arrears.

**HON CHIEF MINISTER:**

No. As I recall this arose originally in the context of when bills were transferred to the Central Arrears Unit for collection and the problem with defining when is an arrear an arrear arose a long time ago when this issue arose as to when bills were regarded as arrears for the purposes of being passed on to the Central Arrears Unit. That is a slightly different issue.

**HON J C PEREZ:**

I checked Hansard before putting the question, if the Minister would care to look, I had questions on the amount of arrears at a particular date and the Minister said there was a new thing about arrears now that it was not really arrears it was amounts outstanding and that the definition was not there and he could not give me the figures. I am trying to identify now what phraseology needs to be used by Opposition Members so that one can get the statistics that one was asking for before and were answers have been given to questions prior to that time when they told me that there was something different and that the question could not be answered.

**HON LT COL E M BRITTO:**

The difficulty arose in trying to establish what the hon Member meant by arrears. There is about a page and a half which if the hon Member looked at Hansard he will have seen, about a page and a half of supplementary answers in which I invited the hon Member to write to me or to come to see me or to define for me what he wanted and to define what the Opposition meant by arrears and that I would get Lyonnaise to programme their computers so that the answer could be provided for them. Where the difficulty arose was in a question further to what the Chief Minister said, who in answer to a question where the hon Member asked to distinguish in amounts that had been collected how much was due to arrears and how much was due to current bills and that is the information that we cannot give at the moment because the Treasury does not distinguish that information. The amount of money that is collected by Lyonnaise is handed over to the Treasury and credited to the books. The amount of bills raised by Lyonnaise is debited to the books and at any given date or any given moment there is one figure of outstanding amounts and that is why it is not possible when the hon Member in his question a year and a half ago asked about the money that was collected how it was attributed, it is not attributed, it is just not attributed individually. If the hon Member wants some particular information then if he would tell me what it is he is seeking I will do my best to get it provided. Well if he asks a question on the basis of how much arrears of electricity or what the amount was on any given date, the figure he will get is the total amount outstanding including last months bills which may have been raised the day before.

**HON J C PEREZ:**

Fine, as long as one can get figures of amounts outstanding of arrears to monitor the progress in the collection of arrears which is mentioned in the Auditor's Report.

**HON CHIEF MINISTER:**

Yes I do not know if the hon Member warrants the suggestion but I think this is a question of firstly trying to agree terminology and secondly trying to make sure those

that have to provide the information to us to provide to him are able to produce it. I would suggest for example that if the hon Member is interested in what he and I know what the word arrears means for the purposes of such a discussion it does not mean things that have only been outstanding two days. We could agree that arrears is anything that is more than two or three months outstanding, it is just a question of agreeing and then asking Lyonnaise or whoever is to provide the information to deduct from the global figure the total amount that is being raised in respect of the last three months and what is left is what he and I would regard as arrears as we have defined them. Now, whether that is one month, two months, three months, six months of arrears is a matter for him to indicate what sort of information he is interested in.

**NO. 927 OF 2001**

**THE HON J C PEREZ**

**VARYL BEGG ESTATE – GARAGES**

Have all the garages in Varyl Begg Estate, some of which have been waiting for an electricity supply for over five years, now been supplied?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The situation was explained in the reply to Question No 68 of 2001. At that time, out of a total of 128 garages, applications for supply had been received in only two cases. Since then a further eight applications have been received, four of which have been given supplies of electricity.

**SUPPLEMENTARY TO QUESTION NO 927 OF 2001**

**HON J C PEREZ:**

So we probably have people complaining without a supply that have not applied and there have been eight applications and only four have been supplied.

**HON LT COL E M BRITTO:**

The actual situation is that there had been 10 applications, five of those 10 had not supplied the necessary certificates of completion and wiring diagrams as required by BS7611 whatever that is and of the remaining five garages four are on supply and the fifth one is about to be supplied.

**HON J C PEREZ:**

So the position is that if the garages now do apply the department is now in a position to provide that supply which it was not some months ago.

**HON LT COL E M BRITTO:**

So far those that have applied and have provided the necessary documentation that has been needed have been given the electricity supply so I assume that anybody else who applies subject not to all 128 applying on the same day, if anybody applies and provides the necessary documentation and the numbers are reasonable then we would be able to meet the supply.

**NO. 928 OF 2001**

**THE HON J C PEREZ**

**OESCO CONTRACT**

Have Government now taken a decision on whether or not to renew the OESCO contract for the supply of electricity which expires in June 2004?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

No Sir. The situation remains as given in answer to Question No 113 of 2001. It is the first stage of the contract that will expire in 2004 and not the contract itself.

**SUPPLEMENTARY TO QUESTION NO 928 OF 2001**

**HON J C PEREZ:**

I know that once the contract expires the engines become the property of the Government of Gibraltar but in looking at the future generating capacity would the Government not agree that it is a good time to start taking decisions on future generation capacity given the scale of time, if one decides to cancel that contract and for example increase Waterport Generating Station capacity then those decisions must be taken early in order to provide the necessary extra capacity and so on.

**HON CHIEF MINISTER:**

Yes, the Government do agree with everything the hon Member has said and indeed he may recall that when in answers to questions in this House I gave details of the Government's thinking of the electricity review I did mention that one of the reasons why the Government thought that it was important to get the review and the restructure of the Electricity Department up and running was precisely so that there could be a proper assessment and capital investment plan and implementation plan of what were clearly generation capacity issues that were now imminent. I would not demur from anything that the hon Member has said in his question.

**NO. 929 OF 2001**

**THE HON J C PEREZ**

**ELECTRICITY –STRATEGIC REVIEW**

Can Government confirm that a large percentage of the staff working at Waterport Power Station have already indicated their unwillingness to move to an Electricity Authority?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The situation remains as detailed in answer to Question No 546 of 2001.

**SUPPLEMENTARY TO QUESTION NO 929 OF 2001**

**HON J C PEREZ:**

Which is that the negotiations are on-going?

**HON LT COL E M BRITTO:**

Yes.

**HON J C PEREZ:**

Can the Government confirm if this development is taking place?



**HON CHIEF MINISTER:**

What development?

**HON J C PEREZ:**

That a large percentage of the staff working at Waterport Power Station have already indicated their unwillingness to move to an Electricity Authority?

**HON CHIEF MINISTER:**

No that is not the position. As far as the Government are concerned the Government have not had a formal response from the staff side on that specific, my understanding is that there is an intention on the staff side to put this to a ballot but that has not yet taken place. Obviously the Government have received the same vibes from certain sectors through the grapevine but that is not the structure through which the discussions are taking place and the Government do not take formal notice of them, obviously it registers at the back of their heads.

**NO. 930 OF 2001**

**THE HON J C PEREZ**

**BAR CODED LABELS**

Have Government made any progress over their decision to introduce bar coded labels at the Post Office for registered, insured and parcel post and what effect if any will this have on the users of the service?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 931 of 2001.

**NO. 931 OF 2001**

**THE HON J C PEREZ**

**BAR CODED LABELS**

Can Government state what is the estimated cost of the introduction of bar coded labels at the Post Office and whether this involves mainly new purchase of equipment?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Government still intend to introduce a system of Bar Coded Labels in connection with the Post Office Parcel Post Service.

An up to date estimate of the introduction of these changes is not yet available. It is expected that Users of the Service will benefit from the provision of greater security and easier tracing of postal items.

**SUPPLEMENTARY TO QUESTION NOS 930 AND 931 OF 2001**

**HON J C PEREZ:**

But will the user have to do something different from what it does now in respect of the preparation of parcels and will the bulk of the expense fall on the equipment or is it labour intensive?

**HON LT COL E M BRITTO:**

I think the hon Member will understand that in the present situation at the Post Office this item is not one that has been given a lot of priority.

**HON J C PEREZ:**

It was given priority by him in the budget speech of last year.

**HON LT COL E M BRITTO:**

It has not been given priority, there have been developments since I made the statement at the time suggested and the priority is in the negotiations with the staff and in sorting out the other major problems that exist there. Although conceptionally there is an intention to do this and it is still being investigated and researched, for example, I am told that already in the background there has been a reduction in some of the costs that have been envisaged but we are not really progressing on this we do not see this happening until other bigger changes that we envisage happening at the Post Office take place and when the Post office is reformed, then this will come in as a consequence rather than being the flagship of what we are intending.

**NO. 932 OF 2001**

**THE HON J C PEREZ**

**GBC**

Can Government state what was the nature of the delay by GBC in recruiting a Sales Manager a matter which has been highlighted by the Chairman Of the Board?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 933 of 2001.

**NO. 933 OF 2001**

**THE HON J C PEREZ**

**GBC**

Can Government state whether they have been made aware by GBC about any possible improvements in generating income by advertising and whether the Corporation now expects to meet the projected target of income which they budgeted for at the time of the relaunch of television in 1999?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The recruitment of staff by GBC is a matter for the Corporation. Government are aware of the Corporation's on-going efforts to improve on the income derived from air-time sales. As I said at budget time a new marketing strategy introduced earlier this year continues to show encouraging results. The income targets projected in 1999 at the time of the relaunch have since been revised downwards. The sales target for 2001/2002 is £166,000. On current showing it is likely that the value of sales contracts signed during the course of the year will reach a higher figure which will be an increase in the level of last year's sales.

**SUPPLEMENTARY TO QUESTION NOS 932 AND 933 OF 2001**

**HON J C PEREZ:**

Are Government not interested in knowing given that the new Chairman of the Board, identifies one of the failings of achieving the objective as the delay in employing the Sales Manager. Is Government not interested in identifying what that delay was and how it was costed given that the Chairman of the Board has identified that situation to be one of the factors that contributed in not being able to meet the objectives of the Corporation at the time of the relaunch?

**HON LT COL E M BRITTO:**

As I said matters of staff is a matter for GBC but I honestly do not understand the point that the hon Member is making and I think, I do not have the GBC Chairman's statement here with me but I think he may have misunderstood or not seen the stress that the Chairman was putting on what he said. My understanding is what he said is that one of the factors contributing to lower sales was the fact that there was a change of Sales Manager. The hon Member specifies in his question a delay which he implies is a serious matter. I am advised that the marketing executive announced on the 9<sup>th</sup> July that he was going that he tendered his resignation and his post became vacant on the 31<sup>st</sup> July that the vacancy was registered with the Employment Agency on the 17<sup>th</sup> July even before it was vacant and that the post was filled on the 14<sup>th</sup> August. One month from the notice being given and two weeks from the vacancy occurring is not to me a serious delay.

**HON J C PEREZ:**

Well the Chairman says in his report which was also published in the Gibraltar Chronicle that one of the problems was that there were increased costs incurred by GBC as a result of recruiting staff which was based for the production of programs and that there was an undue delay in recruiting the Sales Manager who was supposed to be the man bringing the money in. Certainly the dates given to me by the Minister do not suggest an undue delay but the Chairman might know something that he does not know I thought that given that the projections were not met and that that was an important point made by the Chairman that the Government would want to know why this was so and that it would want to share the information with Members of the House who vote the money for GBC.

**HON CHIEF MINISTER:**

The Government take great pain not to get involved in the micro management of GBC affairs. Government designate a Chairman in whom obviously they have confidence and then allows the Chairman to Chair his Board otherwise Government would very quickly find themselves running GBC as if it were another Government department. I do not if that has ever been the case in the past it is certainly not the case now and certainly if the hon Member when he was Minister with responsibility for broadcasting took the degree of interest that he is now recommending to us that we should take in respect of the day to day personnel recruitment issues at GBC then that would suggest a level of interference in the affairs of GBC which is I think is improper for a Government to exercise over an independent broadcasting corporation.

**HON J C PEREZ:**

If the Chief Minister were to check Hansard it is not anything that he himself was not questioning on this side of the House when he was a Member of the Opposition and I was to answer the questions for him notwithstanding the fact that he then must have thought that it was not interfering with the independence of the corporation because he used to ask me and get questions from me about what was happening in GBC. Details of the nature of what I am asking today.

**HON CHIEF MINISTER:**

As I do now, in other words, when GBC sends in a request for additional funding and it comes past my desk I make it my business to find out why the Government are being asked for more money and when the Government make the decision as to whether or not to vote or to give more money for GBC the Government form a view as to whether the need for that money has been generated, (1) by external factors outside the control of GBC in which case the money is usually given or (2) whether it is caused by some factor within the control of GBC which can be controlled and is not being controlled as well as it might be. Those circumstances the Government certainly enter into discussions with GBC to ensure that before having recourse to the public purse for more money they are managing their affairs in such a way which best husband the resources that they have already got. I do not do that on a weekly basis and the Minister does not do that on a weekly basis this involvement by Government arises only in the assessment of requests for further monies as and when those requests come, thereafter we do not stand over the Chairman's or the Board's shoulder to see whether they are on a day to day basis micro managing GBC in accordance with the Government's satisfaction. That the hon Member will understand if the Government felt free to do that in respect of one area in GBC it will very quickly lend itself to this accusation that it was doing it other areas of GBC as well.



**NO. 934 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**VICTORIA STADIUM – SQUASH COURT**

Can Government confirm when they can expect the repairs to the Squash Court at the Victoria Stadium to be finished?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 935 and 936 of 2001.

**NO. 935 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**EUROPA SPORTS GROUND**

When can Government expect the hand-over of the Europa Sports Ground to the Government by the MOD to take place?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 934 and 936 of 2001.

**NO. 936 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NEW SPORTS CITY**

Are Government now in a position to confirm when they expect the whole of the works for the new Sports City at the area of Bayside to be finalised?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

These same three questions have been regularly asked by the hon Member at successive previous meetings of the House. The situation is as detailed in answers to Question Nos 368 of 2000, 143, 144, 557, 558 and 559 of 2001. It is expected that the works on the squash court will be completed before the end of the year.

**SUPPLEMENTARY TO QUESTION NOS 934, 935 AND 936 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I am asking the questions regularly because the Minister makes statements in public and does not deliver what he says is going to happen. As regards the Europa Sports Ground can the Minister confirm whether there are still.....

**HON LT COL E M BRITTO:**

On a point of order can the hon Member substantiate what she has just said, what is is that I have said in previous answers that has not been delivered.

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether the Government expect the hand-over of the Europa Sports Ground to happen seeing now that it is two years nearly since the Minister came out publicly in an interview in GBC saying that this would happen?

**HON LT COL E M BRITTO:**

Is this what the hon Member means by not delivering?

**MR SPEAKER:**

Well I do not know.

**HON LT COL E M BRITTO:**

I am asking her to substantiate but she has not substantiated.

**MR SPEAKER:**

She does not answer questions, you answer questions.

**HON LT COL E M BRITTO:**

I have already provided the answer to the supplementary.

**MR SPEAKER:**

Well all right. You want another supplementary?

**HON MISS M I MONTEGRIFFO:**

In his answer he has not said whether it is going to be handed over or not. I just want a yes or a no. It was six months ago since I asked the question and the Minister gave me information saying that there were all sorts of problems, that now he did not know when the hand-over was going to happen, all I am saying after six months is, can the Minister confirm when the hand-over will occur?

**HON LT COL E M BRITTO:**

No, as I have previously said in all the questions that I have enumerated.

**HON MISS M I MONTEGRIFFO:**

Then I will continue asking the same questions again.

**HON LT COL E M BRITTO:**

And the hon Member will be getting the same answers.

**HON CHIEF MINISTER:**

The hon Member can continue asking the question but what she cannot do is insinuate that when she gets answers as clear as that that the Minister is not delivering.

**NO. 937 OF 2001**

**THE HON DR J J GARCIA**

**NATURE CONSERVANCY COUNCIL**

What is the current composition of the Nature Conservancy Council?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 938 of 2001.

**NO. 938 OF 2001**

**THE HON DR J J GARCIA**

**NATURE CONSERVANCY COUNCIL**

How often and on what dates has the Nature Conservancy Council met in 2000 and in 2001?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Nature Conservancy Council is made up of three members, Mr Joaquin Bensusan, Dr John Cortes and Dr Clive Finlayson. The members were appointed in 1991 and to date there have been no changes in the composition of the Council. It regularly considers such matters as applications for licences under the Nature Protection Ordinance for example, for gull culling, bird ringing, research et cetera. This is done by written correspondence between the members, co-ordinated by Dr John Cortes, who acts as Secretary to the Council. As there has never been any disagreement between the members, there has been no need for meetings to resolve them.

**SUPPLEMENTARY TO QUESTION NOS 937 AND 938 OF 2001**

**HON DR J J GARCIA:**

Given that the Minister has explained that the Council has never actually met can he explain to the House in what form the Council was consulted when the Government took the decision to increase fees to the Upper Rock in April?

**HON LT COL E M BRITTO:**

No.

**HON DR J J GARCIA:**

No they cannot confirm?

**HON CHIEF MINISTER:**

I think that the Nature Conservancy Council was consulted to the same extent and the same manner and in the same form as they have ever been consulted about anything both before and after 1996.

**HON DR J J GARCIA:**

I am just trying to establish, a piece of legislation was passed under the Nature Protection Ordinance and that section 24(a) of that ordinance which relates to the increase or the levying of a fee requires or suggests that there shall be consultation with the Nature Conservancy Council the intention of the Opposition was to establish whether that consultation had in fact taken place or not and I take it from what the Minister has said that the answer is no it has not.

**HON LT COL E M BRITTO:**

To start with I do not think that the supplementary with respect is valid under the original question.

**MR SPEAKER:**

You cannot decide whether it is right or invalid, I decide.

**HON LT COL E M BRITTO:**

I am giving an opinion which I am not entitled to. I would just answer to the hon Member that I need notice of that question.



**NO. 939 OF 2001**

**THE HON DR J J GARCIA**

**SEA OUTFALL STUDY**

How many tenders were received for the waste water treatment works Sea Outfall Study from whom and what was the nature of each bid?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Seven tenders were returned for the Sea Outfall Study. These were from the following companies:-

- (1) Halcrow
- (2) Montgomery Watson Harza
- (3) Metcaff and Eddy
- (4) EGMASA/EWMS
- (5) Skansa/SWECO
- (6) H R Wallingford
- (7) Neptune Oceanographic Limited

Tenderers were asked to price a document prepared by the Technical Services Department outlining the employer's requirements for the study, thus ensuring uniformity of submissions. Specific details of the various submissions cannot presently be released as this tender is yet to be awarded.

**NO. 940 OF 2001**

**THE HON J C PEREZ**

**UPPER ROCK FIREBREAKS**

Can Government explain why the tender for clearing the Upper Rock firebreaks came out in July when the high risk season is considered to be from April to September?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The tender for clearing the Upper Rock firebreaks issued on 2<sup>nd</sup> July 2001 following on advice from GONHS that vegetation should not be tampered with until after the middle of June. The tender was awarded in late August. Since the high risk season was almost over it was agreed that the successful tenderer would not carry out the works this year but would carry them out in June 2002 without the tender having to re-issue.

**SUPPLEMENTARY TO QUESTION NO 940 OF 2001**

**HON J C PEREZ:**

Why June 2002 I can understand the advice from GONHS but the advice, the one I used to get from the Fire Brigade, is that the peak period is from April to September, now that the tender is awarded should not the company be tackling the work in April or before April?

**HON J J HOLLIDAY:**

It has been agreed with the successful tenderer that they would carry out the works next year at the same price that they had quoted this year. What I intend to do is get those that manage the Upper Rock to carry out the consultation process with the Fire Brigade to see the more adequate time of the year to do this. Having said that, GONHS is very adamant that certain species of plants should not be tampered with before June in order to allow them to flourish in some way or another but obviously safety is the paramount issue in this case so therefore it may be done before.

**NO. 941 OF 2001**

**THE HON J C PEREZ**

**DEVIL'S TOWER ROAD**

Can Government say whether the contract for the lay-by at 35 Devil's Tower Road, was awarded to the lowest tenderer, and what are the commencement and completion dates of the contract

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The contract for the lay-by at 35 Devil's Tower Road was awarded to Profield Contractors Ltd in the sum of £35,800 being the lowest valid tender received. The commencement date for this contract was 9<sup>th</sup> July 2001 with the completion date of 7<sup>th</sup> September 2001.

**SUPPLEMENTARY TO QUESTION NO 941 OF 2001**

**HON J C PEREZ:**

Is the project now completed?

**HON J J HOLLIDAY:**

Yes.

**HON J C PEREZ:**

He says the valid tender, meaning that there might have been other lower tenders which did not meet the specifications required?

**HON J J HOLLIDAY:**

There was a tenderer who submitted a quote which was actually lower than that that was awarded but unfortunately that was submitted after the stipulated closing date and so therefore the Treasury Tender Board took the view that they would go outside the parameters of possibilities to be awarded the tender.

**NO. 942 OF 2001**

**THE HON J C PEREZ**

**EUROPA ROAD**

Can Government say whether the contract for the road widening works at Europa Road was awarded to the lowest tenderer, and what are the commencement and completion dates of the contract?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 952 and 955 of 2001.

**NO. 943 OF 2001**

**THE HON J C PEREZ**

**PUBLIC BUS SERVICE**

Is the contact between the Minister for Transport and the two companies currently engaged in the provision of bus services still holding up the promised free bus service to Senior Citizens in the Upper Town Area?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Government have decided not to introduce the promised free bus service to senior citizens in the Upper Town area, until the new bus service is introduced.

**SUPPLEMENTARY TO QUESTION NO 943 OF 2001**

**HON J C PEREZ:**

Given that the new bus service has been promised for five and a half years now can the Minister tell us more or less when he thinks that the new bus service is to be introduced so that senior citizens can hope at least to have a service to the Upper Town?

**HON J J HOLLIDAY:**

As far as I can recollect the new bus service is not something that has been on the cards for the last five years, neither has free transport for the senior citizens. I believe that was a commitment that we gave in our manifesto at the last general elections so therefore both issues are going to be addressed within these term of office and we are still working on a schedule to introduce the new bus service within the course of next year.

**HON J C PEREZ:**

If the Minister would care to look at Hansard the question of the refurbishment of new buses and the new bus service is something that was included in their first term of office and which is still pending in their second term of office although we have been promised by the Chief Minister that we are all going to be surprised and that it is going to be an excellent service and something out of this world in the end but we have been studying and looking at reports and then not looking at reports and then talking with people and then not talking with people for five and a half years. What I am saying is that the Minister has just said that senior citizens can look forward to the free bus service when the new service is introduced, I am saying, is it going to take another five years or can senior citizens aspire to use that service in the not too distant future?

**HON CHIEF MINISTER:**

It is very astute and realistic of the hon Member to assume that we are going to be here in five and a half years time he is probably right. We hope to deliver this before the next election.

**NO. 944 OF 2001**

**THE HON J C PEREZ**

**PUBLIC BUS SERVICE**

Are Government still considering the proposals put to them by the two companies currently engaged in the provision of bus services?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

No.

**SUPPLEMENTARY TO QUESTION NO 944 OF 2001**

**HON J C PEREZ:**

Does that mean that they have now taken a decision and they have taken in their views and that they now have their own views on how to proceed?

**HON J J HOLLIDAY:**

The Government have given consideration to the proposals that both companies put to it in order to operate the bus service in Gibraltar however the Government found that these proposals were not acceptable as they did not meet the relevant requirements. The Government have discussed various options with the two operators and is now in the process of preparing details of new proposals for both operators to consider. However it has been made clear to both operators that the new bus service will be introduced with or without their participation in the new system.



**HON J C PEREZ:**

Without their participation would mean rescinding their licences or competing with them directly.

**HON CHIEF MINISTER:**

It does not mean necessarily one or other of those.

**HON J C PEREZ:**

Providing a parallel service then?

**HON CHIEF MINISTER:**

The hon Member has recited two possibilities and I have agreed with him that it must necessarily mean one or other.

**HON J C PEREZ:**

One or other I thought he said not necessarily either of them.

**NO. 945 OF 2001**

**THE HON J C PEREZ**

**WATERGARDENS – WAITING BAYS**

Will Government reconsider creating short term waiting bays in the area of Watergardens given the nature of businesses in the area, and the great amount of parking tickets issued to motorists on a daily basis?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

The relevant authority under the Traffic Ordinance for the creation of such bays is the Traffic Commission to-date no written representations have been received by the Traffic Commission.

**SUPPLEMENTARY TO QUESTION NO 945 OF 2001**

**HON J C PEREZ:**

Although he said the last time in the House when I asked the question that the Government were not prepared to do it, he is now suggesting that I write to the Traffic Commission, is that what he is saying?

**HON J J HOLLIDAY:**

Yes.

**HON J C PEREZ:**

The last time he took the decision and he said 'no we are not prepared to do it' now he says it is the Traffic Commission. I mean I have asked this question before that is why I say reconsider.

**NO. 946 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – PARKING TICKETS**

Can Government state how many parking tickets have been used this year since 1<sup>st</sup> April with a breakdown by month and the comparative figures for the same months last year?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

The information sought in this question is too voluminous to be read out. I will therefore hand the hon Member a table giving the information requested.

	<b>2000</b>	<b>2001</b>
<b>April</b>	980	1584
<b>May</b>	1268	2007
<b>June</b>	1082	1562
<b>July</b>	913	1767
<b>August</b>	1171	1191
<b>September</b>	1361	846
<b>October</b>	1457	900
<b>Total</b>	<b>8232</b>	<b>9857</b>

**SUPPLEMENTARY TO QUESTION 946 OF 2001**

**HON J C PEREZ:**

Did the Minister find out from the last time I asked this question whether it was that there were more resources being devoted to the question of illegal parking or was it that the same people were doing a more intense work given the increases month by

month, most months, in the number of parking tickets issued from one year to the other?

**HON J J HOLLIDAY:**

At the time when this question was last formulated we did say that this is a policing matter over which we do not have any jurisdiction. So we assume that it is just policing.

**HON J C PEREZ:**

Fine I said that the Minister might not have, I ask the Government because in some circumstances it is the Attorney General that replies to these matters.

**HON CHIEF MINISTER:**

He does not have any jurisdiction either. The Attorney General only has two capacities, he is the Government's law officer on which capacity he is part of the Government and indistinguishable from the hon Member or he is the Director of Public Prosecutions in which case he is unconnected to the Government, in neither case does he have any control over the Royal Gibraltar Police's policing priorities.

**HON J C PEREZ:**

I am not suggesting that he has it is just that if he cares to look at past custom and practice in this House whenever a matter which is related to the police which Ministers do not know about or have not found anything about it is the Attorney General that has answered although I accept that it is a supplementary it is not a direct question.

**HON CHIEF MINISTER:**

It is not a question of Ministers not knowing about it.

**HON J C PEREZ:**

So the Minister then knows?

**HON CHIEF MINISTER:**

It is a question of it not being a matter for which the Government are responsible, for which the Government have made a decision of which the Government are accountable and it is not acceptable for the Attorney General to come into this House to account in the name of the Government for the behaviour of the RGP. If there has been an increase in the issue of parking tickets it can only be either, because there has been a marked increase in traffic infractions or because there has been a marked increase in the policing by the RGP of Traffic Legislation. It can only be one of those two things.

**HON J C PEREZ:**

And I want to know whether it was that there have been an increase in manpower in order to intensify the campaign or whether it is the same people doing a more intense job, that is all I wanted to know.

**HON CHIEF MINISTER:**

Well the hon Member should write to the Commissioner of Police and ask him.

**HON J C PEREZ:**

I will, I wish he would have done the same when he was on this side of the House accusing Ministers of clamping vehicles all over the place.

**HON CHIEF MINISTER:**

The Government do not in areas where they have no Constitutional responsibility, the Government do not write such letters. There are occasions where the Government want certain areas to be policed, with littering laws and things of that sort, and we like him find that we have to ask from a position where we are not in control of the police. We are not going to stand in this House accounting to the hon Member for the policing policies of the RGP.

**NO. 947 OF 2001**

**THE HON J C PEREZ**

**HARBOUR VIEWS PROMENADE**

Are Government aware of the many instances that the Royal Gibraltar Police have been called this summer to the area of the Harbour Views Promenade with complaints about small sea crafts endangering bathing activity, and in the light of this, will Government not reconsider their position over regularising the position of swimmers by properly demarcating the area for bathing purposes?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

The Royal Gibraltar Police has informed the Government that the Royal Gibraltar Police has no record of having received any complaints this summer about small sea crafts endangering bathers in the area of the Harbour Views Promenade.

**SUPPLEMENATRY TO QUESTION NO 947 OF 2001**

**HON J C PEREZ:**

So this time they can reply on behalf of the Police could the Minister ask the Police to up-date their records because I have been present on five occasions when this has happened and perhaps the officer in question has not reported it back to the station, but at least on five occasions I myself have personally been present when the police have been called because of this issue and in the light of this will the Government not reconsider avoiding an accident in the future. They have got time to do it, it is not a matter which is an issue until next summer and I would ask them to reconsider the matter.

**NO. 948 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – DRIVING LICENCES**

Have all persons who recorded their cases with the Government and had been fined by Spanish policemen for non-recognition of Gibraltar issued driving licences, had their fines refunded, and if so, by whom?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question No 949 of 2001.

**NO. 949 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – DRIVING LICENCES**

Can Government state how many recorded cases there have been, since February 2001, of incidents in which Gibraltar issued driving licences have not been accepted as valid by Spanish policemen?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

There have been four recorded cases since February 2001 in which Gibraltar issued driving licences have not been accepted as valid by Spanish policemen. As regards those who have had fines imposed on them for the non-recognition of their Gibraltar issued driving licence, these fines have been refunded by the relevant Spanish authorities.

**SUPPLEMENTARY TO QUESTION NOS 948 and 949 OF 2001**

**HON J C PEREZ:**

Of the four since February am I right?

**HON J J HOLLIDAY:**

Yes the question says since February 2001.

**HON J C PEREZ:**

No the first question does not put a date on it. He has taken them together but I have not put them together I have said, "Have all persons who recorded their cases with the



Government and been fined by the Spanish policemen for non-recognition have their fines refunded and by whom?”. Not only the four since February.

**HON J J HOLLIDAY:**

I am not too sure about that obviously the fact that we put both questions together we read it as February 2001 so there may be a case before that I am not really sure.

**HON J C PEREZ:**

Could the Minister find out and let me know please?

**HON J J HOLLIDAY:**

Absolutely.

**NO. 950 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – NUMBER OF NEW REGISTRATIONS**

What is the number of new vehicle registrations from 1<sup>st</sup> April 2001 to date?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

The total of new vehicle registrations from 1<sup>st</sup> April 2001 to 30<sup>th</sup> October 2001 is 1799.

**NO. 951 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – MOT BUILDING – EASTERN BEACH**

When do Government expect the MOT station at Eastern Beach to be fully operational?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

Building works on the extension to the MOT Building as per the original scope of works in the contract, achieved Practical Completion on 26<sup>th</sup> October 2001. Some additional works are currently being undertaken and it is envisaged that these will be completed within the next fortnight.

**SUPPLEMENTARY TO QUESTION NO 951 OF 2001**

**HON J C PEREZ:**

Until when does the Minister envisage moving the whole operation from Waterport to the new station?

**HON J J HOLLIDAY:**

We anticipate that this will probably happen before the end of the year.

**NO. 952 OF 2001**

**THE HON J C PEREZ**

**EUROPA ROAD**

When are the road works at Europa Road scheduled to be completed and when is that part of the road expected to be open to vehicular traffic again?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question Nos 942 and 955 of 2001.

**NO. 953 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – SEAT BELTS**

Can Government state whether any driver or passenger in a vehicle has been fined for not wearing a seat belt since the new regulations were introduced, making the use of seat belts compulsory?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

No.

**NO. 954 OF 2001**

**THE HON J C PEREZ**

**GREEN LANE**

Do Government believe that there are now new grounds for them to argue the case for opening up Green Lane to vehicular traffic with the present leaseholders, following public statements made by Mr James Gaggero?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The Government are aware of comments made by Mr Gaggero and are also aware of development proposals for the area. The question whether Green Lane is open to the public remains one for the leaseholder of that land. Government would welcome it.

**SUPPLEMENTARY TO QUESTION NO 954 OF 2001**

**HON J C PEREZ:**

What I am asking is that independent of the development proposals since the person in question seems now to suggest that there is no problem with noise of traffic going through the Green Lane in trying to push his development, could there be new arguments for the Government to open the negotiations of opening Green Lane to vehicular traffic independent of the development proposals that he has put, because I think that it is very ridiculous for him to have argued all along that one could not have vehicles passing through there because of the noise to the hotel but if one built three blocks of flats there will not be a problem with the noise either to the flats or to the hotel and Green Lane would be open to the general public.

**HON CHIEF MINISTER:**

The hon Member speaks of negotiations with the owners, the Government are not in a position to negotiate with them, these people have a lease over the land, they either open the road or they do not. The hon Member invites the Government to negotiate is he suggesting that we should offer a sum quid pro quo for the privilege.

**HON J C PEREZ:**

I am only following on what the Minister has informed me in answer to questions, that they were involved in negotiations with the leaseholders.

**HON CHIEF MINISTER:**

No, discussions.

**HON J C PEREZ:**

Ah, discussions I see. Perhaps he might consider having new discussions on the basis of the new arguments that he might have at his disposal.

**HON J J HOLLIDAY:**

I do not think there is a need because if one refers to the statements that were made by Mr Gaggero in answer to one of the questions about opening Green Lane to the public he actually does confirm that it would be as a consequence of this project to open up Green Lane, so I do not think there is an issue.

**HON J C PEREZ:**

Well there is an issue because he is suggesting that he will open Green Lane only if his development is accepted and I think it is not proper that after having argued certainly with the Government when I was there that vehicular traffic was not able to pass through Green Lane because it would disturb the people living in the hotel that all of a sudden if his development is accepted that will not disturb the residents of the three blocks he proposes or the residents of the hotel any longer. So I take offence to the fact that he is saying that the perk for Gibraltar is that if they give him a development licence to do this that he will open Green Lane to the public and on top of it that he will be able to pay back the money he owes the Government for the loan of the hotel. I do not think these things should be considered as part of the development and should be separate one from the other.

**HON CHIEF MINISTER:**

Absolutely and so it will be.

**NO. 955 OF 2001**

**THE HON DR R G VALARINO**

**17 EUROPA ROAD**

Can Government state when the road widening scheme at 17 Europa Road is due for completion and what will be the total cost of this project?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

The road widening contract at Europa Road was awarded to AMCO, who were the lowest tenderer, in the sum of £336,893.42. The contract commencement date was the 16<sup>th</sup> July 2001 and the programmed completion date, based on a 26 week contract period, is the 26<sup>th</sup> January 2002. The re-opening of Europa Road to through traffic will coincide with the completion of the works.

**SUPPLEMENTARY TO QUESTION NOS 942, 952 AND 955 OF 2001**

**HON J C PEREZ:**

Would the Minister know whether the works are on schedule and the dates expected to be met, the completion dates expected to be met at this stage?

**HON J J HOLLIDAY:**

I understand that the works are currently approximately two weeks behind but the contractors are trying to make up time in order to complete it on time on the 26<sup>th</sup> January 2002.



**NO. 956 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM CO-OPERATION AGREEMENT – LA LINEA**

Can Government say when the tourism co-operation agreement between Gibraltar and La Linea will be signed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

I do not know when or if this Co-operation Agreement between Gibraltar and La Linea will be signed.

**SUPPLEMENTARY TO QUESTION NO 956 OF 2001**

**HON DR J J GARCIA:**

Can the Minister confirm that there is a possibility that it actually might not be signed after all?

**HON J J HOLLIDAY:**

I can not either confirm or not confirm whether this agreement will be signed or not time will tell.

**HON DR J J GARCIA:**

It is clear from previous discussion in this House that this was something that was very much on the cards at one stage is there a reason for the delay or for this now being not so clear to do with our side or to do with the Gibraltar side or to do with the La Linea side?

**HON CHIEF MINISTER:**

There is absolutely no reluctance on the part of the Gibraltar Government, the Gibraltar Government are quite happy to sign co-operation agreements with the Ayuntamientos in the Campo it is more likely to do with the other side, the hon Member may have been following in the press certain political developments on that side which places the administration in La Linea in a different political Camp than the one it used to belong to and that may well be a relevant factor but we are only speculating we have not been told that. There is no impetus for it to be signed from the other side but certainly the Gibraltar Government remain perfectly willing to do it.

**NO. 957 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM CO-OPERATION AGREEMENT – LOS BARRIOS**

Can Government supply a copy of the tourism co-operation agreement entered into with Los Barrios?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

I hand a copy of this to the hon Member.



AYUNTAMIENTO  
DE  
LOS BARRIOS  
(CADIZ)



GOVERNMENT  
OF  
GIBRALTAR

### PLAN GENERAL PARA EL FOMENTO Y DESARROLLO DEL TURISMO

Al amparo de lo dispuesto en el apartado Segundo del Convenio de Colaboración suscrito por el Gobierno de Gibraltar y el Ayuntamiento de Los Barrios por el que se establece al efecto, el nombramiento por parte del Gobierno de Gibraltar de la entidad GIBRALTAR DEVELOPMENT CORPORATION y por el Ayuntamiento de Los Barrios de la Empresa Municipal INICIATIVAS LOS BARRIOS, y siendo competencia de ambos Organismos el desarrollo formal y la ejecución de los proyectos y objetivos propuestos en el Convenio, ambas partes, de común acuerdo, han elaborado el presente plan general de actividades turísticas para el ejercicio de 1999.

Siguiendo el espíritu de lo expresado en el Convenio de Colaboración suscrito por el Gobierno de Gibraltar y el Ayuntamiento de Los Barrios y en aras de ir concretando algunas de las actividades turísticas que lo vayan dotando de contenido práctico, las partes, representadas por un lado, por D. Manuel Ramírez Tocón, Concejal Delegado de Educación, Cultura, Juventud y Turismo del Excmo. Ayuntamiento de Los Barrios y por otra Dr. Joseph Holliday, Ministro de Turismo y Transporte del Gobierno de Gibraltar.

## ACUERDAN


1. Elaborar medidas conjuntas en el ámbito del turismo para combinar las ofertas turísticas de Gibraltar y Los Barrios y de esa manera mejorar dicha oferta turística en beneficio de ambos lugares.

2. Como primera medida en este sentido el Gobierno de Gibraltar, a través de la Gibraltar Development Corporation y la Junta de Turismo de Gibraltar, pone a disposición del Ayuntamiento de Los Barrios su oficina de Turismo en Madrid con todos sus recursos para la promoción del turismo rural en Los Barrios. Así como el Ayuntamiento de Los Barrios se compromete a publicitar la oferta turística del Gobierno de Gibraltar en todos los eventos en que dicho Ayuntamiento participe.

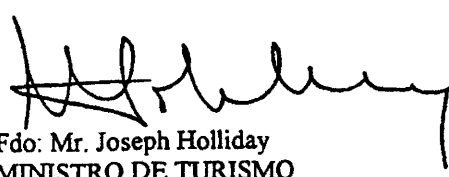
3. Dar a conocer la gastronomía propia de cada comunidad mediante la celebración de encuentros gastronómicos, con la participación de hosteleros y restauradores de ambas poblaciones.

Estando conformes ambas partes con lo estipulado en el presente documento y para que conste a los fines procedentes, aun solo efecto, se firman los preceptivos ejemplares.

Gibraltar, a 15 de Diciembre de 1998



Fdo: D. Manuel Ramirez Tocón  
CONCEJAL DE TURISMO



Fdo: Mr. Joseph Holliday  
MINISTRO DE TURISMO

**NO. 958 OF 2001**

**THE HON DR J J GARCIA**

**GOVERNMENT ASSISTANCE TO CONFERENCES**

Can Government say how many conferences they have assisted, sponsored or co-sponsored since April 2001 to date, giving the dates, venue, the number of participants, and the subject matter of each conference?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Since April 2001 to date the Government have sponsored or co-sponsored the following conferences and these are under various ministries:

CALPE 2001

Annual Young Leaders' Meeting of the Liberal and Radical Youth Movement of the European Union

Forced Migration Conference Of The Mancomunidad

Bird Life

Duke Of Edinburgh

The Gibraltar Tourist Board obviously does assist a number of entities in the logistics of organising certain conferences but does not actually sponsor or co-sponsor them.

**NO. 959 OF 2001**

**THE HON DR J J GARCIA**

**UPPER ROCK – ADMISSION FEES**

How much revenue has been raised to date, on a monthly basis, since the admission fees to the Upper Rock were increased earlier this year?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

For the period April 2001 to September 2001 the revenue raised from admissions fees to the Upper Rock has been £1,474,768.50 as compared to £1,014,455.00 the previous year representing an increase in revenue of £460,313.50. The information sought on a monthly basis is too voluminous to be read out in this House, nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested.

**Answer to Question No 959 of 2001**

<b>REVENUE COMPARISON FROM APRIL TO SEPTEMBER 2000 &amp; 2001</b>					
<b>2000</b>	<b>Revenue per month £</b>	<b>2001</b>	<b>Revenue per month £</b>		<b>Increase in Revenue per Month £</b>
April	172,147.00	April	234,201.50		62,054.50
May	177,106.50	May	262,500.50		85,394.00
June	154,377.00	June	227,459.00		73,082.00
July	171,586.50	July	241,163.00		69,576.50
August	152,982.50	August	249,666.50		96,684.00
September	186,255.50	September	259,778.00		73,522.50
<b>Total Revenue</b>	<b>1,014,455.00</b>	<b>Total Revenue</b>	<b>1,474,768.50</b>	<b>Total Increase</b>	<b>£460,313.50</b>



**NO. 960 OF 2001**

**THE HON DR J J GARCIA**

**COACH PARK CHARGES**

How much revenue has been raised to date, on a monthly basis, by charging coaches that use the coach park since April 2001 inclusive?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The revenue that has been raised from April 2001 to date by charging coaches that use the coach park is £80,300 as compared to £41,910 for the same period last year. The information sought in this question is too voluminous to be read out in this House, nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested.

**Answer to Question No 960 of 2001**

<b>COACH PARK CASH REVENUE FOR THE YEAR 2001</b>	
<b>Week Ending</b>	<b>Revenue Amount £</b>
01-April	50.00
08-April	2,610.00
15-April	2,200.00
22-April	2,700.00
29-April	3,220.00
<b>TOTAL</b>	<b>10,780.00</b>

<b>COACH PARK CASH REVENUE FOR THE YEAR 2001</b>	
<b>Week Ending</b>	<b>Revenue Amount £</b>
06-May	2,620.00
13-May	2,990.00
20-May	3,050.00
27-May	2,890.00
<b>TOTAL</b>	<b>11,550.00</b>
03-Jun	2,700.00
10-Jun	2,770.00
17-Jun	3,130.00
24-Jun	2,640.00
<b>TOTAL</b>	<b>11,240.00</b>
01-July	2,540.00
08-July	2,520.00
15-July	2,470.00
22-July	2,500.07
29-July	2,430.00
<b>TOTAL</b>	<b>12,460.07</b>
05-August	2,480.00
12-August	2,370.00
19-August	2,350.00
26-August	2,480.00
<b>TOTAL</b>	<b>9,680.00</b>
02-September	2,130.00
09-September	2,490.00
16-September	2,920.00
23-September	2,680.00
30-September	2,820.00
<b>TOTAL</b>	<b>13,040.00</b>
07-October	3,120.00
14-October	2,960.00
21-October	2,330.00
28-October	2,770.00
29-October	370.00
<b>TOTAL</b>	<b>11,550.00</b>
<b>GRAND TOTAL</b>	<b>80,300.07</b>

**NO. 961 OF 2001**

**THE HON DR J J GARCIA**

**ROSIA BAY**

Have Government completed their assessment of the heritage impact of some of the pre-tender proposals submitted for the development of Rosia Bay?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Yes.

**SUPPLEMENTARY TO QUESTION NO 961 OF 2001**

**HON DR J J GARCIA:**

Can the Minister tell the House what the results of that examination has been?

**HON J J HOLLIDAY:**

The heritage impact of some of the pre-tender proposals that were assessed have shown that they were of significance from the heritage point of view, however, the Government acknowledge that certain aspects of the proposals require to be included in these projects in order to make these commercially viable, therefore the Government are increasing the scope of the project and a public announcement will be made in this respect very shortly.

**HON DR J J GARCIA:**

Could the Minister say what aspect of heritage were being examined that has taken so long to conduct the examination?

**HON J J HOLLIDAY:**

Each project has had to be considered on its merit and the relevant heritage impact of each project has had to be assessed. Rosia Bay is a very heritage orientated area, it has got Parsons Lodge and it has a number of walls and therefore the whole impact has had to be assessed and put together with the details of every individual proposal. We realise that some of the aspects of these proposals have an impact on heritage and at the same time are a necessary part of the project in order to be able to make it commercially viable for the whole project to be sustainable and so therefore we have enlarged the scope of the project to include a wider area and therefore give the project the commercial viability that it needs and at the same time protect the heritage aspects of the case.

**HON DR J J GARCIA:**

Can the Minister give an indication of the length of time before the actual tender itself is announced or made public?

**HON J J HOLLIDAY:**

At the moment this issue is being handled by my colleague the Minister for Trade, Industry and Telecommunications who has responsibility for heritage but we are working on this in order to be able to may be able to make a public announcement which will actually be the announcement of the project going forward and putting it to tender quite shortly but it would be difficult for me to commit myself as the work is being undertaken by another department.

**NO. 962 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF GOODS VEHICLES**

What was the value and number of goods vehicles imported by licensed dealers for each month in 2000 and 2001 to date?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question Nos 963 to 965 of 2001.

**NO. 963 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF GOODS VEHICLES**

What was the value and number of goods vehicles imported by individuals for each month in 2000 and 2001 to date?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question Nos 962, 964 and 965 of 2001.

**NO. 964 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF PRIVATE MOTOR VEHICLES**

What was the value and the number of private motor vehicles imported by licensed dealers for each month from April 2001 onwards?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 962, 963 and 965 of 2001.

**NO. 965 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF PRIVATE MOTOR VEHICLES**

What was the value and number of private motor vehicles imported by individuals for each moth from April 2001 onwards?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The information sought in these questions is too voluminous to be read out in this House nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested in the question.

**Answer to Question No 962/2001**

	Licensed Dealers			
	2000		2001	
	Quantity	£ (thousands)	Quantity	£ (thousands)
January	12	78	24	179
February	8	61	5	31
March	21	83	8	54
April	12	45	5	19
May	19	141	11	87
June	11	88	8	40
July	11	100	6	20
August	22	127	2	8



<b>September</b>	23	143	-	-
<b>October</b>	11	72	-	-
<b>November</b>	9	56	-	-
<b>December</b>	12	476	-	-
<b>Total</b>	<b>171</b>	<b>1470</b>	<b>69</b>	<b>438</b>

**Answer to Question No 963 of 2001**

	Individuals			
	2000		2001	
	Quantity	£ (thousands)	Quantity	£ (thousands)
<b>January</b>	3	9	1	2
<b>February</b>	1	1	0	0
<b>March</b>	1	0	1	0
<b>April</b>	3	17	0	0
<b>May</b>	0	0	1	15
<b>June</b>	3	29	2	12
<b>July</b>	1	1	0	0
<b>August</b>	0	0	0	0
<b>September</b>	3	27	0	0
<b>October</b>	4	38	-	-
<b>November</b>	1	5	-	-
<b>December</b>	1	2	-	-
<b>Total</b>	<b>21</b>	<b>129</b>	<b>5</b>	<b>29</b>

**Answer to Question No 964 of 2001**

	Licensed Dealers	
	Quantity	£ (Million)
April	639	6.3
May	660	8.2
June	659	7.9
July	551	5.5
August	493	4.0
September	479	4.0
Total	3,481	35.9

**Answer to Question No 965 of 2001**

	Individuals	
	Quantity	£ (thousands)
April	15	64
May	24	89
June	20	63
July	16	47
August	11	19
September	18	66
Total	104	348

**NO. 966 OF 2001**

**THE HON DR J J GARCIA**

**AIRLINE ASSISTANCE SCHEME**

How much has been paid from the Airline Assistance Scheme and to what airlines since April 2001 giving the amounts and dates when the payments were made?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

I hand the hon Member a table giving the information requested.

**Answer to Question No 966 of 2001**

Date	DPV	Airline	Amount
26.04.01	39	Bland LGW	1500
26.04.01	40	Monarch	21500
30.06.01	292	GB Airways LHR	24572
01.08.01	438	Bland LGW	15000
21.09.01	637	Monarch	26700
01.10.01	678	GB Airways LHR	36160
30.10.01		Bland LGW	15000
<b>Total</b>			<b>153,932</b>

**NO. 967 OF 2001**

**THE HON DR J J GARCIA**

**NEW AIRLINES**

With how many airlines interested in flying to Gibraltar are Government currently having discussion?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 968 to 971 of 2001.

**NO. 968 OF 2001**

**THE HON DR J J GARCIA**

**REGIONAL AIR LINES**

Has the draft Memorandum of Understanding with Regional Air Lines now been agreed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 967, 969 to 971 of 2001.

**NO. 969 OF 2001**

**THE HON DR J J GARCIA**

**MONARCH AIRLINES**

Can Government say whether Monarch Airlines remain interested in re-establishing flights between Gibraltar and Manchester airport and if so how far has this interest developed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 967, 968, 970 and 971 of 2001.

**NO. 970 OF 2001**

**THE HON DR J J GARCIA**

**NEW AIRLINES**

At what stage are discussions between the Government and the new operator who was interested in establishing a twice daily service by air between Gibraltar and Tangier?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 967 to 969 and 971 of 2001.

**NO. 971 OF 2001**

**THE HON DR J J GARCIA**

**FLY EUROPA**

Can Government say what type of aircraft Fly Europa intend to use in their flights to Gibraltar from Manchester and London Stanstead airports?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 967 of 2001**

The Government of Gibraltar are currently in discussion with four airlines that are interested in flying to Gibraltar.

**Answer to Question No 968 of 2001**

No.

**Answer to Question 969 of 2001**

Monarch Airlines still remains interested in re-establishing flights between Gibraltar and Manchester Airport. However this is subject to the availability of aircraft. The recent developments post 11<sup>th</sup> September have added an extra dimension to this.

**Answer to Question 970 of 2001**

Discussions with the proposed operator, Mediterranean Express, have discontinued. As a result of the events of 11<sup>th</sup> September 2001 investors in the project have reconsidered their position and have decided not to proceed. The plans for this service have been shelved for the time being.



### **Answer to Question No 971 of 2001**

Fly Europa will be using Boeing 737-200 in these flights to Gibraltar.

### **SUPPLEMENTARY TO QUESTION NOS 967, 968, 969, 970 AND 971 OF 2001**

**HON DR J J GARCIA:**

The Minister has highlighted the events of the 11<sup>th</sup> September twice in the various answers which have been given in relation to airlines whereas in his comments in relation to the Gibraltar Day in London the Minister was able to report that hotels and airlines had seen a relatively small impact from the world crisis. Can the Minister explain perhaps at what point these airlines discontinued their interest in Gibraltar?

**HON J J HOLLIDAY:**

I think that the hon Member has to realise that when he is quoting me from the Gibraltar Chronicle about the Gibraltar Day in London, I am addressing a number of journalists who are asking me about air services to Gibraltar and what the impact has been. The reality is that the impact has been very little as the statistics that I have sent him on a monthly basis show. I think that the month of October showed a decrease of something like 384 passengers which is absolutely nothing compared to the drops that are being reported around the world, so therefore that is on the context under which I am reported in the Chronicle. Obviously if I go to a Gibraltar Day and I face the media I am not going to quote them on the fact that Monarch Airlines is looking at Manchester or not and is looking at air-crafts at the 11<sup>th</sup> of September. It is something that does not really come into the equation neither does Mediterranean Express on the ten-seater aircraft that they were looking at to fly from Tangier to Gibraltar. No matter how important both developments are, and I would welcome those immensely, I think it had to be seen under context of what they were reporting.

**HON DR J J GARCIA:**

In relation to the four airlines that are now interested is one of those Fly Europa and are the other three completely new ones?

**HON J J HOLLIDAY:**

Yes indeed the four that I mentioned one of them is still Fly Europa. Until I see them flying into Gibraltar Airport they will continue to be 'interested' in flying in.

**HON DR J J GARCIA:**

That was going to be the subject of my next supplementary question. Could the Minister tell the House the reason for the delay in Fly Europa commencing operations given that the objection by GB Airways was lifted in June?

**HON J J HOLLIDAY:**

My understanding is that obviously Fly Europa has to meet certain conditions set by the CAA and they are in the process of trying to meet these requirements. In addition the events of the 11<sup>th</sup> September has had an influence generally in the airline business and in addition to that the fact that starting a new route half-way through their autumn season is not particularly the best of times to start, so in fact it was before the 11<sup>th</sup> September that Fly Europa gave an indication that they would probably not be in until the end of March beginning of April when they would start operating the route to Gibraltar. At the same time it gives them more time to actually market the product and be able to promote their services and therefore I think the timing is more adequate anyway.

**HON DR J J GARCIA:**

In relation to the question on regional airlines, the Minister has discussed this matter with me in the past and obviously if it is related to that issue I am sure he can explain that to me outside this House. Can he explain why this has still not been agreed given that it was very close to being agreed last time we were told in April?

**HON J J HOLLIDAY:**

In the latest discussions I have had with them rather than have the airline flying to Gibraltar from Casablanca and us having to carry a commercial risk at that, because they were flying from Casablanca to Tangier anyway on four flights a day, they would use that connection to fly on to Gibraltar twice a day and therefore we would try and co-operate with them commercially on just that leg and eliminate the risk of the Casablanca side of things. That was accepted and therefore we thought we were near but then when they came up with the sort of figures, we have not been able to accept them and we are now number crunching on both sides to see how and when this thing can be considered. I am of the view that it would be a good development to have Tangier by air connected with Gibraltar but at the same time it has to be weighed out against the cost and therefore I think that it is something that unless the agreement meets our expectations obviously we cannot proceed with them.

**NO. 972 OF 2001**

**THE HON DR J J GARCIA**

**HOTEL ARREARS**

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 September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The arrears due by hotels stood at £639,000 as at 30<sup>th</sup> September 2001. These arrears are in respect of amounts due over a number of years dated as far back as 1991. The breakdown is as follows:-

Social Insurance	£117,000
PAYE Tax	£227,000
Electricity	£272,000
Rates	£ 23,000
	<hr/>
Total	£639,000
	<hr/>

Arrangements were entered into the repayment of most of these arrears as well as for ensuring that current bills are settled as and when due.

**NO. 973 OF 2001**

**THE HON DR J J GARCIA**

**HOTEL ASSISTANCE SCHEME**

Have any hotels requested loans, grants or Government assistance of any kind since the information given to this House at the last question time indicating that the Hotel Assistance Scheme was closed for the time being?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 974 and 975 of 2001.

**NO. 974 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF HOTEL BEDS**

Have any new parties expressed an interest to the Government in increasing the number of hotel beds in Gibraltar except the six given in answer to questions in April?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 973 and 975 of 2001.

**NO. 975 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF HOTEL BEDS**

At what stage are discussions with the six parties who have expressed an interest in making proposals to increase the number of hotel beds in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 973 of 2001**

No hotel has requested a loan, grant or Government assistance.

**Answer to Question No 974 of 2001**

Yes, three new parties have expressed an interest in increasing the number of hotel beds.

**Answer to Question No 975 of 2001**

There has been no further discussion with one of the parties. The other five parties are awaiting news on the Government's proposals for the East Side and have been regularly kept informed of progress, whilst feasibility study is being undertaken.

**SUPPLEMENTARY TO QUESTION NOS 973, 974 AND 975 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether although the answer to Question No 973 of 2001 was none, that no hotels had requested loans or grants under the Hotel Assistance Scheme, can the Minister say whether any hotel has requested loans or grants outside the Hotel Assistance Scheme?

**HON J J HOLLIDAY:**

No there has not.

**NO. 976 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM – PERSON’S INTERVIEWED**

Can Government say how many interviews with persons who said that they had stayed at a hotel have been carried out since April 2001 inclusive, on a monthly basis, giving the number interviewed each month and where they were interviewed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 977, 978 and 979 of 2001.



**NO. 977 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government state of the number of persons who have been interviewed since April 2001 inclusive, who said that they had stayed at a hotel, how many were interviewed at the airport, how many were interviewed at the land frontier, and how many were interviewed elsewhere, and in each case what was the average length of stay in hotels?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 976, 978 and 979 of 2001.

**NO. 978 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government state how many interviews with persons who said that they had not stayed at a hotel have been carried out since April 2001 inclusive, on a monthly basis, giving the number interviewed each month and where they were interviewed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 976, 977, and 979 of 2001.

**NO. 979 OF 2001****THE HON DR J J GARCIA****TOURISM – PERSONS INTERVIEWED**

Can Government state of the number of persons who have been interviewed since April 2001 inclusive, who had not stayed at a hotel, how many were interviewed at the land frontier, how many were interviewed at the airport and how many were interviewed elsewhere?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The information sought in these questions is too voluminous to be read out in this House, nor would the hon Member be able to note the information for the purposes of formulating supplementaries if it were read out. I therefore now hand the hon Member the information requested.

**Answer to Question No 976**

Month	No of Interviews	Stayed at Hotel	Place of Interview		
			Airport	Frontier	Waterport
April	1,064	65	56	9	0
May	1,099	36	36	0	0
June	1,178	20	17	1	2
July	1,211	19	18	1	0
August*	936	21	21	0	0
<b>Total</b>	<b>5,488</b>	<b>161</b>	<b>148</b>	<b>11</b>	<b>2</b>

*\*not fully inputted as yet on computer*

### Answer to Question No 977 of 2001

The provisional figures are as follows:

Month	No of Interviews of those staying at hotels	Airport	Average length of stay	Frontier	Average length of stay	Waterport	Average length of stay
April	65	56	5.1	9	2.7	-	-
May	36	36	5.3	-	-	-	-
June	20	17	6.1	1	2.0	2	2.0
July	19	18	4.5	1	2.0	-	-
August*	21	21	6.3	-	-	-	-

*\* Partly inputted into computer*

### Answer to Question No 978 and 979 of 2001

The provisional information is as follows:

					<u>Place of Interview</u>			
Month	Interviews Not stayed at hotel	Airport	Port	Frontier	Waterport	Marina	Coach Park	Total
April	999	65	110	597	1	-	226	999
May	1063	29	155	611	-	-	268	1063
June	1158	29	165	594	-	-	370	1158
July	1192	18	221	555	-	-	398	1192
August*	915	28	152	533	-	-	202	915
Total	5327	169	803	2890	1	-	1464	5327

**NO. 980 OF 2001**

**THE HON DR J J GARCIA**

**MISS GIBRALTAR CONTEST 2001**

Can Government list the names and the amounts bid by each of the parties that expressed an interest in staging the Miss Gibraltar Contest 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Three companies expressed an interest in staging the Miss Gibraltar Contest 2001:-

Chromis Entertainment Ltd  
Film Exhibitors Ltd  
Mount Productions

It is Government practice only to divulge the amount bid by the successful tenderer, which in this case was Mount Productions Ltd with a bid of £15,900.00.

**SUPPLEMENTARY TO QUESTION NO 980 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether that bid was the lowest of the three?

**HON J J HOLLIDAY:**

No it was not the lowest.

**HON DR J J GARCIA:**

Could the Minister perhaps explain why this tender did not go to the lowest bidder in this case?

**HON J J HOLLIDAY:**

The Tender Board that assessed the three proposals obviously based these on what is being proposed and presented as part of a package not all three proposals are exactly the same. They obviously stage the Miss Gibraltar contest but they may be in different forums, different activities and what is being offered and therefore they need to assess what is best and good value for money, what we feel is going to deliver the sort of product that we would like. It was on that basis that the Tender Board decided that the award was to be given to Mount Productions.

**NO. 981 OF 2001**

**THE HON DR J J GARCIA**

**FEASIBILITY STUDY – EASTERN BEACH/CATALAN BAY**

When was the report/feasibility study into the extension of Eastern Beach and Catalan Bay submitted to the Government and at what cost as at 30<sup>st</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The report/feasibility study into the extension of Eastern Beach and Catalan Bay has not yet been submitted to Government in its totality. The cost as at 30<sup>th</sup> September 2001 since the project begun in 1999 is £490,848.23.

**SUPPLEMENTARY TO QUESTION NO 981 OF 2001**

**HON DR J J GARCIA:**

Can the Minister give the House an indication as to when they expect the report to be submitted?

**HON J J HOLLIDAY:**

My understanding is that the final part of the report, there is only one section of the report that still remains to come, from an expert in a particular field, will approximately take about seven weeks more and that would complete the whole total feasibility study. Obviously what has already been submitted to us gives a good indication of what is possible but one of the aspects that still has to come is an important aspect of the report and does have a bearing on the final outcome and therefore I would not avoid making public comments which may be misleading.

**HON DR J J GARCIA:**

The amounts spent to-date for these kind of reports is nearly £500,000 which seems particularly high. Can the Minister explain what the experts have been doing?

**HON J J HOLLIDAY:**

I can give you an idea of the sort of issues that have been looked at. Obviously they have carried out a topographical survey an in-survey, a borehole test, beaches and burrow pit, model testing, study and design, work mat at planning, tender documents and contracts which obviously is a stage within the cost an ordinance search, extra investigations of the beach, less rubble tip area, up-date on land topographical survey adapt finalised design of groynes to new bung wall on the rubble tip area, final design of protection at runway and Caleta Hotel, design of shore protection of the rubble tip area, and up-date of relevant information for tender documents and management fees.

**HON J J BOSSANO:**

Can the Minister say what is the work on the tender documents and contracts which he is referring to given that presumably the feasibility study is decide whether the development should proceed or not.

**HON J J HOLLIDAY:**

No, I am reading from a budget list which basically composes all the costs to the total project pre-tender stage, the tender documents are not done because the Government have not decided to proceed with the project until we see the outcome of the total feasibility study that is being undertaken.

**HON J J BOSSANO:**

I think the question was on the breakdown of the money that has been spent, I take it that nothing has been spent on that that is not part of the £400,000.

**HON J J HOLLIDAY:**

The total expenditure of this is £515,000, that is the total budget that was submitted at Budget time. That will achieve the project to which will include the tender documents as well. We have not spent that money in its totality because we are still waiting for the last section of the report which will then give the Government the possibility and the opportunity to decide whether they wish to proceed with the next phase of the project.



**NO. 982 OF 2001**

**THE HON DR J J GARCIA**

**TENDER – BEAUTIFICATION OF CATALAN BAY**

How many parties have expressed an interest in the tender for the beautification of Catalan Bay following the publication of a Government official notice on 3<sup>rd</sup> July 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Two parties expressed an interest in the Tender for the beautification of Catalan Bay.

**SUPPLEMENTARY TO QUESTION NO 982 OF 2001**

**HON DR J J GARCIA:**

Is the Minister in a position to say who the two parties are and when this matter is expected to be adjudicated?

**HON J J HOLLIDAY:**

The tender was awarded to Sharrock Shand and work commenced on the 16<sup>th</sup> October.

**HON DR J J GARCIA:**

Can the Minister say whether the successful tenderer was in fact the lowest bidder in this case.

**HON J J HOLLIDAY:**

Yes.

**NO. 983 OF 2001**

**THE HON DR J J GARCIA**

**TENDER – PLOT AT CATALAN BAY**

How many parties submitted a tender for the plot at Catalan Bay in response to the Government official notice published on 28<sup>th</sup> March 2001, giving names of the parties involved and the amount bid by each prospective tenderer?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Six parties submitted a tender for the plot at Catalan Bay. These are as follows:-

1.	H L Wilkie/Montagu Group	£354,000
2.	Sharrock Shand	£450,000
3.	Taylor Woodrow	£510,000
4.	Catalan Bay Investments	£400,000
5.	Skanska Construction/RLS Properties Ltd	£431,950
6.	Rison Ltd/ Fitzpatrick Contractors Ltd	£126,500

The tender was adjudicated to Skanska Construction and RLS Properties Ltd in the sum of £431,950.

## **SUPPLEMENTARY TO QUESTION NO 983 OF 2001**

**HON DR J J GARCIA:**

Why is it the policy of the Government to release all the information and amount bid by the tenderers who did not get the tender in this particular case and not in all the others we have had this afternoon?

**HON CHIEF MINISTER:**

The Government take the view that when the tender is for the sale of a Government asset that it is appropriate to give the details of the bids as opposed to the adjudication of a commercial contract which raises other commercial considerations which do not arise on the disposal of Government assets.

**HON J J BOSSANO:**

The tender accepted in fact was lower than that submitted by Sharrock Shand and Taylor Woodrow was there something about the nature of the development that made the Government prepare to sell the land for less?

**HON CHIEF MINISTER:**

Yes this was not just a tender for the sale of a plot of land. This was a tender for the submission of particular design concepts for that site, does the hon Member know where that site is? It is that green area between the end of Catalan Bay Village and the hotel itself, a sort of wedge that comes down from the road down to the beach and although the Government are in principle wanting to raise as much money as possible, we have to balance the amount of money we are going to get with the design concept of what it is proposed to do there especially given the sensitivity of the location and this particular bid was actually the preferred design concept and that it was also the third highest bid is coincidental. The Government may well have been minded to accept one that was even less in terms of financial consideration if the design bid decision had required it but in the event the design, architectural, density and all the other features of this property were much more in keeping with Catalan Bay Village and much more in keeping with the other modern developments at the top there than the others.

**HON J J BOSSANO:**

In terms of the element of density can the Government say how many, I take it these are housing units that are going to be put up for sale, can he say how the number of units in the one that was accepted compare with the other two that were offering more?

**HON CHIEF MINISTER:**

That information is available, I do not have it here. I remember it was one of the factors that was taken into account as well as the aesthetic design elements but I cannot now from memory tell him what the relative density elements were in each bid.

**NO. 984 OF 2001**

**THE HON DR J J GARCIA**

**NUN'S WELL**

How many parties have expressed an interest in the tender for the improvement and development of Nun's Well (Europa Point) and what is the nature of the submissions made?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Only one party expressed an interest in the Tender for the Improvement and Development of Nun's Well (Europa Point). The nature of the submission was in accordance with the specification requirements in the tender documentation and the scope of works comprised in the demolition of existing structures, re-levelling by earth movement around the site, construction of a new building to house visitor facilities and the definition of existing areas ready to receive future landscaping.

**SUPPLEMENTARY TO QUESTION NO 984 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say by when this work is expected to commence and what is the estimated time of completion?

**HON J J HOLLIDAY:**

The Government on advice from the Tender Board have decided not to adjudicate this tender basically because there was only one party that expressed an interest in this particular project and the submission was almost double, I think it was over double, the budget that we had originally anticipated and so therefore the Government have

put this project on standstill for the time being until we decide whether we would go out to tender again in the future.

**HON DR J J GARCIA:**

Is it possible to say who the tenderer was in this case?

**HON J J HOLLIDAY:**

The tenderer was Profield Construct but I dare not say the amount as I believe that to be commercial-in-confidence.

**NO. 985 OF 2001**

**THE HON DR J J GARCIA**

**WORLD WAR II TUNNELS**

Who were the two tenderers who submitted a bid to develop a visitor attraction within the World War II tunnels and how much did each bid?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The two tenderers who submitted bids to develop a visitor attraction within the World War II Tunnels were Amco (Gibraltar) Ltd and Sharrock Shand. It is Government practice only to divulge the amount bid by the successful tenderer which in this case was Amco (Gibraltar) Ltd in the sum of £980,478.00.

**SUPPLEMENTARY TO QUESTION NO 985 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether this was higher or lower than the other tenderer?

**HON J J HOLLIDAY:**

The successful tenderer was the lower of the two tenderers.



**NO. 986 OF 2001**

**THE HON DR J J GARCIA**

**LA LINEA'S TECHNICAL DIRECTOR FOR TOURISM**

What was the purpose of the visit to Gibraltar of La Linea's technical director for Tourism on 14<sup>th</sup> May 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

I am not aware that La Linea's technical director for Tourism visited Gibraltar on 14<sup>th</sup> May 2001.

**SUPPLEMENTARY TO QUESTION NO 986 OF 2001**

**HON DR J J GARCIA:**

He was not here for official business?

**HON J J HOLLIDAY:**

He definitely did not meet me or any of my management structure within the Gibraltar Tourist Board on that particular day.

**NO. 987 OF 2001**

**THE HON DR J J GARCIA**

**VISIT OF TRAVEL JOURNALISTS FROM SPAIN**

What was the cost of bringing and hosting 20 travel journalists from Spain to Gibraltar on or around Tuesday 8<sup>th</sup> May 2001 and what media did they represent?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The cost of bringing and hosting 20 travel journalists from Spain in May 2001 was £3699.71. The media they represented were:-

Mas Viajes  
El Mundo  
Lo Mejor de la Autonomias  
Air Classe  
Gran Hotel  
Diario 16  
Cambio 16  
La Razon  
El Dominical  
Todo Turismo  
Altair/Peninsula  
Dominical  
Diario Malaga/Costa del Sol

**SUPPLEMENTARY TO QUESTION 987 OF 2001**

**HON DR J J GARCIA:**

Did the Minister read out 20 titles for the 20 journalists or were there some from the same newspaper?

**HON J J HOLLIDAY:**

No I read 13 titles however some of these publications bring a journalist and a photographer so maybe there is more than one person that comes because most of these people then go back and prepare a feature on Gibraltar and therefore they need the input from maybe more than one.

**NO. 988 OF 2001**

**THE HON DR J J GARCIA**

**TOURIST BOARDS ROADSHOW – SEVILLE/ CORDOBA**

What was the cost of the Tourist Board's Roadshow to Seville and Cordoba in May?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question No 989 of 2001.

**NO. 989 OF 2001**

**THE HON DR J J GARCIA**

**TOURIST BOARD'S – ROADSHOW – SEVILLE/CORDOBA**

How many persons from Gibraltar attended the Tourist Board's Roadshow in Seville and Cordoba and how many Spanish travel agents and tour operators attended the presentations?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 988 of 2001**

The cost of the Tourist Board's Roadshow to Seville and Cordoba in May 2001 was £5,846.10.

**Answer to Question No 989 of 2001**

I attended together with three officials from the GTB in Gibraltar to Roadshows in Seville and Cordoba. As regard participation by Spanish travel agents and tour operators attending, a total of 39 entities attended the Roadshow in Cordoba and 76 attended in Seville.

**SUPPLEMENTARY TO QUESTION NOS 988 AND 989 OF 2001**

**HON DR J J GARCIA:**

Was the object of the exercise in this case to attract more people for overnight stays, has the Minister in place a mechanism for measuring whether in fact that objective has been achieved or not?

**HON J J HOLLIDAY:**

The objective of this trip basically was to brief Travel Agents, Tour Operators in these particular cities which are near Gibraltar and they can encourage overnight stays for people who come on their own. The introduction of Gibraltar to some of them, some of them obviously knew Gibraltar, in fact some of them are actually operating to Gibraltar already and have contacts here. The follow up to this is that we will now be inviting those that attended these roadshows to Gibraltar itself and at that point establish local contacts and new business by establishing personal business connections.

**HON DR J J GARCIA:**

Can the Minister say whether there is actually any evidence that the overnight stay market has increased as a result of this particular campaign?

**HON J J HOLLIDAY:**

The overnight figures as far as this year is concerned is on the increase, whether they actually are coming over from Spain or from the UK which are our two main source market is still to be seen but I would not attribute any sort of increase to the fact that I go to Seville for one day and another day to Cordoba. It is just part of an on-going strategy which has many, many factors and an on-going campaign in order to achieve our objectives.

**NO. 990 OF 2001**

**THE HON DR J J GARCIA**

**POST OF TERMINAL SUPERVISOR (GRADE II)**

How many persons applied for the post of Terminal Supervisor (Grade II) as advertised on Tuesday 5<sup>th</sup> June, how many vacancies were there and have these now been filled?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 991 and 1000 of 2001.

**NO. 991 OF 2001**

**THE HON DR J J GARCIA**

**POST OF TERMINAL ASSISTANT**

How many persons applied for the post of Terminal Assistant as advertised on Wednesday 13<sup>th</sup> June, how many vacancies were there and have these now been filled?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 990 and 1000 of 2001.



**NO. 992 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM ADVISORY COUNCIL**

How often and on what dates has the Tourism Advisory Council met after 19<sup>th</sup> April 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The Tourism Advisory Council has met once since 19<sup>th</sup> April 2001. It met on 6<sup>th</sup> July 2001.

**SUPPLEMENTARY TO QUESTION NO 992 OF 2001**

**HON DR J J GARCIA:**

Can the Minister confirm whether the composition of the Council has changed in any of these meetings or is it the same?

**HON J J HOLLIDAY:**

The composition of the Tourism Advisory Council remains the same with the exception of one of its members who at one point advised us that due to pressure of work he was not going to be able to continue. Subsequently when we met on the 6<sup>th</sup> July we discussed amongst us the possibilities of a new appointment, there was not a consensus as to who this should be and then subsequently that person has said that he would like to carry on now and I think it is a good choice to have on side so we have decided although I still have to put it to the Council officially I think it is a good choice to have on side. It actually refers to the UK representative on the Board and I think it is wise to have the input from an outsider. We have intended to meet in September and October and unfortunately at the last minute we have had to postpone the meeting. I think the meeting is now due for the 19<sup>th</sup> November 2001.

**NO. 993 OF 2001****THE HON DR J J GARCIA****MINISTER'S OVERSEAS VISITS**

Can the Minister for tourism give the dates when he has been away from Gibraltar on Government business from 25<sup>th</sup> April 2001 to date, giving the event or function attended, the venue, the city and the country visited?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The information sought in this question is too voluminous to be read out in this House nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested.

**Answer to Question No 993 of 2001**

<b>FROM</b>	<b>TO</b>	<b>CITY/COUNTRY</b>	<b>FUNCTION</b>
14.5.01	14.5.01	London (UK)	<ul style="list-style-type: none"> <li>◆ UKGTA</li> <li>◆ Media Buyer</li> <li>◆ Container Transhipment</li> </ul>
22.5.01	23.5.01	Sevilla (Spain) Cordoba (Spain)	<ul style="list-style-type: none"> <li>◆ Road Show</li> <li>◆ Road Show</li> </ul>
20.7.01	20.7.01	Tangier (Morocco)	◆ Regional Airlines
15.9.01	15.9.01	London (UK)	◆ UKGTA
24.9.01	24.9.01	London (UK)	◆ GB Airways
22.9.01	23.9.01	London (UK)	◆ Gibraltar Day

**NO. 994 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF LICENSED RESTAURANTS**

Can Government say how many restaurants were licensed in Gibraltar as on 30<sup>th</sup> June 2001 providing a list of names and where they are located?

**ANSWER**

**THE HON THE CHIEF MINISTER:**

The extensive information sought by the hon Member is contained in the schedule that I now hand to him. Details have been extrapolated from Trade Licensing records and are as accurate as possible but there may be some unintended omissions.

**Answer to Question No 994 of 2001**

<b>LICENSED RESTAURANTS IN GIBRALTAR</b>	
<b>RESTAURANTS</b>	<b>LOCATION</b>
Bacchus	30 John Mackintosh Square
Barbary Ape Bar Restaurant	Boyd Street
Bianca's	6-7 Admiral's Walk, Marina Bay
Bourbon Street	150 Main Street
Buddies Pasta Casa	15 Cannon Lane
Bunters Restaurant	College Lane
Burger King	Casemates Square, 292 Main Street
Café Solo	Unit 1/3 Casemates
Casa Pepe	Unit 18 Queensway Quay
Claus on the Rock Bistro	Unit 14 Queensway Quay
Da Paolo	Unit B The Tower Admiral's Walk Marina Bay

El Patio Restaurant	Unit 11 Casemates Square
Gatsby's Eating House	1, 2 & 3 Ocean Heights Gallery
Happy Landing	6 Lynchs Lane
Healthy Options Vegetarian Bistro	11/12 Ocean Heights Gallery
Hong Kong Restaurant	No 11-13 Market Lane
IL Piccolo Mondo	9 Governor's Parade
Jumpers Wheel Restaurant	Jumper's Bastion Rosia Road
Kerry's	5 Cornwall's Lane
Killick's (Fisherman's Wharf)	Eurotowers
Kowloon Restaurant	No 20 Watergardens III
La Barcina	2/1 Casemates Square
La Bayuca Restaurant	21 Turnbull's Lane
La Cosa Nostra	13.15 Giro's Passage
La Mamela	Catalan Bay Sir Herbert Miles Road
Latinos	Unit 9 Casemates Square
Little Chef	7A Cornwall's Parade
Little Mermaid The	4/5 Admiral's Walk Marina Bay
Little Rock Café Ltd	Unit 1/5 Casemates
Lord nelson	10 Casemates Square
Maasai Grill The	Queensway Quay
Maharaja	5 Tuckey's Lane
McDonald's Gibraltar Ltd	Europort Avenue
Mermaid Bar Restaurant	96 Catalan Bay
Meson Jabugo Bar Restaurant	The Tower Marina Bay
Mini-Moroccan Restaurant	46 Turnbull's Lane
Nuno's Restaurant At The Caleta	Catalan Bay
Pal Court At The Elliott Hotel	2 Governor's Parade
Piazza The	156 Main Street
Picasso's	22A Main Street
Piccadilly Gardens	3B Rosia Road
Pizza hut	Unit G5/6 ICC Casemates Square
Radical Pizza Company Ltd	Units 5/6 Watergardens Block 1
Raffles Restaurant	Queensway Quay Marina
Rock Hotel The	3 Europa Road
Rooks Snack Bar	16 City Mill Lane
Sacarello The House of Café/Restaurant	Irish Town/Tuckey's Lane
Salsa Café Restaurant	4 Cornwall's Parade
Schooner's Bar/Grill	Marina Bay
Simon's Restaurant	44 Cornwall's Lane
Smiths Fish & Chips	295C Main Street
St Michael's Cabin	Upper Rock
Taste of India (Takeaway)	Unit 12 Block 5 Watergardens
The Leanse Restaurant	7 Bomb House Lane
The Terrace Restaurant	International Casino Gibraltar
Viceroy of India	9/11 Horse Barrack Court
Waterfront Restaurant	Queensway Quay Marina
Watergate	1 Fishmarket Road
Yvey's Café Theatre	1 Y&Z Landport Tunnel
Cable Car Restaurant	Upper Rock

<b>BAR/RESTAURANTS</b>	<b>LOCATION</b>
Devil's Bar	Devil's Tower Road 59
The 007 Bar	Eastern Beach
The Angry Friar-Anglo Hispano Co Ltd	Main Street 287
Calpe Hounds Anglo Hispano Co Ltd	Cornwall's Lane 21
Copacabana Ltd Anglo Hispano Co Ltd	Main Street 242
Edinburgh Bar Anglo Hispano Co Ltd	Naval Hospital Road 37
Al Andalus Anglo Hispano Co Ltd	Cornwalls Lane 23
La Parmigiano Anglo Hispano Co Ltd Happy Landing	Lynchs Lane 6
Pickwicks Anglo Hispano Co Ltd	Governors Parade 17
The Royal Calpe Anglo Hispano Co Ltd	Main Street 176
Seawave – J F Robba & D Robba	Catalan Bay 60
The Barn Pub – Jemima Ltd	Rosia Road 16/18 Rosia Saluting Battery
The Anchor Bar	Watergardens Unit 25 Block 1
The Paddock Elitza Properties Ltd	Watergardens Unit 24 Block 3
The Aragon Anglo Hispano Co Ltd	Bell Lane 15
The Coach & Horses Anglo Hispano Co Ltd	South Shed's Place 1
Venture Inn-Anglo Hispano Co Ltd	Lynchs Lane 2/22
The Matchbox Inn – Anglo Hispano Co Ltd	South Barrack Road 4B
Cool Blues Café – Pejojo Ltd	Main Street 310
Casa Antonio- Bahia Caterers Ltd	Queensway 2
The Captains Cabin – Keystar Ltd	John Mackintosh Square 5A
The Three Roses Ltd	Governors Street 60
The Star Bar Ltd	Parliament Lane 12
The Ark Royal – The Star Bar Ltd	Irish Town 36
Gibraltar Arms Ltd	Main Street 184
The Clipper Ltd	Irish Town 78B
Murphy's Bar	City Mill Lane 8
Catholic Community Centre – Francis Matto	Zoca Flank
The Royal Oak – E R Payas	Irish Town 59B & 59C
Queens Hotel – Hotelton	Boyd Street 1
Café Roma	Cornwall's Centre Unit G1
Trafalgar Marketing Ltd – The Rock Café	ICC Unit S1
The Cannon Bar – Alistair Locke	Irish Town 79
The village Inn – Michael Key	Catalan Bay 74
The Horseshoe – Snell Trading Ltd	Main Street 193
Duck & Firking Pub – Pyrrhus Properties Ltd	Europort Block 6
The London Bar – John Smith Co Ltd	Governor's Street 76/78
Hyssop Trading Ltd	Engineer's Lane 1
In Flight Services Ltd	Air Terminal Departure Lounge
California Bar – Birchwood Ltd	Casemates House Shop 1
Buccaneer's Tavern – Buccaneer Ltd	Reclamation Road Buccaneer's Tavern
The Cannonball Pool Palace	West Place of Arms 8
Jolly Parrot	Queensway Quay Unit R7A
Pig & Whistle Pub	Watergardens Unit 18 Block 3
Little Rock Café Ltd	Casemates Square Unit 1/5
Burlaero Ltd	Governor's Parade 5

**NO. 995 OF 2001**

**THE HON DR J J GARCIA**

**FRED OLSEN LINERS – BRAEMER**

What attempts, if any, were made by Government to ensure that the Fred Olsen cruise liner “Braemer” used Gibraltar instead of Malaga as a base for fly/cruises?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

As soon as it was known that Fred Olsen Liners had bought this ship, the Chief Executive of the Port Authority wrote to the Marketing Director of Fred Olsen Liners who he knows personally to congratulate him on this development. The Government are in regular contact with this cruise company. The initial indications were that the ship would be operating from the UK initially to the Baltic and the Mediterranean. It was not until the brochure was published in the summer that it became clear that two round-trip fly-cruises from Malaga to the Eastern Mediterranean had also been programmed into the vessels schedule prior to re-positioning to the Caribbean.

**SUPPLEMENTARY TO QUESTION NO 995 OF 2001**

**HON DR J J GARCIA:**

Is it the case then that before the publication of the brochure this issue was not raised or discussed with the cruise liner?

**HON J J HOLLIDAY:**

No.

**HON DR J J GARCIA:**

Just for clarification, no that it was not raised with the cruise liner?

**HON J J HOLLIDAY:**

No, why should the Chief Executive of the Port Authority have contacted Fred Olsen and raised the issue of them selecting Malaga as a base for fly/cruise?

**HON DR J J GARCIA:**

No the issue being the possibility of having used Gibraltar instead of Malaga if that were an option.

**HON J J HOLLIDAY:**

Malaga has certain advantages over Gibraltar especially for fly/cruises. I do not know what the position is today but obviously the cruise was very much intended for the American Market with 747's flying in to Malaga airport rather than to Gibraltar. It makes it a bit difficult for us to compete in that sort of scenario and therefore we find ourselves not being able to sell Gibraltar when this sort of scenarios are created within the market base.

**NO. 996 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF PORT OPERATORS**

Can Government now say how many port operators there are under the new licensing regime that the House was told in April would be put in place shortly?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The new licensing regime is scheduled to come into operation in January 2002.

**SUPPLEMENTARY TO QUESTION NO 996 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say what the reason for that delay is?

**HON J J HOLLIDAY:**

The reason is two-fold, one is because of the necessary legislation that needs to be put in place in order to be able to implement the new licence regime for port operators and secondly because we believe that January 2002 was an appropriate time to be able to start this regime and allow those operators in the market to acquaint themselves with the new regime that will come in place then.



**NO. 997 OF 2001**

**THE HON DR J J GARCIA**

**CONTAINER TRANSHIPMENT PROJECT**

When were the final reports into the Container Transhipment Project for the Port submitted to the Government, have these now been examined, and what conclusions have been reached as a result?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The final reports with the Container Transhipment Project for the Port were submitted in June 2001 and have already been examined. As a result of the recommendations contained in the report, it is unlikely that the Government will proceed with this project.

**SUPPLEMENTARY TO QUESTION NO 997 OF 2001**

**HON DR J J GARCIA:**

Can the Minister elaborate on the answer as to why the Government now think that the project is no longer feasible?

**HON J J HOLLIDAY:**

The report does identify Gibraltar as being strategically located and suitable in its location for a project such as this and definitely does identify that there are operators and investors with the appetite for low cost Mediterranean based transhipment facilities. However, in order for this project to become commercially viable and I am summing up in a very simplistic way obviously this is a very complex and long report. The report shows that there must be a capacity of between 800,000 to one million containers through put in order for it to be commercially viable for an operation such

as this. The financial analysis indicates that the project suffers from the availability of suitable land allocation in order to have a project this big situated in Gibraltar. The House may recall that initially, when the report was commissioned, Government were looking at a project of about half a million containers through put which we thought was a big enough project for Gibraltar and in fact that has been proved to be the case. The only thing is that obviously numbers do not back up because the through put of containers has to be a minimum of about 800,000 to one million containers for that to be feasible. Obviously the project identifies seven possible locations around Gibraltar where this could be possible but obviously clearly indicates that in order to have a facility that caters for say one million containers the only area that would be suitable would be on the east side of Gibraltar and therefore Government have had to take a view as to the use of land on the east side which they feel is more better suited for leisure and beaches et cetera and so therefore the whole project is really not possible under the current constraints and the numbers that I have made public. Obviously the other aspect is the consultants do conclude that unless the Government are prepared to subsidise a development with grants and possible loans et cetera to a particular investor they would not be an investor that would consider this because of the level of investment that would have to go into it considering the constraints of the actual size of the project and so therefore at this stage the Government are unwilling or unable to consider this project any further.

**HON J J BOSSANO:**

Was it not the case that initially there seemed to be people who were interested from the private sector independent of the fact that the Government themselves have commissioned a study, if there were, what has happened to them?

**HON J J HOLLIDAY:**

Indeed it is true, there were some operators, developers in the private sector but I think that there interests and I think I pointed out at the beginning that there is an appetite for transshipment facilities in this area of the Mediterranean. However I think that when these investors would have sat down and actually considered the infrastructural expenditure and costs that needs to be gone into then they would have realised that the project does not become viable unless the level of through put of containers reaches the one million and there are graphs which clearly point out the exponential return on the investment over a period of time and I think it is a similar situation to what has happened in Tangier.

**HON J J BOSSANO:**

Would the Government investment be in the creation and provision of the land through things like reclamation or are we talking about something more than that actually helping to finance the business?

**HON J J HOLLIDAY:**

I think there is possibly investment in the actual creation of the facility itself and then there would actually be some on-going recurrent expenditure that would need assistance and so therefore the project is not really viable with the numbers that we have in front of us and we have looked at a lot of opportunities and options open to us

with EU funding with a number of other and is really is a non-starter with the climate and the physical restrictions that we have in Gibraltar at the moment.

**HON J J BOSSANO:**

In the question of reclamation on the east side is there a political problem in that area?

**HON J J HOLLIDAY:**

The reality is that I have not addressed the political constraints that may arise and I wanted to see whether the project was viable in the first place and then the other obstacles would have had to be thought afterwards. There was no point in confronting that until we knew whether the whole project was viable and it has not been viable and therefore the second obstacle has not really been an issue.

**NO. 998 OF 2001**

**THE HON DR J J GARCIA**

**LAND FRONTIER REFURBISHMENT WORKS**

Are the beautification and refurbishment works at the land frontier on schedule for completion as originally envisaged?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

No.

**SUPPLEMENTARY TO QUESTION NO 998 OF 2001**

**HON DR J J GARCIA:**

I think the Minister originally had said that this could be ready by September can he elaborate on the reasons for the delay and secondly whether the delay would mean added costs to the tax payer?

**HON J J HOLLIDAY:**

The original completion date was the 10<sup>th</sup> August 2001 however as a the result of numerous delays in respect of the unforeseen existing services in the area were the proposed extension to the building and the time it has taken to obtain service clearance only hand digging has been permitted. This has unfortunately led to a disproportionate extension of time having been to be granted. The estimated time of completion is March 2002.

**HON J J BOSSANO:**

I think the Minister mentioned hand-digging?

**HON J J HOLLIDAY:**

That is right.

**HON J J BOSSANO:**

Does that mean that there will be additional costs because there has been more labour intensive methods used than mechanical ones?

**HON J J HOLLIDAY:**

That may be the case, I could not really give the hon Member a true answer to that, I suspect that this is probably going to be the case. Unfortunately what has happened is that as a result of the fact that we have extended the what is known as the Customs Hall at the frontier westwards, in other words into MOD land, we only discovered or the contractors only discovered after they moved that there were certain services and electrical lines in there which were not available in the plans that we had of the area, possibly they were MOD related and that has led to certain delays in very, very, delicate circumstances and so we know that the extension that we had to grant to the contractors is not going to incur any penalty from the point of view of delay but I am sure that they may claim for possible delays as the result of the fact that information that should have been presented to them as contractors was not, but I would not be able to answer the question without trying to seek further information.

**HON J J BOSSANO:**

Has there then had to be variations to the contract as a result other than the date?

**HON J J HOLLIDAY:**

No, there has not been any variation to the contract what has happened is that obviously in order to extend the building and having to dig and to place new foundations to the extension in the digging there was obviously services underneath that needed to be taken care of and so they have had to act on a very careful and cautious way because I am told that the services there are fairly delicate and do form part of the major communication network between Gibraltar and the mainland not to Spain but further afield and so therefore we have had to be extremely careful not to damage these in any way.

**NO. 999 OF 2001**

**THE HON DR J J GARCIA**

**THE UPPER ROCK NATURE RESERVE (ADMISSION FEES) REGULATION 1993**

Can Government say on what date were the Nature Conservation Area (Upper Rock Nature Reserve) (Fees and Admission) Regulations, 1993, revoked or amended?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The Upper Rock Nature Reserve (Admission Fees) Regulation 1993 have not been revoked or amended.

**SUPPLEMENTARY TO QUESTION NO 999 OF 2001**

**HON DR J J GARCIA:**

Given that these regulations cover the increase in fees to the Upper Rock which the Government announced in April can the Minister explain how fees were increased in April without amending or revoking these regulations?

**HON J J HOLLIDAY:**

I have been advised that I should not comment on that because of the matter being sub judice and that is as far as I can go.

**HON J J BOSSANO:**

What exactly is sub judice, what is being challenged the way the fees were increased or implemented?

**HON CHIEF MINISTER:**

Choosing my words very carefully and tiptoeing around this matter, initially the challenges based on whether the Government are free given the term of the lease of the cable car facility to impose higher charges by law but there are arguments in the alternative and the challenge is a general one capable of being developed to take in additional arguments, suffice it to say that the Government's entitlement to have introduced the fee increases is being challenged.

**HON J J BOSSANO:**

I take it that it is being challenged only by the cable car not by other people. I think that when the amending legislation was brought to the House the Government said that it was a sort of belt and braces to make sure that if something failed something else was there, in terms of the use of that legislation has the question of the fees now been done under the new legislation the legislation that was brought to the House?

**HON CHIEF MINISTER:**

The position appears to be, so I am told, that there is not as yet any legislation in place.

**NO.1000 OF 2001**

**THE HON DR J J GARCIA**

**POST OF UPPER ROCK SITE OFFICER**

How many persons applied for the post of Upper Rock Site Officer as advertised in a Government Official Notice at the beginning of September and how many vacancies are there?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 990 of 2001**

Twenty persons applied for the one vacant post of Terminal Supervisor (Grade II). The successful applicant commenced work on 1<sup>st</sup> August 2001.

**Answer to Question No 991 of 2001**

One vacancy for the post of Terminal Assistant was advertised. There were 16 applicants for this post, one person was selected and commenced work on 13<sup>th</sup> August 2001.

**Answer to Question 1000 of 2001**

One vacancy was advertised for the post of Upper Rock Site Officer and a total of 15 persons applied for the job.



**SUPPLEMENTARY TO QUESTION NOS 990, 991 AND 1000 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say in respect of these vacancies and in respect of the people who were successful whether they came from the unemployment list or they moved from other employments?

**HON J J HOLLIDAY:**

There was a cross section of applicants both employed and unemployed. The post of Terminal Supervisor was adjudicated to somebody who was already employed also the Terminal Assistant and then the Upper Rock Site Officer was adjudicated to somebody who was unemployed.

**HON DR J J GARCIA:**

Where the two who were employed, employed by the Government or the GDC?

**HON J J HOLLIDAY:**

Both that were employed for Terminal Assistant and Terminal Supervisor came from within the Gibraltar Tourist Board itself and that obviously has opened up opportunities for officers lower down the grade.

**NO. 1001 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister say whether the maintenance of any student opting to study in Andalucia is the same as students studying in UK?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1002,1003 to 1004 of 2001.

**NO. 1002 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister state whether he or any other Government official has signed any formal agreement to allow to send students from Gibraltar to study in the University of Cadiz or any other institution in Andalucia?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1001, 1003 and 1004 of 2001.

**NO. 1003 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister say what is the level of tuition fee in Andalucia and how this compares with the tuition fee in UK?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1001, 1002 and 1004 of 2001.

**NO. 1004 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister state whether any of the students who have applied for a grant been asked by the Department of Education whether they wish to study in UK or Spain?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1001 of 2001**

The maintenance grant for any student opting to study in Spain is the same as the UK (outside London) allowance.

**Answer to Question No 1002 of 2001**

No such formal agreement has been signed.

**Answer to Question No 1003 of 2001**

No.

**Answer to Question No 1004 of 2001**

The Department of Education has not asked any student whether they wish to study in UK or Spain.

## **SUPPLEMENTARY TO QUESTION NOS 1001, 1002, 1003, AND 1004 OF 2001**

**HON S E LINARES:**

Can the Minister say what discussions were held then with the Rector and Professors of the University of Cadiz when the Minister visited them?

**HON DR B A LINARES:**

One of the subjects discussed was the provision by the University of Cadiz of a diploma course which they have offered to us and lectures are held in Los Barrios as the faculty delegated by the University of Cadiz in what they call, "Experto Universitario En Comercio Internacional." The idea was that the University would offer two places to Gibraltar students and if the Gibraltar Government would match the offer but there have been no takers locally but one feature of the course now which is very welcome by the University is the lecturing in the course by Mr Leon Abecasis of the College of Further Education, who after his working hours locally is being seconded and is being paid by the University. That is one area of discussion apart from that as educators and academics we talked methodologies in the different Universities, matters of general interest but no specifics at entrance.

**HON S E LINARES:**

When the Minister says that there has been an offer of two places for this diploma, is there any difference in tuition fees or anything or is it that they send two and we send two and no fees either way. Is there any money involved that is what I am going on about?

**HON DR B A LINARES:**

There is no money involved.

**HON J J BOSSANO:**

Under EU Law is a Gibraltar student not treated as a national in Spain if they apply for a place in any course not just here but anywhere in Spain under Spanish law?

**HON DR B A LINARES:**

Yes.

**HON J J BOSSANO:**

Presumably if two Gibraltarian students wanted to attend this course there would have been nothing to have stopped them from applying in the first instance and being entitled to equal treatment?

**HON DR B A LINARES:**

Yes but they would have been dispensed of the Spanish tuition fees.

**HON J J BOSSANO:**

But is it not the case in Spain as it is in the whole of Europe, in the whole Union that in fact all EU students have to be charged the same fee as national students. This is the problem that we had in UK originally when they did not want to accept us paying EU fees as opposed to Commonwealth fees, so if anybody from Gibraltar wants to study in Spain why do we need an agreement with them, is it not something that is available to anybody?

**HON DR B A LINARES:**

The agreement was that the fees that those students would have had to pay, which were the Spanish standard fees, would have been waived by the University.

**HON J J BOSSANO:**

So it is not really the number of places, it is the number of scholarships that we are talking about.

**HON DR B A LINARES:**

Yes.

**NO. 1005 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – MANDATORY SCHOLARSHIPS**

Can the Minister state how many mandatory scholarships have been awarded this year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1006 of 2001.



**NO. 1006 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – MANDATORY SCHOLARSHIPS**

Can the Minister give a breakdown of the subjects initially chosen by students who already have a mandatory scholarship this year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1005 of 2001**

One hundred and thirty eight mandatory scholarships have been awarded this year.

**Answer to Question No 1006 of 2001**

In answering this ambiguously worded question, I am assuming that the hon Member requires details of the subjects chosen by those students who have obtained a mandatory award this year. The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand him.

# ANSWER TO QUESTION 1006 of 2001

COURSE	QUAL	PLACE OF STUDY
Politics & Spanish	BA	Kingston University
Applied Physics	MPHYS	University of Portsmouth
Law with European Studies	LLB	Exeter University
Industrial Design	BA	Cardiff Institute
Primary Education	BA(QTS)	University of Brighton
Primary Teaching	BA QTS	Kingston University
Medicine	MB BCH	University of Wales College of Medicine
computers and networking	Bsc	Southampton University
Politics & Spanish	BA	Kingston University
Dental Technology	BSC	Manchester Metropolitan University
Business Management	BA(HONS)	Southampton Institute
Music & Italian	BA	Anglia Polytechnic University
Business Studies	BA	Buckinghamshire Chilterns University College
Business Management	BA	Southampton Institute
Electrical & Electronic Engineering	BEng	University of Leicester
Law with French	BA	Nottingham University
Biomedical Sciences	BSC	University of Aberdeen
Hotel Catering & Institutional Management	HND	Sheffield Hallam University
Biomedical Sciences	Bsc	King's College London
Media Technology	BSC	Glamorgan University
International Business	BA(HONS)	Southampton Institute
Design & Construction Management with information Tech	BSC	University of Greenwich
Medicine	MB BCH	University of Wales
Tourism Management	HND	Leeds Metropolita University
Business Information Systems	BSC	University of Wales Cardiff Institute
Business Management	BA	Kingston University
Primary Teaching	BA QTS	Christ Church College - Canterbury
Computing	BSC(HONS)	Leeds Metropolitan University
Building & Surveying	BSc(Hons)	Luton University
Computer Science	BSC	Cardiff University
Information Sciences	BSC	University of Hertfordshire
Accounting & Finance	BSC	University of London

Microbiology  
 English  
 & European Comparative Literacy Studies  
 Business Studies  
 Architectural technology and the Enviroment  
 Marine Environmental Science  
 Law  
 Law  
 Primary Education  
 Computer Science  
 Pharmacy  
 Pharmaceutical Studies  
 Medicine  
 Marine Navigation  
 Psychology  
 Creative Writing & Writing for Performance  
 Computer Network Management  
 Pharmacy  
 International Business Management French  
 History of Ideas & Politics  
 Medicine  
 Law  
 Graphic Design  
 Pschology  
 Philosophy  
 Sociology & Social Work  
 Law & French  
 Exercise Health Sociology  
 Hospitality Management  
 Disaster Management & Engineering  
 International Business  
 Primary Teaching  
 History & Politics  
 Medicine  
 Law  
 Exercise Physiology  
 Law with Legal Studies in Europe

BSc  
 PHD  
 MA  
 BA  
 BA  
 BSC  
 LLB  
 LLB  
 BA with Qts  
 BSc  
 MPharm  
 BSC  
 MBBS  
 BSC  
 BSc  
 BA(HONS)  
 BSC(HONS)  
 MPharm  
 Bsc  
 BA(HONS)  
 MBChB  
 LLB  
 BA  
 BSC  
 BA  
 BA  
 LLB  
 BSc Hons  
 BA Hons  
 BSC  
 BA(HONS)  
 BA(QTS)  
 BA  
 MBBS  
 LLB  
 MPHIL  
 LLB Hons

Wolverhampton University  
 University of Leeds  
 University of Canterbury  
 Kingston University  
 University of Plymouth  
 University of Portsmouth  
 University of Glamorgan  
 Southampton University  
 Brighton University  
 University of Kent  
 Liverpool University  
 Kingston University  
 University College London  
 University of Plymouth  
 Loughborough University  
 Bolton Institute  
 Southampton Institute  
 University of London  
 Manchester Umist  
 Kingston University  
 University of Cardiff  
 University of Greenwich  
 Southampton Institute  
 University of Essex  
 Reading University  
 Northampton University  
 University of Cardiff  
 Oxford Brookes University  
 University of Abertay Dundee  
 Coventry University  
 Southampton Institute  
 St Mary's College  
 University of Kent Canterbury  
 Kings College London  
 Southampton University  
 Kingston University  
 University of Reading

Electronic Engineering  
 International Business with Spanish  
 International Business  
 Law  
 Oceanography with Marine Biology  
 Dentistry  
 Orthoptics  
 Business Studies & Management  
 Art & Design  
 Modern History and Politics  
 French & Spanish  
 Computing  
 Architecture  
 Media Production

Teaching  
 English Literature & Theatre Studies  
 Biomolecular Sciences  
 Art Therapy  
 Law & Spanish  
 Graphic Design  
 Criminology/Psychology  
 Applied Linguistics & Advanced French Language Studies  
 Philosophy  
 Sports Science & Physiology  
 French & Management Studies  
 International Marketing Management & Spanish  
 Computer Network Management  
 Computer Science  
 Health Care Ethics  
 Engineering with Business Finance  
 Architecture  
 Law & Italian  
 Law  
 Biochemistry  
 Travel & Tourism  
 Business Study

B ENG  
 BA  
 BA  
 LLB  
 BSC  
 Bchd  
 BSC  
 BA  
 BTec  
 MA  
 BA  
 BSC(\*HONS)  
 MA RIBA RTP  
 BA

BAQTS  
 BA (HONS)  
 BSC  
 BA  
 BA(HONS)  
 BA (HONS)  
 BSc  
 MA  
 BA(HONS)  
 BSC  
 BA  
 BA  
 Bsc  
 Hnd  
 BSc  
 M. ENG  
 BA  
 LLB  
 BA  
 BSC  
 HND  
 BA Hons

Glamorgan University  
 Sheffield Hallam University  
 Nottingham Trent University  
 University of Greenwich  
 Southampton University  
 University of Leeds  
 Sheffield University  
 Middlesex University  
 Surrey Institute  
 University of Glasgow  
 Kingston University  
 Oxford Brookes University  
 The Bartlet University College  
 University of Lincolnshire &  
 Humberside  
 Trinity & All Saints - Leeds  
 University of Leeds  
 University of Glasgow  
 Derby University  
 Anglia Polytechnic University  
 University of Leeds  
 Cardiff University  
 Oxford Brookes University  
 University of Wolverhampton  
 University of Leeds  
 University of Reading  
 Bournemouth University  
 Southampton Institute  
 Northampton University  
 University of Leeds  
 University College London  
 Plymouth University  
 University of Wales - Cardiff  
 Coventry University  
 University of Wales - Cardiff  
 University of Leeds  
 Southampton Institute

Animation  
 Primary Teaching  
 Environmental Health  
 English Lit and Spanish  
 Media Studies with Spanish  
 Mathematics  
 French & Spanish for Translating  
 Nursing  
 Accounting & Finance  
 Psychology with Spanish  
 Psychology & Italian  
 Natural Sciences  
 Law + French Law  
 Criminology  
 Fashion  
 Environmental Sciences  
 Automotive systems technology  
 Quantity Surveying  
 Nursing Studies  
 Business Administration  
 Sport & Society  
 Medicine  
 Sport Science & Physical Education with Spanish  
 Accounting  
 Maritime Studies  
 Business & Management  
 Primary Teaching  
 Dance Performance  
 Law  
 Law & Business  
 Law  
 Computing

BA(HONS)  
 BA(QTS)  
 BSC (HONS)  
 BA  
 BA  
 BSC  
 BA  
 HIGHER DIPLOMA  
 BA  
 BA/BSC  
 BSc  
 BSC  
 LLB(HONS)  
 BA(HONS)  
 BA  
 BSc  
 Beng  
 BSc  
 BA (HONS)  
 BA  
 Bsc(Hons)  
 MBBS  
 BSc  
 BSC  
 BA  
 HND  
 BA  
 BA  
 LLB  
 LLB(HONS)  
 BA  
 BSC

Surrey Institute  
 St Mary's College  
 University of Bristol  
 Kingston University  
 University of Leeds  
 University of Edinburgh  
 Heriot - Watt University  
 Sheffield University  
 University of Kent at Canterbury  
 Kingston University  
 Plymouth University  
 University of Bath  
 University of Durham  
 Southampton Institute  
 Southampton Institute  
 Southampton University  
 Kingston University  
 Kingston University  
 Sheffield Hallam University  
 Middlesex University  
 Sheffield Hallam University  
 University of London  
 Chester University  
 Cardiff University  
 Southampton Institute  
 Southampton Institute  
 University of Brighton  
 Middlesex University  
 Bradford College  
 Southampton Institute  
 Kingston University  
 Canterbury Christchurch College

**NO. 1007 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – MANDATORY SCHOLARSHIPS**

Can the Minister give this House a breakdown of the subjects studied and institutions in which they are studied of students who currently hold a mandatory grant from Government?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

# ANSWER TO QUESTION 1007 of 2001

COURSE	QUAL	PLACE OF STUDY
Occupational Therapy	Bsc	Brunel University
Business & Spanish	BA	nottingham Trent University
Bussiness Administration	BA	Colchester Institute
Business Studies	HND	Greenwich University
English & Sociology	BA	University of Bristol
Law	LLB	Nottingham Trent University
Tourism Management	BA	Southampton Institute
Chemistry & Biochemistry	MChem	University of Southampton
Primary Education - Early Years	BA(HONS) QTS	University of Brighton
Communications Engineering	Beng(HONS)	University of Portsmouth
Network Administration	HND	University of Glamorgan
English & Spanish Law	LLB	University of Kent at Canterbury
Media & Spanish	BA(HONS)	Trinity & All Saints University College - Leeds
English Literature	BA	The University of Sheffield
Teaching	BA(QTS)	University of Greenwich
Law	LLB	Middlesex University
History of Art & Spanish	BA	Kingston University
Computing & Maths	BSC (HONS)	Cardiff University
Law	BA	Oxford College
Law	LLB	Nottingham Trent
Language for Business	BA(HONS)	Oxford Brookes
Accounting & Financial Studies	BA (HONS)	University of Central Lancashire
Accounting & Finance	BA	University of Leeds
Education Studies	BA(HONS)	Sheffield Hallam University
English & Media	BA	Leeds Trinity & All Saints University College
Law & French	LLB	Cardiff University
English & Spanish Law	LLB	University of Kent
Biology	BSC Hons	University of Sheffield
Design & technology Education	BA	University of Brighton
Social anthropoloy spanish	BA	University of Sussex
Dance & Business Studies	BA/Bsc	Middlesex University
Accounting & Finance	BA	Leeds University
Business Information Technology	HND	Southampton Institute

Accounting & French  
 Mathematics with Philosophy of Mathematics  
 Tourism & Hospital Management  
 History  
 Economics/Sociology  
 Business Studies  
 Law  
 Sport Science  
 Electrical & Electronics Engineering  
 Business Management  
 Spanish & Women Studies  
 French & Spanish  
 Spanish & Education  
 Electrical & Electronic Eng  
 Primary Teaching  
 Dance Performance  
 Psychology & Spanish  
 Geography  
 Building Studies  
 International Tourism  
 Physical Education/Sports Science  
 Business Administration  
 Teaching  
 Spanish Studies  
 Accounting & Finance  
 Tourism & Management  
 Broadcast Journalism  
 Primary English & Drama  
 Consumer Product Sciences  
 Architecture  
 Politics & Spanish  
 Accounting & Economics  
 Music Technology & Arts Management  
 Computer Network Management  
 Dental Technology  
 Ancient History & Spanish  
 Education & English

BSC/AFA  
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Warwick University  
 Kings College London  
 University of Surrey at Guildford  
 Brunel University  
 London City University  
 Southampton Institute  
 University of Reading  
 University of Hertfordshire  
 Manchester Metropolitan University  
 Greenwich School of Management  
 Anglia Polytechnic University  
 Kingston University  
 University of Surrey  
 Brighton University  
 Canterbury Christ Church University  
 Middlesex University  
 Kingston University  
 University of Coventry  
 Lewisham College  
 Lincoln University  
 Chester College  
 Manchester Metropolitan University  
 St.Marys University  
 University of Portsmouth  
 University of Manchester  
 University of Plymouth  
 The Nottingham Trent University  
 Kingston University  
 Manchester Metropolitan University  
 Manchester School of Architecture  
 Kingston University  
 Cardiff University  
 De Montfort University  
 Southampton Institute  
 Manchester Metropolitan University  
 University of Wales Swansea  
 St Mary's College



English & Spanish Law  
 International Hospitality Management  
 European & International Studies  
 Law  
 Travel Tourism Management  
 Accounting & Finance  
 Counselling Studies  
 Business Studies  
 Modern Languages  
 Marketing Management  
 English Literature & Philosophy  
 Electrical & Electronic Engineering  
 Archaeology  
 Music  
 Information Management  
 Business Information Technology  
 Design Technology  
 Accountancy & French  
 Law  
 Adventure Tourism  
 Marine Technology  
 Environmental Biology  
 Hospitality Management  
 Sport Rehabilitation & Sport Science  
 Law  
 Nursing Studies  
 Computer Network Communications  
 Psychology  
 English Literature & Theatre Studies  
 Media & Dance  
 Retailing  
 Tourism Management  
 International Tourism Management  
 Teaching  
 Education & Spanish Studies  
 Dance & Theatre Arts  
 Law & Spanish

LLB(HONS)  
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University of Kent at Canterbury  
 Bournemouth University  
 University of Glamorgan  
 Southampton Institute  
 Highbury College, Portsmouth  
 Nottingham Trent University  
 College of Ripon & York  
 Southampton Institute  
 Nottingham Trent University  
 Southampton Institute  
 Edinburgh University  
 University of Surrey  
 Birmingham University  
 University of Surrey  
 University College London  
 Southampton Institute  
 University of Greenwich  
 Southampton University  
 Kingston University  
 University of Birmingham  
 University of Newcastle  
 University of Nottingham  
 University of Portsmouth  
 St Mary's College  
 University of Kent  
 Sheffield Hallam University  
 Southampton Institute  
 Southampton Institute  
 University Of Glasgow  
 University College of Chichester  
 Leeds Metropolitan University  
 Sheffield College  
 University of Luton  
 University of Brighton  
 Middlesex University  
 De Montfort University  
 Kingston University

Primary Education	BA (HONS) QTS	University of Brighton
Sports Science & Exercise	BA	Coventry University
Business with Languages	BA Hons	Kingston University
Business & Management	BA	Oxford Brookes University
English & French	BA	University of Reading
Law	LLB	Nottingham Trent University
Multimedia Communications	BSC	Bournemouth
Banking & Finance with Spanish	BSC	University of Cardiff
American Studies & Sociology	BSC(ECON)	University of Swansea
		Bournemouth University
Environment Economics and Ecology	Bsc	The University of York
Nautical Studies	HND	Warsash Maritime Centre
Music	BA QTS	King Alfred's College
Primary Teaching	BA(QTS)	Roehampton Institute
Taxation & Law	LLB(HONS)/BA(HONS)	Bournemouth University
Child Care and Education	BA	Chichester College
Law	LLB	Southampton Institute
Psychology	BSC	Nottingham Trent University
Management Sciences & Accounting	BSC	University of Southampton
Computer Science	Bsc	University of Kent at Canterbury
Business Administration	BA	Greenwich University
Geograph & Geology	BSc	University of Manchester
Environmental Science	BSC(HONS)	Nottingham Trent University
Computer Science & Spanish	BA/BSC	University of Sussex - Brighton
Sociology/Psychology	Bsc	University of Roehampton
Computer Science with Management	BSC	King's College London University
Spanish Management	BA	Trinity & All Saints University
Architecture	BSC	University College London
Primary Teaching & P.E.	BA(HONS)QTS	Trinity & All Saints College
Interior Architecture & Design	BA(HONS)	Nottingham Trent University
Computer Science	Bsc	Middlesex University
International Hospitality & Tourism Management	BSC	University of Surrey
Accounting & Finance with French	BA	Oxford Brookes University
Multimedia Technology	Bsc	University of Birmingham
Psychology	BSC	University of Warwick
Geophysics	BSC	Durham University
International Hospitality & Tourism Management	BSC	University of Surrey

Aerospace Engineering  
 Business & Finance  
 Urban Estate Management  
 Psychology with Spanish  
 Accounting & Finance  
 Sheffield Hallam University  
 Business  
 Psychology with Spanish  
 French & Spanish  
 Aquatic Ecotoxicology  
 Mechanical Engineering  
 French and Hispanic Studies  
 Pharmacy  
 Accounting & Finance  
 Environmental Science  
 Intelligence & Strategic Studies  
 Business Information Technology  
 Philosophy  
 Dance Performance  
 Chemistry  
 Business & Finance  
 Geography  
 Art & Design  
 Marine Industry  
 Sports Science  
 Product Design  
 Spanish & Latin American Studies  
 Osteopathy  
 Business Studies  
 Law  
 Multimedia Information Technology  
 Theatre Dance & Technical Theatre  
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 Drama Research  
 Recreation & Tourism Management  
 Art Media & Design  
 Community Care & Youth Studies

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University of Manchester Institute  
 Southampton Institute  
 Greenwich University  
 Kingston University  
 Middlesex University  
 International Business & languages  
 Southampton Institute  
 Kingston University  
 Kingston University  
 University of Plymouth  
 Loughborough University  
 King's College London  
 Portsmouth University  
 Nottingham Trent University  
 Bristol University  
 University of Wales  
 Southampton Institute  
 College of London  
 Middlesex University  
 University of Nottingham  
 Salford University  
 University of Portsmouth  
 Reigate School of Art East Surrey  
 United Kingdom Sailing Academy  
 Kingston University  
 Anglia Polytechnic University  
 Portsmouth University  
 European School of Osteopathy  
 University of Huddersfield  
 University of Kent  
 Cheltenham & Gloucester College  
 New College Nottingham  
 University of Sheffield  
 University of Kent  
 Bournemouth University  
 University of the West of England  
 Leeds Metropolitan University

Psychology  
 Dentistry  
 Medicine  
 Spanish & Italian  
 Spanish with Italian  
 European Management Studies  
 Electronic Music  
 Social Work  
 Visual Communication Design  
 English & Comparative Literature  
 Computer Information Systems Design  
 Computer Science  
 Business & Finance  
 Computing  
 Medicine  
 Theatre Studies  
 Writing  
 Philosophy/Spanish  
 Accounting & Business Information Systems  
 Psychology  
 Legal Studies  
 Sports Science  
 Law with European Law  
 Medicine & Surgery  
 Mechanical Engineering  
 Primary Education  
 English Literature & Spanish  
 Business with Spanish  
 Electronics  
 Pharmacy  
 Psychology  
 History & Ancient History  
 Law  
 Business Studies  
 Legal Studies  
 Financial Services  
 Surface Design

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Nottingham Trent University  
 Leeds University  
 University of Wales  
 Portsmouth University  
 Nottingham Trent University  
 Aberdeen University  
 University of Hertfordshire  
 Sheffield Hallam University  
 Middlesex University  
 University of East Anglia  
 Kingston University  
 University of Leeds  
 University of Wales Institute Cardiff  
 Buckingham Chilterns College  
 University of Sheffield  
 Bristol University  
 Middlesex University  
 Bristol University  
 Middlesex University  
 University of Southampton  
 Kingston University  
 Canterbury Christchurch College  
 University of Nottingham  
 Aberdeen University  
 Southampton Institute  
 Nottingham Trent University  
 Kingston University  
 Kingston University  
 University of Glamorgan  
 University of Portsmouth  
 University of Hertfordshire  
 Exeter University  
 Southampton Institute  
 Southampton Institute  
 The College of Law  
 Sheffield Hallam University  
 London College of Printing

Medical Biochemistry  
 Art & Design  
 Combined Subject Programme  
 Human Geography Leisure & Recreational St.  
 Molecular Biology & Genetics  
 Biological Sciences  
 Law  
 Animation  
 Biomedical Science  
 History & Italian  
 Teaching  
 Business  
 Art & Design  
 Media Studies  
 History of Art & Spanish  
 Business Studies  
 Primary Art  
 Education  
 Computing & Business Information  
 Medicine  
 Law  
 Dance with Primary QTS  
 Information Technology  
 Forensic Science  
 European Business Studies  
 Counselling & Therapeutic studies  
 Physical Activity, Exercise & Health  
 Psychology  
 Business Studies  
 Dietetics  
 Music  
 Spanish  
 Applied Social Science  
 Psychology  
 Psychology  
 Spanish & Psychology  
 Sports & Fitness Science

BSc  
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University of Surrey  
 Middlesex University  
 University of Derby  
 De Montfort University  
 University of Wolverhampton  
 University of Wales  
 Kingston University  
 Surrey Institute  
 University of Portsmouth  
 University of Leeds  
 University of Brighton  
 University of Portsmouth  
 Leeds College of Art & Design  
 De Montfort University  
 University of Leeds  
 Liverpool John Moores University  
 University of the West of England  
 Bath Spa University  
 University of East London  
 University of Birmingham  
 University of Hertfordshire  
 University College Chichester  
 University of Dundee  
 Lincoln University  
 Portsmouth University  
 Leeds Metropolitan University  
 Leeds Metropolitan  
 University of Manchester  
 Manchester Metropolitan University  
 Queen Margaret University  
 Trinity College of Music London  
 Bristol University  
 Sheffield Hallam University  
 Nottingham University  
 University of Warwick  
 Kingston University  
 Luton University

Tourism Management  
 Spanish & Management  
 Business & Finance Admin  
 Business Studies  
 Business Studies  
 Business Studies  
 Accountancy with Spanish  
 Veterinary Nursing  
 Business Management  
 Multimedia Technology  
 Performing Arts  
 Accounting (International)  
 Business Studies  
 Banking & Finance  
 Pharmaceutical Sciences  
 Information Technology and Business  
 Electronic Engineering  
 Medical Engineering & Bio Mechanics  
 Business Property Management  
 Management & Spanish  
 Business Studies  
 Accounting & Economics  
 Economics  
 Tourism Studies  
 Mechanical Engineering  
 Ancient History & Archeology  
 Building Studies  
 Tourism & Languages  
 International Business  
 Medicine  
 Accounting & Finance  
 Law  
 Tourism Management  
 Social with clinical psychology  
 Business  
 English Language Studies  
 Architecture

BA Hons  
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Southampton Institute  
 Trinity and all Saints  
 University of Wales Institute  
 Swansea  
 University of Swansea  
 Nottingham Trent University  
 Heriot Watt University Edinburgh  
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 University of Sussex  
 University of Glamorgan  
 King Alfreds College  
 University of Hull  
 University of Hertfordshire  
 University of Cardiff  
 De Mont Fort University  
 University of Hertfordshire  
 University of Lancaster  
 Leeds University  
 Sheffield Hallam University  
 Canterbury Christchurch College  
 Southampton Institute  
 Cardiff University  
 Pembroke College  
 Bournemouth University  
 University of Nottingham  
 University of Reading  
 Leeds Metropolitan University  
 University of Wales  
 Southampton Institute  
 University of Aberdeen  
 University of Southampton  
 Nottingham Trent University  
 Swansea Institute  
 University of Kent at Canterbury  
 Southampton Institute  
 University of Cardiff  
 University College London

Tourism Management  
 Spanish & Management  
 Business & Finance Admin  
 Business Studies  
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 Accountancy with Spanish  
 Veterinary Nursing  
 Business Management  
 Multimedia Technology  
 Performing Arts  
 Accounting (International)  
 Business Studies  
 Banking & Finance  
 Pharmaceutical Sciences  
 Information Technology and Business  
 Electronic Engineering  
 Medical Engineering & Bio Mechanics  
 Business Property Management  
 Management & Spanish  
 Business Studies  
 Accounting & Economics  
 Economics  
 Tourism Studies  
 Mechanical Engineering  
 Ancient History & Archeology  
 Building Studies  
 Tourism & Languages  
 International Business  
 Medicine  
 Accounting & Finance  
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 Tourism Management  
 Social with clinical psychology  
 Business  
 English Language Studies  
 Architecture

BA Hons  
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Southampton Institute  
 Trinity and all Saints  
 University of Wales Institute  
 Swansea  
 University of Swansea  
 Nottingham Trent University  
 Heriot Watt University Edinburgh  
 Napier University Edinburgh  
 University of Sussex  
 University of Glamorgan  
 King Alfreds College  
 University of Hull  
 University of Hertfordshire  
 University of Cardiff  
 De Mont Fort University  
 University of Hertfordshire  
 University of Lancaster  
 Leeds University  
 Sheffield Hallam University  
 Canterbury Christchurch College  
 Southampton Institute  
 Cardiff University  
 Pembroke College  
 Bournemouth University  
 University of Nottingham  
 University of Reading  
 Leeds Metropolitan University  
 University of Wales  
 Southampton Institute  
 University of Aberdeen  
 University of Southampton  
 Nottingham Trent University  
 Swansea Institute  
 University of Kent at Canterbury  
 Southampton Institute  
 University of Cardiff  
 University College London

French & Italian  
 Marketing Communication  
 Humanities  
 Business & Marketing  
 Dance  
 Business Information Systems  
 Business Law  
 Law  
 Educational Studies  
 Marketing & English  
 Medicine  
 Animation  
 Architecture  
 Accountancy  
 Business & Law  
 Financial Services  
 Primary Teaching  
 Engineering  
 Business  
 Retail Business Management  
 Accounting & Finance  
 Journalism & Editorial Design  
 Electronics & Electrical Engineering  
 Psychology  
 Painting & Printmaking  
 Music  
 Sports Therapy  
 Computer Technology  
 Applied Physics  
 Social Science  
 History & Spanish  
 Primary Education & Religious Studies  
 Physics  
 Geography  
 Dentistry  
 Business & Management  
 Computer Science

BA Joint Honours  
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University of Leeds  
 Greenwich University  
 University of Essex  
 Southampton Institute  
 The Northern School Of Contemporary Dance  
 University of Wales Institute - Cardiff  
 Bournemouth University  
 Leeds Metropolitan University  
 University of Exeter  
 Canterbury Christ Church University College  
 University of Manchester  
 North East Wales Institute of F.E.  
 Architectural Assoc  
 Essex University  
 Southampton Institute  
 Nottingham Trent University  
 St Marys College  
 Sheffield Hallam University  
 Southampton Institute  
 Oxford Brookes University  
 London School of Economics  
 University of Wolverhampton  
 Nottingham Trent University  
 University of Greenwich  
 University of Wolverhampton  
 Canterbury Christ Church College  
 Luton University  
 Portsmouth University  
 University of Portsmouth  
 Southampton Institute  
 University of Manchester  
 Liverpool Hope University  
 University of Reading  
 University of Aberdeen  
 University of Wales, Cardiff  
 Southampton Institute  
 Kingston University



Modern Chinese Studies  
 Computing  
 English & European Law  
 Law  
 Accounting & Finance  
 Accounting & Finance  
 Spanish Italian  
 Geography  
 English  
 Pharmacy  
 Law  
 Medicine  
 English Literature & Language Studies  
 Sociology  
 International Business with Language (Spanish)  
 Geography  
 Business with Spanish  
 Business Information Technology  
 Multi Media Design  
 Automotive Design & Manufacture  
 Accountancy & Finance  
 Art  
 Accounting & Finance  
 Tourism  
 Business & Media Studies  
 Mechanical Engineering  
 Mechanical Engineering  
 Business Information Technology  
 Dentistry  
 Accounting & Financing  
 Business Management  
 Computer Science  
 Business Studies  
 Accounting & Finance  
 Dance Performance  
 Philosophy & Spanish  
 Accounting

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University of Leeds  
 Southampton Institute  
 University of the West of England  
 Kingston University  
 University of Wolverhampton  
 University of Manchester  
 Portsmouth University  
 St Mary's University College  
 University of Leeds  
 University of Brighton  
 Southampton Institute  
 Aberdeen University  
 University of Cardiff  
 Southampton Institute  
 Sheffield Hallam University  
 University of Leicester  
 Kingston University  
 Southampton Institute  
 De Montfort University  
 University of Sunderland  
 University of Leeds  
 Eastbourne College of Art  
 Nottingham Trent University  
 Bournemouth University  
 North East Wales Institute  
 Brighton University  
 Exeter University  
 Southampton Institute  
 Bristol University  
 Bournemouth University  
 Southampton Institute  
 Staffordshire University  
 University of Luton  
 Kingston University  
 Middlesex University  
 Bristol University  
 Southampton Institute

Business & Economics  
 Primary Teaching & English  
 Primary Teaching  
 International Business  
 International Business  
 Recreation & Leisure Management  
 Art & Design  
 Biomedicine (extended)  
 Quantity Surveying  
 Architectural & Building Conservation  
 Industrial Design  
 Law  
 Tourism & Leisure Management  
 Industrial Design  
 Business Studies  
 Business Economics  
 Medicine  
 Spanish & Psychology  
 Law  
 English  
 Law with European Legal Systems  
 Management Studies & French  
 Art & Design  
 Art & Design  
 Primary Teaching ( Special Educational Needs)  
 Secondary English  
 Philosophy & Sociology  
 Business Studies  
 Tourism Management  
 Law  
 Microbiology & Spanish  
 Primary Teaching  
 Spanish & Italian  
 Leisure Management  
 Leisure & Sports Studies  
 Primary Teaching with PE  
 Marketing Design

BA  
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University College London  
 St Mary's University  
 Kingston University  
 Southampton University  
 Southampton Institute  
 Cardiff University  
 Dundee University  
 Kingston University  
 University of Abertay  
 Pembrokeshire College  
 University of Luton  
 University of Leeds  
 Bournemouth University  
 Sheffield Hallam University  
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 Nottingham Trent University  
 University of Wales - Cardiff  
 Middlesex University  
 Southampton University  
 St.Mary's University  
 University of East Anglia  
 University of Reading  
 College of Brighton  
 University of Salford  
 Canterbury Christchurch University  
 University of London  
 University of Kent  
 University of Glamorgan  
 Southampton Institute  
 Nottingham Trent University  
 University of Manchester  
 University of Brighton  
 Coventry University  
 Sheffield Hallam University  
 Leeds Metropolitan University  
 St Mary's College  
 Southampton Institute

Leisures Studies Travel & Tourism Management  
 Computer Systems & Networks  
 Building Surveying  
 Musical Instrument/Woodwind Making/Repair  
 Architecture  
 Spanish & Italian  
 Business Information Technology  
 Law with French  
 Law with European Studies  
 Industrial Design  
 Primary Education  
 Primary Teaching  
 Medicine  
 computers and networking  
 Politics & Spanish  
 Dental Technology  
 Business Management  
 Music & Italian  
 Business Studies  
 Business Management  
 Electrical & Electronic Engineering  
 Law with French  
 Biomedical Sciences  
 Hotel Catering & Institutional Management  
 Biomedical Sciences  
 Media Technology  
 International Business  
 Design & Construction Management with IT  
 Medicine  
 Tourism Management  
 Business Information Systems  
 Business Management  
 Primary Teaching  
 Computing  
 Building & Surveying  
 Computer Science  
 Information Sciences

HND  
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Farnborough College of Technology  
 University of Plymouth  
 Nottingham Trent University  
 Newark & Sherwood College  
 De Montfort University  
 Portsmouth University  
 Kingston University  
 University of Leeds  
 Exeter University  
 Cardiff Institute  
 University of Brighton  
 Kingston University  
 University of Wales College of Medicine  
 Southampton University  
 Kingston University  
 Manchester Metropolitan University  
 Southampton Institute  
 Anglia Polytechnic University  
 Buckinghamshire Chilterns University College  
 Southampton Institute  
 University of Leicester  
 Nottingham University  
 University of Aberdeen  
 Sheffield Hallam University  
 King's College London  
 Glamorgan University  
 Southampton Institute  
 University of Greenwich  
 University of Wales  
 Leeds Metropolita University  
 University of Wales Cardiff Institute  
 Kingston University  
 Christ Church College - Canterbury  
 Leeds Metropolitan University  
 Luton University  
 Cardiff University  
 University of Hertfordshire

Accounting & Finance  
 Microbiology  
 English  
 & European Comparative Literacy Studies  
 Business Studies  
 Architectural technology and the Enviroment  
 Marine Environmental Science  
 Law  
 Law  
 Primary Education  
 Computer Science  
 Pharmacy  
 Pharmaceutical Studies  
 Medicine  
 Marine Navigation  
 Psychology  
 Creative Writing & Writing for Performance  
 Computer Network Management  
 Pharmacy  
 International Business Management French  
 History of Ideas & Politics  
 Medicine  
 Law  
 Graphic Design  
 Pschology  
 Philosophy  
 Sociology & Social Work  
 Law & French  
 Exercise Health Sociology  
 Hospitality Management  
 Disaster Management & Engineering  
 International Business  
 Primary Teaching  
 History & Politics  
 Medicine  
 Law  
 Exercise Physiology

BSC  
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University of London  
 Wolverhampton University  
 University of Leeds  
 University of Canterbury  
 Kingston University  
 University of Plymouth  
 University of Portsmouth  
 University of Glamorgan  
 Southampton University  
 Brighton University  
 University of Kent  
 Liverpool University  
 Kingston University  
 University College London  
 University of Plymouth  
 Loughborough University  
 Bolton Institute  
 Southampton Institute  
 University of London  
 Manchester Umist  
 Kingston University  
 University of Cardiff  
 University of Greenwich  
 Southampton Institute  
 University of Essex  
 Reading University  
 Northampton University  
 University of Cardiff  
 Oxford Brookes University  
 University of Abertay Dundee  
 Coventry University  
 Southampton Institute  
 St Mary's College  
 University of Kent Canterbury  
 Kings College London  
 Southampton University  
 Kingston University

Law with Legal Studies in Europe  
 Electronic Engineering  
 International Business with Spanish  
 International Business  
 Law  
 Oceanography with Marine Biology  
 Dentistry  
 Orthoptics  
 Business Studies & Management  
 Art & Design  
 Modern History and Politics  
 French & Spanish  
 Computing  
 Architecture  
 Media Production  
 Teaching  
 English Literature & Theatre Studies  
 Biomolecular Sciences  
 Art Therapy  
 Law & Spanish  
 Graphic Design  
 Criminology/Psychology  
 Applied Linguistics & Advanced French Lang. St.  
 Philosophy  
 Sports Science & Physiology  
 French & Management Studies  
 International Marketing Management & Spanish  
 Computer Network Management  
 Computer Science  
 Health Care Ethics  
 Engineering with Business Finance  
 Architecture  
 Law & Italian  
 Law  
 Biochemistry  
 Travel & Tourism  
 Business Study

LLB Hons  
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 M. ENG  
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 BSC  
 HND  
 BA Hons

University of Reading  
 Glamorgan University  
 Sheffield Hallam University  
 Nottingham Trent University  
 University of Greenwich  
 Southampton University  
 University of Leeds  
 Sheffield University  
 Middlesex University  
 Surrey Institute  
 University of Glasgow  
 Kingston University  
 Oxford Brookes University  
 The Bartlet University College  
 University of Lincolnshire & Humberside  
 Trinity & All Saints - Leeds  
 University of Leeds  
 University of Glasgow  
 Derby University  
 Anglia Polytechnic University  
 University of Leeds  
 Cardiff University  
 Oxford Brookes University  
 University of Wolverhampton  
 University of Leeds  
 University of Reading  
 Bournemouth University  
 Southampton Institute  
 Northampton University  
 University of Leeds  
 University College London  
 Plymouth University  
 University of Wales - Cardiff  
 Coventry University  
 University of Wales - Cardiff  
 University of Leeds  
 Southampton Institute

Animation  
 Primary Teaching  
 Environmental Health  
 English Lit and Spanish  
 Media Studies with Spanish  
 Mathematics  
 French & Spanish for Translating  
 Nursing  
 Accounting & Finance  
 Psychology with Spanish  
 Psychology & Italian  
 Natural Sciences  
 Law + French Law  
 Criminology  
 Fashion  
 Environmental Sciences  
 Automotive systems technology  
 Quantity Surveying  
 Nursing Studies  
 Business Administration  
 Sport & Society  
 Medicine  
 Sport Science & PE with Spanish  
 Accounting  
 Maritime Studies  
 Business & Management  
 Primary Teaching  
 Dance Performance  
 Law  
 Law & Business  
 Law  
 Computing

BA(HONS)  
 BA(QTS)  
 BSC (HONS)  
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 HIGHER DIPLOMA  
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 LLB(HONS)  
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 BSC

Surrey Institute  
 St Mary's College  
 University of Bristol  
 Kingston University  
 University of Leeds  
 University of Edinburgh  
 Heriot - Watt University  
 Sheffield University  
 University of Kent at Canterbury  
 Kingston University  
 Plymouth University  
 University of Bath  
 University of Durham  
 Southampton Institute  
 Southampton Institute  
 Southampton University  
 Kingston University  
 Kingston University  
 Sheffield Hallam University  
 Middlesex University  
 Sheffield Hallam University  
 University of London  
 Chester University  
 Cardiff University  
 Southampton Institute  
 Southampton Institute  
 University of Brighton  
 Middlesex University  
 Bradford College  
 Southampton Institute  
 Kingston University  
 Canterbury Christchurch College

**NO. 1008 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – DISCRETIONARY GRANTS**

Can the Minister give a breakdown of the subjects initially chosen by students who already hold or have applied for discretionary grants this year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1009 of 2001.

**NO. 1009 OF 2001****THE HON S E LINARES:****EDUCATION – DISCRETIONARY GRANTS**

Can the Minister give this House a breakdown of subjects studied and institutions in which they are studied of students who currently hold a discretionary grant from Government?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

In answer to Question No 1008 of 2001 I assume that when the hon Member speaks of subjects initially chosen I am not too sure whether he means those subjects they took for their first degree initially or whether he means those which have been chosen now for the subsequent discretionary award for a further second degree. But anyway the information which I now hand to him gives the hon Member both.

**Answer to Question No 1008 of 2001**

<b>Breakdown of subjects studied by students as a first degree and who have been awarded a discretionary grant.</b>			
<b>Course</b>	<b>Qualification</b>	<b>Place of Study</b>	<b>Previous Degree</b>
Secondary Teaching	PGCE	Oxford Brookes University	BSc Biology & Computing
Social Work	Dip	North East Wales Institute	BSc Psychology & Communication
Secondary Teaching	PGCE	University of Wales	BA Italian
French & Spanish	PGCE	Kingston University	BA French/Spanish
Teaching	PGCE	University of Southampton	BSc Biology
BVC	LPC	College of Law	LLB(Hons) Law
Translation & Linguistics	MA	University of Westminster	MA Arabic (First Degree)
Teaching	PGCE	University of Hull	BA(Hons) Geography



BVC	Barrister	University of Northumbria	BA Accounting & Finance
Medical Law	LLM	University of Kent	LLB English/Spanish Law
Bar Vocational Course	LPC	Inns of Court School of Law	LLBLaw
Secondary Teaching	PGCE	St Mary's College	BA French/Spanish
Archaeology	Mphil	Cambridge University	BA Archaeology
Teaching (Primary)	PGCE	St Mary's College	BA English & Sociology
Music Coaching	Dip	USA New York	BA(Hons) Music
Vocal Training	P Dip vt	Guilhall of Music Drama	BA Art/Music
Architecture	M Arch RIBA	Nottingham University	BA Architecture
Law	CPE PG Dip Law	Inns Court of School Law	BA English
Music	MMUS	Indiana University School of Music	BA Music
Teaching	PGCE	Oxford Brookes University	BA (Hons) Music
Dietetics	Post Grad Dip	Leeds Metropolitan University	BSc Nutrition & Food Science
Primary Teaching	PGCE	University of Hertfordshire	BA(Hons)Education/Spanish
Secondary Teaching	PGCE	Loughborough University	BSc Sports Science
Primary Teaching	PGCE	University of Leeds	BA (Hons) Dance Theatre
Secondary Teaching	PGCE	University of Reading	BA French
Occupational Therapy	PG	University of Brighton	HND Pulic Administration
PGCE Science	PGCE	University of Warwick	MSci Physics
Secondary Teaching	PGCE	University of Surrey	BA English/Psychology
Public Law	LLM	University of Bristol	BA Estate Management/Law Conversion Centre
Primary Teaching	PGCE	University of Wales Institute Car	BA Social Science
Language Pathology	MSC	University of Newcastle	BSc Human Comm.
Teaching	PGCE	King Alfred's College	BA History/sports Science
Biodiversity & Conservation	MSc	University of Leeds	BSc Zoology
Medicine	MBChB	Bristol University	BscOsteopathy
French & Philosophy	MA	University of St Andrews (Scotland)	First Degree in Scotland
Master of Business Administrator	MBA	University of Cardiff	BSc Accountancy & Management
Research in Environment & Earth Science	Phd & MPhil	Imperial College	BSc Geography

Breakdown of subjects studied by students as a first degree who were unsuccessful in their application for a discretionary award this year (2001/2002).

COURSE	QUALIFICATION	DEGREE
Childcare	NVQ2/3	-
Choreography	MA	BA Dance
Philosophy	MA	BA Philosophy
Business Information Technology	MSc	BA Business Studies with European Prog
Education	Mphil	BSc Education Studies in Management
Systems Engineering	MSc	Beng Computer Systems Engineering
Certificate in Reflexology	Certificate	-
Music Exercise	NVQ2	-
Portfolio Management	Masters	BA in Economics with Spanish
Optometry	BSc	BSc Biochemistry
Physiotherapy	BSc	BSc Physiotherapy
Manufacturing	Masters	BSc Mechanical Engineering
Music	National Diploma	-
Sports medicine	MSc	MBBCH
Education	MA	BAGg
Healthcare	MA	LLB Law

#### **Answer to Question No 1009 of 2001**

Course	Qualification	Place of Study
Business & Finance	HND	Southampton Institute
Computer Science & Physics	BSC	Nottingham Trent University
Mathematics	BSC	University of Brighton
International Hospitality Management	BA(HONS)	Nottingham Trent University
Ecology & Conservation	BSC (HONS)	University of Roehampton
English Literature & Philosophy	BA	Cardiff University
Biodiversity & Conservation	MSC	University of Leeds
Business	BA/BSC	University of Hertfordshire
Mechanical Engineering	BSC	University of Reading
Linguistics & Language Pathology	BSC	University of Reading
Sport Studies with Business	BA	Southampton institute
Pharmacy	MPHARM	De Monfort University
Business Studies	BA	University of Wales Cardiff Institute
English & European Law	LLB (HONS)	University of Bristol
E-Commerce	BA	University of Northampton
Law	LLB	Nottingham Trent University
Medicine	MBChB	Bristol University

Accountancy	BA(HONS)	Hertfordshire University
Technology & Management	BSC	Leeds Metropolitan University
Osteopathic Medicine	BSC	British College of Naturopathy & Osteopathy
Business Studies	BA(HONS)	Coventry University
International Business	BA	Southampton Institute
Construction	BSC	Nottingham Trent University
French & Philosophy	MA	University of St Andrews (Scotland)
Master of Business Administration	MBA	University of Cardiff
Business & Finance	HND	Cardiff University
Medicine	BMBS	University of Nottingham
Educational Studies and Biology	BScEd/Secs	University of Exeter
Art & Design Foundation	BA(HONS)	Southampton University
Law	LLB	Kingston University
Philosophy	BA	University of York
Social Work	BA(HONS)	Southampton Institute
Psychology	BSC	Southampton Institute
Architecture	BAHONS	Greenwich University
Sport Exercise Health & Nutrition	BSC	Leeds Trinity & All Saints College
Computer Science	HND	University of Wales
Philosophy	Single Honours Degree	Southampton University
Sport Health & Leisure with Media	BA	Trinity & All Saints Leeds
Information Systems Engineering	M ENG	London University
International Business Studies	BA	Brighton University
Speech Science	BSC	University College London
Chemistry	BSC	University of Kent – Canterbury
Sport & Science	BSC	University of Brighton
International Business	BA	University of Hertfordshire
Research in Environment & Earth Science	Phd & Mphil	Imperial college
Sociology	BSC(HONS)	University of Abertay
Music	BA	Chichester
Primary Teaching	BAQts	Leeds Metropolitan University
International Business Studies/Spanish	BA	Buckinghamshire University College
Business and the Environment	BSc	Imperial College at Wye
Primary Education	BA(QTs)	University of Brighton
Computing and Administration	BSc	Kent at Canterbury
Business Management	BA	Napier University
Art & Design	BA	Falmouth College of Arts
Modern Languages	BA	University of Wales
Accounting & Information Systems	BSC(HONS)	University of Glamorgan
Primary Teaching	BA(Qts)	St Mary's College
Business Studies	BA	Nottingham Trent University
Architecture	BSC	Cardiff University
Teaching Primary	BA QTs	Bath Spa University College
Computer Studies	BSC(HONS)	Southampton Institute
Law	LLB	Nottingham Trent University
Nursery Nurse	NNEB	New College Nottingham
Secondary Teaching	PGCE	Oxford Brookes University

Social Work	Dip	North East Wales Institute
Secondary Teaching	PGCE	University of Wales
French & Spanish	PGCE	Kingston University
Professional Dance	DIP	Laine Theatre Arts
Teaching	PGCE	University of Southampton
BVC	LPC	College of Law
Overseas Resort Operations	Edexcel Dip	Hendon College
Translation & Linguistics	MA	University of Westminster
Teaching	PGCE	University of Hull
Officers in Charge of Navigational Watch	NVQ	Warsash Maritime Centre
BVC	Barrister	University of Northumbria
Medical Law	LLM	University of Kent
Bar Vocational Centre	LPC	Inns of Court School of Law
Secondary Teaching	PGCE	St Mary's College
Archaeology	Mphil	Cambridge University
Teaching (Primary)	PGCE	St Mary's College
Law	Barrister	The College of Law
Music Coaching	Dip	USA New York
Vocal Training	P Dip vt	Guilhall School of Music & Drama
Architecture	M.Arch,RIBA	Nottingham University
Law	CPE PGDip Law	Inns Court School of Law
Toni & Guy Academy	NVQ	Toni & Guy Academy
Catering	NVQ3	University of Surrey
Music	MMUS	Indiana University School of Music
Teaching	PGCE	Oxford Brookes University
Beauty Therapy	NVQ3	College of Hull
Dietetics	Post Grad Dip	Leeds Metropolitan University
Primary Teaching	PGCE	University of Hertfordshire
Secondary Teaching	PGCE	Loughborough University
Primary Teaching	PGCE	University of Leeds
Health & Social Care Practice	PG Diploma Ma	Sheffield University
Secondary Teaching	PGCE	University of Reading
Occupational Therapy	PG	University of Brighton
PGCE Science	PGCE	University of Warwick
Secondary Teaching	PGCE	University of Surrey
Public Law	LLM	University of Bristol
Primary Teaching	PGCE	University of Wales Institute Cardiff
Beauty therapy NVQ Level 2	NVQ Level 2	Eastleigh College
Language Pathology	MSC	University of Newcastle
Teaching	PGCE	King Alfred's College

**NO. 1010 OF 2001**

**THE HON S E LINARES**

**EDUCATIONAL GRANTS**

Can the Minister state how many students are not getting a full grant and of these how many are getting the minimum and further give a breakdown of those getting between the minimum and the maximum?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

427 students are not getting a full grant. Of these, 69 are receiving the minimum grant. 358 are in receipt of a grant between the minimum and the maximum.

**SUPPLEMENTARY TO QUESTION NO 1010 OF 2001**

**HON S E LINARES:**

Is it possible to get a breakdown of this in relation from the minimum to the maximum?

**HON DR B A LINARES :**

Does the Member mean the different grants within the maximum and the minimum? I have not got that. It is logged in the department but I have not got the information.

**HON S E LINARES:**

Is it possible that the Minister could pass it to me?

**HON DR B A LINARES:**

Yes, by all means.

**HON S E LINARES:**

Can the Minister state how many, if there are any this year that are being investigated like last year after having applied, or having taken in the means testing that is done, is there any initial ones that he has seen that needs investigating?

**HON DR B A LINARES:**

I have seen quite a few that need investigating but we have now made an arrangement with the Income Tax Department which actually enables us to pass responsibility to the Income Tax to ascertain whether the declared income of these suspicious cases are acceptable to them or not. It has removed the responsibility from this department where we really did not have adequate resources to carry out full detailed investigations but as we trust the Income Tax office has.

**HON S E LINARES:**

When means testing, is it solely on the tax returns or are there other considerations that could be assessed when means testing is it all what is declared through the Income Tax on the parent as a person or their company, this is what I am not sure about whether the Income Tax will investigate the parent as the person or what the parent owns, whether it is a company or any other?

**HON DR B A LINARES:**

The Ordinance speaks of income from all sources it is pretty comprehensive but as I say now what we get is a declared income, the form of application for the award to the Department there is a declared income from both parents or guardians and this when we see it is not entirely acceptable to us on prima facie we pass it on to Income Tax Department for further investigation.

**HON J J BOSSANO:**

Is that not in contradiction with the argument that was used previously that the reason why the department was taking in a second look at persons whose income had already been confirmed by the Income Tax Department was because the Tax Department's definition of income under the Ordinance was narrower than the definition in the Scholarships Regulation, I think that was the argument the Minister used the last time round to argue the opposite of what he is arguing now?

**HON DR B A LINARES:**

That is why we held discussions with the Income Tax Office to see if they could broaden their approach to their investigations and advise us accordingly by using their own resources.

**HON J J BOSSANO:**

I understood that the Tax Office was bound by the Ordinance, by the Income Tax Ordinance, and that they were constrained as we understood the explanation last time they were constrained because of the definition of income in the Ordinance, but the Education Department could take a broader view that is what we were told and then it was up to the parent to complain if they did not accept and I think the Minister told us that in fact so far those who had been reduced had taken it on the chin as it were, so what has changed since that explanation was given?

**HON DR B A LINARES:**

What has changed is simply a practical affair in that the Income Tax Department has been kind enough to say that they will put their resources to follow their investigations along the lines that we want them to follow beyond the constraints of the Ordinance. They have resources that can help us in examining audited accounts and advise us accordingly.

**HON J J BOSSANO:**

Would that mean then that if the Tax Office came to the conclusion that the income declared would that affect the tax liability as well or it would just affect the scholarship, the impression we were given before was that it was not a question of catching people it is that the income that they declare to pay tax was not something that they were doing something wrong?

**HON CHIEF MINISTER:**

In the case of the Education Ordinance there is discretion regardless of the return to assess to a higher level of contribution, the Commissioner of Income Tax did not take the same view without being able to demonstrate that there is a proper charge to tax under the Income Tax Ordinance. Income Tax is not raised on a discretionary basis although there is provision in the Income Tax Ordinance to assess people in the absence of a return. Once the return is submitted to the Commissioner of Income Tax for income tax purposes he may reject the return and then conduct an enquiry on the basis of challenging the return that has been submitted.

**HON J J BOSSANO:**

Yes, that is consistent with the explanation given the last time not the explanation given this time which seems to be in the opposite direction in the sense that the department has delegated the function to the Tax Office and I am not clear how, presumably independent whether the tax payer has a child applying for a grant or not, if the Tax Office was unhappy with the return they would pursue it anyway that is what

the law says that they may do. In these cases were it is the Education Department that feels that there is reason to doubt the veracity of the income declared by the parent it is not something that has occurred to the Tax Office. Now, is the Tax Office then doing something for the Education Department which is not necessarily what they would do if they were doing it for themselves that is the point I am trying to establish?

**HON DR B A LINARES:**

I think so, to a great extent they are being advisory, they are being helpful, we the department still keep the discretion in terms of the power that the department has within the Ordinance to assess even beyond the narrow confines of the Income Tax Declarations into income from all sources, we are still holding on to that but operationally and in terms of practical procedures the Income Tax Office is being very helpful.

**HON J J BOSSANO:**

We are talking about cases presumably arising out of the grants in September can we know how many cases there are?

**HON DR B A LINARES:**

I do not have the information with me.



**NO. 1011 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister give this House all the results of the last questionnaire in relation to the change of school hours?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The Government have already published the overall results of the survey which was an aide to Government's decision making process. The Government do not consider it appropriate to publish the full survey results. The Government can provide the hon Member with the overall results of the parents' questionnaire which I will now hand over.

**SCHOOL HOURS**

**RESULTS OF PARENTS QUESTIONNAIRE**

Number of Questionnaires issued	-	5017
Number of Questionnaires returned	-	3159 (63per cent)
Number of parents expressing approval for one-hour lunch break	-	2283 (72.2per cent)
Number of parents expressing preference for one-hour lunch break	-	1846 (58.4per cent)
Number of Parents expressing approval & preference for a 20 minutes lunch break	-	1175 (37.2 per cent)

**NO. 1012 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister confirm that the change of school hours will take place in January 2002?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1013 and 1014 of 2001.

**NO. 1013 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state whether the works in schools to accommodate children for lunch will be completed before the change of school hours takes place?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1012 and 1014 of 2001.

**NO. 1014 OF 2001**

**THE HON S E LINARES:**

**CHANGE OF SCHOOL HOURS**

Can the Minister give a breakdown of the amount of money spent to date in each school to provide for children to have their lunch break?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1012 of 2001**

I confirm that the change of school hours will take place in January 2002.

**Answer to Question No 1013 of 2001**

The works in schools to accommodate children for lunch are progressing well. We are assured by GJBS that all dining facilities will be in place by January 2002.

**Answer to Question No 1014 of 2001**

The position in respect of the cost involved, to date, at each school is as follows:-

St Paul's First School	-	£ 55,550
Notre Dame First School	-	£165,000
St Mary's First School	-	£ 10,000
St Joseph's First & Middle School	-	£760,000
Sacred Heart Middle School	-	£100,000
Bayside	-	£305,000

## **SUPPLEMENTARY TO QUESTION NOS 1012, 1013 AND 1014 OF 2001**

**HON S E LINARES:**

In the list the Minister has given some of the schools have no expenditure whatsoever, can he explain what provisions have been made in these schools?

**HON DR B A LINARES:**

Provision has been made in all schools but they are not listed. I have another document here which states the cost of other works carried out in other schools. Money which has already been paid out to the contractors but invoices still pending payment are as follows, Governor's Meadow School £13,500, Notre Dame First School £37,500, St Joseph's First and Middle £265,000 and Bayside £48,857.

**HON S E LINARES:**

There are some schools which have not been mentioned. There are 15 schools in Gibraltar and as far as I can see the Minister has given me six schools. For example, to mention one, St Bernard's School, there is no expenditure whatsoever. Can the Minister say what provisions will they have for the lunch break this is the question?

**HON DR B A LINARES:**

The provisions at St Bernard's will be as stipulated and as required by the Headteacher and she has made it clear that within the present provision of the school physically she can manage, it is a small school remember, she can manage the lunching of children quite adequately. Remember that the school underwent a refurbishment, a great expenditure in refurbishment only a year ago which had in the mind of the Headteacher made the school very adequate for the lunch break.

**HON S E LINARES:**

Is this the case with the other schools that have not been mentioned, St Anne's, Westside...?

**HON DR B A LINARES:**

No it is not the case. Actually I think the hon Member has a point that the list that has been provided of expenditure from the Department does not coincide with another document of information which I have got here which also states the expenditure due in other schools.

**NO. 1015 OF 2001**

**THE HON S E LINARES:**

**CHANGE OF SCHOOL HOURS**

Can the Minister confirm that one of the objectives set for the Headteachers in relation to the performance management is that they must make the lunch break work?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

I can confirm that one of the leadership/management objectives set for Headteachers in relation to performance management is that they should effectively manage the change of school hours.

**SUPPLEMENTARY TO QUESTION NO 1015 OF 2001**

**HON S E LINARES:**

Can the Minister state whether this has been negotiated with their Heads themselves and who is going to assess whether they have performed the lunch break or not, taking into consideration that different schools have been given different type of resources, that is, the question asked previously in which some schools have spent £760,000 in some cases and £13,000 in others, how will this be assessed, how will the Head reach that objective as a successful one when resources are completely different in different schools, what criteria will be used?

**HON DR B A LINARES:**

It is not the right perspective to say resources are different in different schools as if we are actually favouring some schools as opposed to others. It is a question of responding to the needs of the school in order to be able to manage successfully the

lunch break for children. Some schools have required a greater provision in terms of building and construction, other schools as I have mentioned the example of St Bernard's have required nothing at all because they already had an extensive refurbishment last year and they think that the school is perfectly adequate from every point of view to carry the lunch break provision. It is rather invidious to say that some schools have been given a lot of resources and others have not because it is simply related to the needs as already negotiated with the Headteachers but in answer to the main thrust of the question whether this setting off managing the change of school hours as one of the performance management objectives this indeed has been discussed with the Headteachers. The hon Member will know that in the Performance Management Scheme, Headteachers have been called to negotiate with their appraisers two objectives, one is personal and one is school based, the personal one for them has been either professional development or pupil progress. The school based objective has been management of the school, now that has to be specified more in detail and they have all agreed that at this moment of time it is crucial that the implementation of the school hours be managed successfully and they have all agreed to make that one of their management school based objectives.

**HON S E LINARES:**

Who will be assessing this?

**HON DR B A LINARES:**

Headteachers are assessed by the Director of Education.

**NO. 1016 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state how many children will be staying for the lunch break in each School in relation to the number of pupils in the School itself?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1017 and 1018 of 2001.



**NO. 1017 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister explain what will happen if a parent decides half-way through the term that they wish to change their minds whether they do or do not want their child/children to stay in school or not?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1016 and 1018 of 2001.

**NO. 1018 OF 2001****THE HON S E LINARES****CHANGE OF SCHOOL HOURS**

Can the Minister state what sort of hygiene arrangement has been put in place for children staying for the lunch break?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1016 of 2001**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

<b>PUPILS STAYING IN SCHOOL FOR LUNCH AS AT 26<sup>TH</sup> OCTOBER 2001</b>				
<b>School</b>	<b>Yes</b>	<b>No</b>	<b>Total No of Respondents</b>	<b>Total No of Pupils</b>
St Paul's First	219	40	259	265
Notre Dame First	182	21	203	243
St Joseph's First	254	34	288	305
St Bernard's First	99	24	123	124
St Mary's First	120	21	141	180
Governor's Meadow	274	42	316	336
Hebrew Primary	32	22	54	57
St Anne's Middle	347	44	391	440
Bishop Fitzgerald	396	43	438	458
Sacred Heart Middle	241	32	273	284
St Joseph's Middle	280	29	309	333
Bayside Comprehensive	559	165	724	871
Westside Comprehensive	432	203	635	923

**Answer to Question No 1017 of 2001**

Parents have every right to change their minds whether their child/children continue to stay in school during the lunch hour. Parents should inform their child's/children's Headteacher(s) of their decision so that the child may be removed from the lunch-hour register. Once withdrawn, the child will not be re-admitted for the remainder of the term. Parents can, of course, apply to the Headteacher for re-admittance for the following term and other than in exceptional circumstances and at the discretion of the Headteacher children will not be admitted during the school term.

**Answer to Question No 1018 of 2001**

Schools will be encouraging children to wash their hands prior to having their lunch. Where necessary, schools have been provided with extra hand washing facilities, this has been part of the construction works as well. In addition, and when specifically requested by Headteachers, the Department will be supplying schools with wet tissues to enable children to wipe their hands clean after lunch and of course suitable furniture is being purchased in consultation with the Headteachers.

**SUPPLEMENTARY TO QUESTION NOS 1016, 1017 AND 1018 OF 2001**

**HON S E LINARES:**

Is the Minister aware that some schools have a policy of not allowing children during the lunch break to go into schools to use the toilet facilities in order to wash their hands, and in some schools they have to use wipes to wash their hands in order to have their food before or even after, is the Minister satisfied at this situation?

**HON DR B A LINARES:**

The Minister is satisfied that Headteachers will know how to manage these particular situations adequately.

**HON S E LINARES:**

What about where the facilities are not in place, the Head will have to use the wipe and the parents will probably complain I presume, is the Minister satisfied?

**HON DR B A LINARES:**

I can only give the answer that I gave before but these are practical living situations that I am sure Headteachers will know how to manage to the best interests of the pupil.

**NO. 1019 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state how many companies or agencies have applied to provide persons for the supervision of the children during the lunch break?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1020 to 1023 of 2001.

**NO. 1020 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state how many persons will be needed as school meals supervisors in each school?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1019, 1021, 1022 and 1023 of 2001.

**NO. 1021 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Will the Minister state what initial qualifications should persons have who seek employment as school meals supervisors?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1019, 1020, 1022 and 1023 of 2001.

**NO. 1022 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state what will be the nature of the courses given to the supervisors before they are actually employed?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1019 to 1021 and 1023 of 2001.

**NO. 1023 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister confirm whether he or any Government Official has been negotiating or even discussing with private firms to provide meals for children in Schools?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1019 of 2001**

Three companies/agencies have applied to carry out the administrative duties in relation to the employment and management of luncheon supervisors.

**Answer to Question No 1020 of 2001**

The Department is not in a position to state the exact number given that some parents have not responded to the Director's letter requesting parents to state their intention whether their child/children will be staying in school for lunch, until we know the total number we will not be able to gauge the required number of supervisors. A further letter will be sent to those who have not replied. Failure to respond on this second occasion will be interpreted as parents not wishing to leave children in school for lunch. The Department will then be in a position to state the exact number of persons required.

**Answer to Question No 1021 of 2001**

There are no set academic qualifications being demanded for those persons seeking to work as luncheon supervisors. The Department will ensure that those taken on have no police record in terms of drugs or child abuse, that they can speak English and that they are persons of sound character and education or background and otherwise suitable to undertake these duties.



### **Answer to Question No 1022 of 2001**

The Department, in consultation with Headteachers, is in the process of drawing up details of the training course that luncheon supervisors will undertake. It is envisaged that this course will consist of a general course on basic skills related to children, followed by a one week placement in each school to be inducted into the school policies and practices. Additionally, each school will have a 'luncheon supervisor-in-charge' who will be trained in basic first aid as well.

### **Answer to Question No 1023 of 2001**

No negotiations or discussions have been undertaken by me or any officer in my Department with private firms to provide meals for children in schools.

### **SUPPLEMENTARY TO QUESTION NOS 1019, 1020, 1021, 1022 & 1023 OF 2001**

#### **HON S E LINARES:**

The Minister stated in answer to Question No 1020 of 2001 that the Director does still not know how many supervisors will be employed, is it still the policy of Government to have one supervisor per 35 children as stated previously in this House?

#### **HON DR B A LINARES:**

I cannot recollect that that figure was stated in this House but I will yield and accept my bad memory in that respect, but certainly there is no fixed ratio as yet, it is being considered, there will have to be different ratios in different schools as well. These matters will also have to be negotiated, discussed with Headteachers because different schools will have again different requirements. In special circumstances one school may not be the same as those of other schools and certainly the obvious distinctions will have to be made between First Schools and more Senior pupils. No there are no figures as yet carved in stone.

#### **HON S E LINARES:**

Was not the return date of these questionnaires the 10<sup>th</sup> October and if parents do not respond before January how is Government going to know how many children will be staying for lunch?

#### **HON DR B A LINARES:**

A further letter has been prepared to be sent to parents who have not replied and they will be told in no uncertain terms that failure to respond on this second occasion will be interpreted as parents not wishing to leave children in school for lunch. Then the Department will know after that having discarded that eventuality that we will have a definite figure of children staying in each school.

**NO. 1024 OF 2001**

**THE HON S E LINARES**

**EDUCATION – BLEAK HOUSE**

Can Government give a breakdown of the training courses that have been completed at Bleak House, since September 2000 and the number of students completing each course?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1025 to 1027 of 2001.

**NO. 1025 OF 2001**

**THE HON S E LINARES**

**EDUCATION – BLEAK HOUSE**

Of the 523 students enrolled for training courses at Bleak House in September 2000 how many have completed their course?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1024, 1026 and 1027 of 2001.

**NO. 1026 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – BLEAK HOUSE**

Can the Minister give this House a breakdown of the nature or name of the courses that the 523 students initially enrolled for?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1024, 1025 and 1027 of 2001.

**NO. 1027 OF 2001**

**THE HON S E LINARES**

**EDUCATION – BLEAK HOUSE**

Of the students that completed the training courses can the Minister state how many completed each course?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1025 of 2001**

The figure of 523 represents the total number of people who attended Bleak House during September 2000. This includes those attending courses, meetings, presentations, interviews et cetera. Of this total 272 completed training courses.

**Answer to Question No 1026 of 2001**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 1027 of 2001**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 1026**

<b>BLEAK HOUSE – SEPTEMBER 2000 TRAINING COURSES</b>			
	<b>PROVIDER</b>	<b>COURSE NAME</b>	<b>NO. OF PERSONS</b>
1.	(A.C.C.A.)	Association of Certified & Chartered Accountants – Audit Framework	3
2.	Bayside School	Year 12 - IT	12
3.	Bayside School	Year 13 - IT	9
4.	Central School for Counselling and Training	Diploma in Counselling	8
5.	Chamber of Commerce	NVQ in Customer Care	15
6.	City Fire Brigade	Officers Seminar	25
7.	Department of Education and Training	INSET – Literacy Strategy Training Programme	30
8.	Department of Education and Training	INSET – Visual Impairment	12
9.	Department of Education and Training	Student Teachers	15
10.	G.C.F.E.	(A.A.T.) – Accounting Technicians	15
11.	G.C.F.E.	Alternatives Therapies & Massage	9
12.	G.C.F.E.	I.T. Course - Access	10
13.	G.C.F.E.	I.T. Course - Excel	10
14.	G.C.F.E.	I.T. Course - Word	10
15.	G.C.F.E.	Secretarial & Business Administration Scheme	16
16.	Health and Safety	Working Safely	26
17.	Institute of Management	Group Activities Day	20
18.	Norwich Union	Customer Care Course	6
19.	School of Health Studies	Diploma in Nursing Course	12
20.	School of Health Studies	Registered Nurses Course	9
21.	School of Tourism	Intake 4 - Interviewing Skills and Interviews	9
22.	School of Tourism	Intake 4 - Presentation Skills	9
23.	School of Tourism	Intake 4 - Tourism and Marketing Course	9
24.	School of Tourism	Intake 4 – Welcome Host Course	9
25.	School of Tourism	Intake 5	10
			<b>TOTAL NO. OF PERSONS:- 318</b>

Cont ...

OTHER ACTIVITIES (Exams, meetings, interviews and visits.)			
	ORGANISATION	SUBJECT	NO. OF PERSONS
1.	Department of Education and Training	Head Teachers Meeting	12
2.	Department of Education and Training	NCWG Meeting - English	16
3.	Department of Education and Training	NCWG Meeting - Geography	16
4.	Department of Education and Training	NCWG Meeting - Science	16
5.	Gibraltar Health Authority	KGV – Mental Health Services Planning Group Meeting	12
6.	I.L.E.X. – (Institute of Legal Executives)	Meeting	20
7.	School of Health Studies	Meeting x 2	6 + 15
8.	School of Tourism	Interviews for Intake 6	20
9.	School of Tourism	Graduation – Intake 4	50
10.	Training Advisory Council	Sub-Group Meeting	7
11.	Training Advisory Council	Meeting	15
			<b>TOTAL NO. OF PERSONS:-</b>
			205
			<b>GRAND TOTAL:-</b>
			523

**Answer to Question 1027**

**BLEAK HOUSE TRAINING COURSES**

	<u>Date Completed</u>	<u>No. of Students</u>
<b>1. <u>School of Tourism (1 year course)</u></b>		
Intake 4	Oct 2000	10
Intake 5	Feb 2001	8
Intake 6	Sep 2001	8
<b>2. <u>Secretarial &amp; Business Administration Scheme (1 year)</u></b>		
Intake 1	Dec 2000	11
<b>3. <u>School of Health Studies</u></b>		
Pre-Registration Nursing Course	May 2001	
ENB 998 Course – Group 1	Feb 2000	5
ENB 998 Course – Group 2	June 2001	9
<b>4. <u>Counselling Courses (Central School of Counselling Training)</u></b>		
Diploma In Counselling	Sept 2000	8
Introduction to Counselling Skills	Dec 2000	9
Certificate in Counselling Theory	May 2001	36
Certificate in Counselling Skills	June 2001	16
<b>5. <u>Accounting Courses (Association of Chartered Certified Accountants)</u></b>		
Accounting & Audit Practice	May 2001	4
Audit Framework	May 2001	3
<b>6. <u>JGA Group (In association with the Chamber of Commerce)</u></b>		
NVQ in Customer Care	March 2001	13
<b>7. <u>AAT (Association of Accounting Technicians)</u></b>		
Technicians Level	April 2001	15



## **Contd Answer to Question 1027**

### **8. Computer Courses**

#### **Microsoft Word**

Group 1	Dec 2000	12
Group 2	April 2001	13

#### **Microsoft Word (Advanced)**

Group 1	April 2001	10
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#### **Microsoft Excel**

Group 1	Dec 2000	10
Group 2	March 2001	11

#### **Microsoft Access**

Group 1	Dec 2000	7
Group 2	April 2001	9

### **9. Alternative Therapies & Massage**

Group 1	Dec 2000	9
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### **10. Bayside School**

#### **(Use of Computer Suites)**

Year 12 – 'A' Level ICT	May 2001	12
Year 13 – 'A' Level ICT	April 2001	9

### **Contd Answer to Question 1027**

In addition to the above training programmes, the following short courses/training workshops have taken place since September 2000 and range from 1 day/evening session to 1 week's duration.

	<b>September 2000</b>		<b>Participants</b>
1.	City Fire Brigade	Officers' Seminar	25
2.	Norwich Union	Customer Care Course	6
3.	Safety Services	Working Safely Course (IOSH)	20
4.	Institute of Management	Diploma Group Activities Day	20
5.	Department of Education & Training	INSET – Literacy Strategy	30
6.	Department of Education & Training	INSET – Visual Impairment	12
7.	Department of Education & Training	Student Teachers Programme	15

	<b>October 2000</b>		<b>Participants</b>
1.	Institute of Management	Diploma Group Activities Day	15
2.	Chamber of Commerce/JGA	Developing Your Telephone Skills	19
3.	Chamber of Commerce/JGA	Making the Most of Managing	17
4.	Chamber of Commerce/JGA	Making Your Customers Count (1)	20
5.	Chamber of Commerce/JGA	Making Your Customer Count (2)	18
6.	Chamber of Commerce/JGA	Managing Your Customer Care for Profit	15
7.	Chartered Inst of Bankers	Certificate for Financial Advisers Revision Course	14
8.	Dept of Education & Trg.	INSET on School Improvement	30
9.	Dept of Education & Trg.	INSET – SEN Diploma	25
10.	Dept of Education & Trg.	INSET – Numeracy Training	12
11.	Dept of Education & Trg.	Student Teacher Programme	15
12.	NASUWT	Management Training	50
13.	Norwich Union	Customer Care Course	6
14.	Safety Services	Working Safely Course (x2)	32
15.	School of Health Studies	Cancer Care Course	60
16.	Skills & Learning Centre (MOD)	Controlling Your Stress	14
17.	Skills & Learning Centre (MOD)	Discipline & Restoring Efficiency	12
18.	Skills & Learning Centre (MOD)	Performance Appraisal	16
19.	Skills & Learning Centre (MOD)	Selection Interviewing	10
20.	Skills & Learning Centre (MOD)	Customer Service Concepts	12

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**Contd Answer to Question 1027**

	<b>November 2000</b>		<b>Participants</b>
1.	Dept. of Education & Trg	INSET – Literacy Strategy	20
2.	Dept. of Education & Trg	INSET – SEN Diploma	25
3.	Dept. of Education & Trg	INSET – Numeracy Training	12
4.	Environmental Agency	Basic Health & Safety Certificate for VTS Trainees (x3)	45
5.	Norwich Union	Customer Care Course	10
6.	Safety Services	Working Safely Course (IOSH)	12
7.	Skills & Learning Centre (MOD)	Discipline & Restoring Efficiency	16
8.	Skills & Learning Centre (MOD)	Selection Interviewing	12
9.	Skills & Learning Centre (MOD)	Team Building (x3)	45
10.	Skills & Learning Centre (MOD)	Performance Appraisal	16
11.	Skills & Learning Centre (MOD)	Budgetary Skills Training	15

	<b>December 2000</b>		<b>Participants</b>
1.	Chartered Insurance Institute	Technical Fire Insurance Course	10
2.	Chartered Insurance Institute	Technical Business Interruption Course	10
3.	Gib College of F.E.	ICT Training	10
4.	Dept. of Education & Trg	Student Teacher Programme	10
5.	Dept. of Education & Trg	INSET – Numeracy Training	12
6.	Dept. of Education & Trg	INSET – Consultation Skills	6
7.	Gib. Tourist Board	Welcome Host Course	15
8.	Environmental Agency	Risk Assessment Course	8

	<b>January 2001</b>		<b>Participants</b>
1.	Chartered Inst. of Bankers	Certificate for Financial Advisers Revision Course	18
2.	Dept of Education & Trg	INSET – Literacy Strategy	20
3.	Dept of Education & Trg	INSET – Numeracy Training	12
4.	Dept of Education & Trg	INSET – SEN Diploma (Makaton)	12
5.	Environmental Agency	Health & Safety Course	12
6.	Environmental Agency	Food Hygiene Course	10
7.	Gib. College of F.E.	Working Safely Course (IOSH)	15
8.	Gib. Counselling Service	Conflict Resolution for Counsellors	12
9.	Gib. Tourist Board	Welcome Host Course	15
10.	Norwich Union	Customer Care Course	6
11.	School of Health Studies	Diabetes Care Course	110

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### Contd Answer to Question 1027

	<b>February 2001</b>		<b>Participants</b>
1.	Safety Services	Manual Handling/Office Safety	15
2.	Dept of Education & Trg	INSET – Literacy Strategy	20
3.	Dept of Education & Trg	INSET – SEN Diploma	15
4.	Dept of Education & Trg	Supply Classroom Aides Foundation Course	12
5.	Environmental Agency	Food Hygiene Course	10
6.	Gib. College of F.E.	Working Safely Course (IOSH)	15
7.	Gib. Tourist Board	Welcome Host Course	10
8.	Interbuild Ltd.	Staff Training Course (ICT – CAD)	6
9.	Norwich Union	Customer Care Course	6
10.	Skills & Learning Centre (MOD)	Child Protection Awareness Training	20
11.	Skills & Learning Centre (MOD)	Controlling Your Stress	14

	<b>March 2001</b>		<b>Participants</b>
1.	Chamber of Commerce	Making Your Customers Count	15
2.	Chamber of Commerce	Getting Your Message Across	15
3.	Chamber of Commerce	Writing Better Business Letters	15
4.	Chamber of Commerce	Effective Team Working	15
5.	Chamber of Commerce	Making the Most of Managing (4)	15
6.	Dept of Education & Trg.	INSET – Literacy Strategy	15
7.	Dept of Education & Trg.	INSET- Numeracy Training	12
8.	Dept of Education & Trg.	Supply Classroom Aides Foundation Course	12
9.	Dept of Education & Trg.	INSET on Visual Impairment	15
10.	Environmental Agency	Food Hygiene Course	10
11.	Gib. College of F.E.	Working Safely Course (IOSH)	15
12.	Gib. Tourist Board	Welcome Host Course	10
13.	Natwest Bank	Effective Team Working	9
14.	Norwich Union	Customer Care Course	6
15.	Royal Gibraltar Police	IT Training Course for new recruits	8
16.	Skills & Learning Centre (MOD)	Child Protection Awareness Training	20
17.	Skills & Learning Centre (MOD)	Equal Opportunities Awareness Course	16
18.	Skills & Learning Centre (MOD)	Health & Safety Course	15
19.	Skills & Learning Centre (MOD)	Team Building	16

Cont ...

**Contd Answer to Question 1027**

	<b>April 2001</b>		<b>Participants</b>
1.	Chartered Inst. of Bankers	Cefa Revision Course	16
2.	Dept. of Education & Trg.	INSET – Numeracy Training	12
3.	Dept. of Education & Trg.	Student Teacher Programme	15
4.	DET/Gib. Tourist Board	Welcome Host Course for VTS Trainees	16
5.	Environmental Agency	Office Safety Course	12
6.	Gib. College of F.E.	Working Safely (IOSH)	15
7.	Gib. Tourist Board	Welcome Host Course	10
8.	Norwich Union	Customer Care Course	6
9.	Royal Gibraltar Police	IT Training for new recruits	8
10.	Russell & Associates	Introduction to Financial Markets	10
11.	Russell & Associates	Introduction to Banking	10
12.	Russell & Associates	Understanding Company Reports & Accounts	10
13.	Russell & Associates	Introduction to Treasury	10
14.	Russell & Associates	Money Laundering Avoidance	10
15.	School of Health Studies	Management of Lymphoedema	16
16.	Skills & Learning Centre (MOD)	Hazmat Training Course	16
17.	Skills & Learning Centre (MOD)	Community Volunteers Training	15

	<b>May 2001</b>		<b>Participants</b>
1.	Chartered Inst. of Bankers	Cefa/Cemap Revision Course	16
2.	Dept. of Education & Trg.	INSET – Baseline Assessment & Inclusion	40
3.	Dept. of Education & Trg.	INSET – Headteachers Training	16
4.	Environmental Agency	Health & Safety Course (x2)	32
5.	Environmental Agency	Food Hygiene Course	15
6.	Gib. College of F.E.	Managing Safely Course (IOSH)	18
7.	Russell & Associates	Introduction to Derivatives	10
8.	Russell & Associates	Introduction to Capital Markets	10
9.	Russell & Associates	Introduction to Portfolio Management	10
10.	Russell & Associates	Introduction to Technical Analysis	10
11.	Russell & Associates	Introduction to Risk Management	10
12.	Skills & Learning Centre (MOD)	Environmental Protection Training	28
13.	Skills & Learning Centre (MOD)	Induction Course	40

	<b>June 2001</b>		<b>Participants</b>
1.	Counselling & Training Services (Western Europe)	Supervision Course	12
2.	Dept. of Education & Trg.	INSET for Teachers	30
3.	Dept. of Education & Trg.	INSET – Health Seminar	30
4.	Environmental Agency	Health & Safety Course for VTS Trainees	14
5.	Environmental Agency	Food Hygiene Course	12
6.	Gib. College of F.E.	Managing Safely Course (IOSH)	18
7.	Milbury Care Services	Child Protection Training	75

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**Contd Answer to Question 1027**

	July 2001		Participants
1.	Gib. Tourist Board	Welcome Host Trainers Course	3
2.	Natwest Bank	"Understanding Projects" Workshop	7

	August 2001		Participants
1.	Environmental Agency	Pest Control Operatives Course	6

**SUPPLEMENTARY TO QUESTION NOS 1024, 1025, 1026 & 1027 OF 2001**

**HON S E LINARES:**

The Minister said in answer to the Question that the 523 people that have, can he clarify the usage of Bleak House or students enrolled in Bleak House. There is a difference between a person going to a meeting in Bleak House just for the sake of having a meeting with somebody for educational purposes than enrolling in courses?

**HON DR B A LINARES:**

The hon Member is perfectly right, the word enrolled came out in a leaflet that was produced by a lady who was a Dutch placement student in the Department of Trade and Industry and she used the word enrolled in a rather vague sense. The 523 included those who attended a course of training definitely and I mentioned a figure of 272 who actually completed a structured course of training there, used the facilities for the purposes of work related meetings as suggested, attended certificate presentation ceremonies, attended interviews for Government supported training schemes, so it is very much a global figure for which we are not entirely responsible. Nevertheless the 272 and the schedule of courses being carried out in Bleak House is quite impressive, I am sure the hon Member must admit.

**HON S E LINARES:**

I was really, really impressed when I read in the Gibraltar in Europa of 523 enrolments and that is why I posed the question. I am glad that the Minister cleared it up because it is not clear it does give the wrong impression of this School of Excellency in Bleak House. One thing is agreeing that 272 is a good number but nearly double that number would be twice as good if it were true.

**HON DR B A LINARES:**

I have given the hon Member a straightforward and honest answer but if the thrust of his question is to try to minimise the importance of the progress of the work being done in Bleak House I must certainly reject that but I am sure that it is not.

**HON S E LINARES:**

The Minister can be sure that it is not.

**NO. 1028 OF 2001**

**THE HON S E LINARES**

**ST MARTIN'S SCHOOL**

Can the Minister give this House an explanation as to why St Martin's School was without five Classroom Aides and one teacher on the first two days at the beginning of the term, that is, on the 30<sup>th</sup> August and the 31<sup>st</sup> August 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

During the academic year 2000/2001 two pupils at St Martin's were presenting very severe behavioural and emotional problems. After trying out a number of educational programmes, it was decided to enhance provision by deploying an extra teacher over and above the complement. Additionally, by five part-time classroom aides were required for this and for the outreach programme. This situation was to be reviewed at the end of the academic year. The decision taken as a result of the review took place at the start of the academic year. It is felt that for the school to have been for two half days at the start of the school year without considerable extra resources was not detrimental to the pupils concerned, especially given that during half days, the school enjoyed the full complement of classroom aides, that is, those who are normally employed in the morning and those employed in the afternoon. So the complement of classroom aides was actually doubled for that particular early period in the start of the term. As soon as we went to full time schooling the classroom aides have been supplied.

**SUPPLEMENTARY TO QUESTION NO 1028 OF 2001**

**HON S E LINARES:**

I have asked this question because those two days the Head did not even know what was happening on those two days because suddenly she found herself with five less classroom aides and one less teacher and therefore I have posed this question, I know the Minister has said about doubling, but I pose this question because it created a lot of anxiety within the teaching of St Martin's the Headteacher and especially parents.

**HON DR B A LINARES:**

The Headteacher when she made representations to this effect to the Director of Education and the Director of Education actually pointed out to her that she was now having during those half days five extra aides, those who work in the afternoon working for the half day, she apologised in no uncertain terms to the Director of Education, so the hon Member has only heard half the story from the Headteacher not the full story.

**HON CHIEF MINISTER:**

I will just add to that, the Headteachers in Gibraltar Government Schools are employees of the Government, it is not appropriate if the hon Member's supplementary suggests that the Headteacher, yes the hon Member says "much anxiety amongst the Headteacher" as if he had had a conversation with the Headteacher about it. If the hon Member's supplementary suggests that the Headteacher has gone to him as Opposition Spokesman to raise with her Minister a question about her then all I can say is that there is a gross breakdown of the proprieties of the relationship between master and servant in this case. I cannot believe that that is the case, I can only assume that the hon Member is asking questions on the basis of tittle-tattle. I can not believe that the Headteacher of St Martin's would act in this way.

**HON S E LINARES:**

It is incredible that the Chief Minister can accuse a Headteacher of such thing when I have not and I repeat I have not got this information from the Headteacher. It is though the role of the Opposition in any democratic country to find out the information from the school. I have not gone to the Headteacher or any of the staff it has been parents who have all the right to come to me, all the right to inform me and it is fact that this did happen so I did get my sources correct, not from the Headteacher, I did not need to, and the parents came to me and told me this information and therefore I am now posing the question because of the anxiety that it created and I am sure it created to all of the staff and the Head about not having this staff in place for the first two days of the school. What I am saying is that I cannot believe that the Chief Minister can stand and say that a civil servant has told me the information even if they have which they have not, it is the Government who should be answering the question that I have posed not where I get the information, it is totally irrelevant where I get the information, it is totally irrelevant where I get the information.....

**HON CHIEF MINISTER:**

It might be irrelevant to you.....

**HON S E LINARES:**

.....so therefore, Mr Speaker, I still have not finished.



**HON CHIEF MINISTER:**

But you have got to ask a question

**HON S E LINARES:**

Yes, and I will.

**MR SPEAKER:**

He will be allowed to finish.

**HON S E LINARES:**

Yes and I will ask the question. The question is that although the Minister has said that these five classroom aides and one teacher is over and above can the Minister give an explanation why those two days, those two days those were not there, there seemed to have been cross administrative errors somewhere, is that correct?

**HON CHIEF MINISTER:**

The Minister for Education has given him the answer to that question and he is not going to repeat it. In my own response to you I said to the hon Member that there can only be two sources of information either the Headteacher or tittle-tattle and now he confirms that it is tittle-tattle.

**HON S E LINARES:**

Well it is not tittle-tattle it is a fact.

**HON CHIEF MINISTER:**

No, when the hon Member first formulated this question he gave the distinct impression that he was representing the views put to him by the Headteacher and it now transpires that that is wholly inaccurate that he has not spoken to the Headteacher about this. So, he is asking questions in this House attributing sentiment views, anxieties and position to the Headteacher without having spoken to the Headteacher, so my doubt that any Headteacher could have acted in that way is entirely sustained, no, the Headteacher did not act in that way. It now transpires that the hon Member asks questions in this House on the basis of statements made to him by parents about what they think the Headteacher feels.

**HON S E LINARES:**

A fact which the Minister has confirmed.

**HON CHIEF MINISTER:**

No, it is not a fact the Minister has given an explanation that this is not a school being short of resources, this is a school being short for two days of additional resources that they have not traditionally had and which we gave them, [*HON S E LINARES: Disgraceful* ] and that what we are talking about, if the hon Member is so flippant that he is not interested in the serious answers to the questions that he poses he will be treated in that basis. The subject matter of the hon Member's question is trivial in the extreme. The problem is that the hon Member has already established clearly in this House that he brings everybody's complaint to this House without even first having taken the trouble to do his homework about the nature of the matter, so any disgruntled teacher or any disgruntled parent that mentions something to him in the street he just brings it to this House. Fine, he is free to do that if he wishes, he cannot purport to put doubt, concerns, statements, in the mouths of Headteachers and eventually it transpires that he is not quoting Headteachers at all, that is all I am saying.

**NO. 1029 OF 2001**

**THE HON S E LINARES**

**ST MARTIN'S SCHOOL**

Can the Minister state whether the refurbishment of St Martin's playground scheduled for this financial year has commenced?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The refurbishment of St Martin's playground scheduled for this financial year has not yet commenced.

**SUPPLEMENTARY TO QUESTION NO 1029 OF 2001**

**HON S E LINARES:**

Can the Minister state when more or less it will start?

**HON DR B A LINARES:**

These works will commence as soon as the works being undertaken in relation to the change of school hours are completed by GJBS who have been unable to cope with this extra work.

**NO. 1030 OF 2001**

**THE HON S E LINARES**

**INCIDENTS OF BULLYING**

Can the Minister state how many incidents of bullying have been reported to the Department of Education?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The extensive factual and statistical information requested by the hon Member is set out below.

**INCIDENTS OF BULLYING REPORTED IN WRITING TO THE DEPARTMENT OF  
EDUCATION**

Year	No of Cases	Schools
1993	1	Bishop Fitzgerald
1994	1	St Anne's Middle
1995	-	-
1996	-	-
1997	3	St Paul's First Sacred Heart Middle St Joseph Middle
1998	4	St Mary's First (2) Bishop Fitzgerald Middle Sacred Heart
1999	1	St Anne's Middle
2000	3	Sacred Heart Middle (3)
2001	-	-

**NO. 1031 OF 2001**

**THE HON S E LINARES**

**EDUCATION – ASSESSMENT PANEL**

Can the Minister state how many times the Assessment Panel for Special Educational Needs have met in 1999/2000 and 2000/2001 to date?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The Assessment Panel met on four occasions during the school year 1999/2000 and on four occasions during the school year 2000/2001.

**NO. 1032 OF 2001**

**THE HON S E LINARES**

**ST MARY'S SCHOOL**

Can the Minister confirm that the new school at the Fleet Pavilion will now not materialise within this Government's term of office?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

It is Government's intention to relocate St Mary's School from its present location in Town Range to a site nearer Westside area to ease the pressure on schools in that area. Fleet Pavilion was identified as a suitable site but it is still in MOD hands. No decision has yet been taken on a possible new first and middle school for the Westside area or its location. I cannot therefore say whether it will materialise during this term of office.

**SUPPLEMENTARY TO QUESTION NO 1032 OF 2001**

**HON J J BOSSANO:**

Is the Minister not able to say whether it will be at Fleet Pavilion or he is not able to say whether it will happen at all, I am not sure which of the two interpretations of his answer is the correct one?

**HON DR B A LINARES:**

No definite decision has been made yet either way.

**HON J J BOSSANO:**

The original question was whether it would be at the Fleet Pavilion and the answer is it may not be in Fleet Pavilion and it may not be at all.

**HON DR B A LINARES:**

Well when no definite decision the word definite means that there is no definite decision which does not mean however that no decision will be taken.

**HON J J BOSSANO:**

I understand the problem of Fleet Pavilion what I am trying to establish is whether if the option of Fleet Pavilion does not materialise will the Government be looking at an alternative to Fleet Pavilion or is it that it may not happen at all in this term of office which of the two is it?

**HON CHIEF MINISTER:**

Both, it may not happen at Fleet Pavilion nor anywhere else during this term of office although the Government would like it to happen, both to happen in this term of office or at least in some other site for it to happen in this term of office, but we cannot be sure that either will happen in this term of office. Certainly the need in the short to medium term for a First and Second Middle School in that area is one that the educationalists make strongly and therefore the decision can be postponed more or less for a period of time but it cannot be put off indefinitely.

**NO. 1033 OF 2001**

**THE HON S E LINARES**

**EDUCATION – EXTRA PERIPATETIC TEACHER**

Can the Minister confirm whether the Department of Education has employed an extra peripatetic teacher for the current academic year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Yes, Mrs Christine Lawrence an ex-headteacher of the Special School in the UK has been employed as a peripatetic teacher to support children with emotional and behavioural problems, she joins Mrs Sandra Licudi who has been carrying out this job for a number of years.



**NO. 1034 OF 2001**

**THE HON S E LINARES**

**NURSERIES**

Can the Minister state whether the Council of Ministers have considered the draft legislation to regulate nurseries?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

No.

**SUPPLEMENTARY TO QUESTION NO 1034 OF 2001**

**HON S E LINARES:**

Does the Minister have any indication as to when it will materialise since I have been posing this question three times in this House and I seem to get the same answer?

**HON DR B A LINARES:**

It is pending.

**HON S E LINARES:**

Is it still at the Council of Ministers stage because the question I asked last time which was the same the Minister stated, "It is in the process of being considered by the Council of Ministers" that the Legislative Support Unit had already passed it to the

Council of Ministers so when or what list of priorities has the Council of Ministers got this draft legislation?

**HON DR B A LINARES:**

Legislation has been drafted by the drafting people but it is still pending consideration by the Council of Ministers.

**NO. 1035 OF 2001**

**THE HON S E LINARES**

**NURSERIES**

Can the Minister give a list of criteria used for the enrolment of children into Government Nurseries?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The criteria used for the selection of children into Government Nurseries are :-

- (i) Employment details of both parents;
- (ii) Marital status of parent;
- (iii) Number of other children in the family;
- (iv) Special medical needs of the child;
- (v) Special educational needs of the child;
- (vi) Special circumstances (eg unemployment, low income)

**SUPPLEMENTARY TO QUESTION NO 1035 OF 2001**

**HON J J BOSSANO:**

Is that list in any order of importance or priority or does it not matter?

**HON DR B A LINARES:**

No there is no order of importance in that list they are all living existential factors that the assessment panel made up of experts who understand these issues in real life assess globally and try to prioritise and balance one factor against the other. These decisions and

assessments are difficult to make in a purely mathematical sort of way, they have to be assessed by consideration, of course the parents of children are always invited to make representations to the assessment panel and it is a process of experts, involving the education psychologist, special needs advisor, social workers, they will actually give an assessment and set priorities but let me say in terms of actually providing placements in nurseries all applicants are actually offered a nursery place in Gibraltar. We have now 325 places available in nurseries as opposed to 190 in 1996, we have opened up three nurseries, Notre Dame, St Joseph's, St Paul's and a pre-school unit in St Martin's and now we are able to provide every applicant for nursery placement, the problem is the demand for the morning sessions and that of course is a problem in satisfying everybody and this is where the tension arises when people say, "I am more deserving than somebody else," which is a situation that often arises in many other areas where a choice has to be made.

**HON S E LINARES:**

Arising from that answer can the Minister state, is there any other extra criteria used to decide whether a child goes in the morning or in the afternoon given the fact that children who go in the morning have more tuition, that is, more hours of tuition and there is an imbalance were, for example, if one has the morning session the children have a three hour session and in the afternoon they only have two, is there any extra criteria that might be used to decide whether it is the morning or afternoon session?

**HON DR B A LINARES:**

Probably in terms of the special needs children. The operative factor there are special needs where the assessment panel is more inclined to offer the morning session because they get a more intensive tuition.

**NO. 1036 OF 2001**

**THE HON S E LINARES**

**TRUANT CHILDREN**

Can the Minister state whether the Council of Ministers have considered the draft legislation on truant children?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

No.

**SUPPLEMENTARY TO QUESTION NO 1036 OF 2001**

**HON S E LINARES:**

Is this Legislation in the same process as the Nursery Legislation?

**HON DR B A LINARES:**

No, this legislation is not in the same process. In this case the legislation has still not been drafted fully.

**NO. 1037 OF 2001**

**THE HON S E LINARES**

**COLLEGE OF FURTHER EDUCATION**

Can the Minister say whether the Resource Room in the Gibraltar College of Further Education is available to students for this academic year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1038 of 2001.

**NO. 1038 OF 2001**

**THE HON S E LINARES**

**COLLEGE OF FURTHER EDUCATION**

Can the Minister say whether the library in the Gibraltar College of Further Education is available to students for this academic year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The new Student Resource Centre which encompasses the library, is available to students in the College of Further Education for this academic year.

**SUPPLEMENTARY TO QUESTION NOS 1037 AND 1038 OF 2001**

**HON S E LINARES:**

Can the Minister state whether the 130 computers that the College of Further Education have are also available to students?

**HON DR B A LINARES:**

I would have to check whether all of the computers are available but I can say that the Resource Centre is now available and therefore I take it that by definition, resource means computers.

**NO. 1039 OF 2001**

**THE HON S E LINARES**

**SCHOOL ATTENDANTS**

Can the Minister state whether negotiations with the union in relation to School Attendance have concluded?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Yes, Sir.

**SUPPLEMENTARY TO QUESTION NO 1039 OF 2001**

**HON S E LINARES:**

Can the Minister state what has been the agreement and has the school attendant's claim been met?

**HON DR B A LINARES:**

There has been an agreement but I would not put it exactly that their claim has been met but now satisfied, the Union is satisfied with the settlement, school attendants have agreed to a new job description which meets the needs of all schools and school attendants have been regraded as a result to the following - Bayside and Westside and the College have been upgraded from Band 14 to Band 18 and all other schools the attendants have been upgraded from Band 10 to 14.



**NO. 1040 OF 2001**

**THE HON S E LINARES**

**POST 16 EDUCATION**

Can the Minister state how many times the committee he formed to look into the provision of post 16 Education in Gibraltar have met since it started?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION TRAINING, CULTURE AND HEALTH**

The Committee formed to look into the provision for post-16 education in Gibraltar has met on two occasions this year.

**SUPPLEMENTARY TO QUESTION NO 1040 OF 2001**

**HON S E LINARES:**

Can the Minister state when it was formed?

**HON DR B A LINARES:**

The committee was formed at the end of the year 2000.

**HON S E LINARES:**

Can the Minister state if there has been any progress made in these two meetings and more importantly when does the Minister envisage that a post-16 educational programme will commence?

**HON DR B A LINARES:**

The work of the committee is very exploratory, in the sense of research, finding out all the different models and developments which are taking part in the UK and indeed in the continent.

**HON S E LINARES:**

Would the Minister not agree that the sooner something gets off the ground people can work round what has already started?

**HON DR B A LINARES:**

This question of datelines is always a dilemma. When the task involved is one of research, of exploration, it is very difficult to set the people doing a definite dateline of target style, nevertheless they are responsible people as I say, they know that there is a certain urgency, that the Government are very committed to this review of post-16 education and of course they are not the type of persons who will drag their feet and waste time.

**NO. 1041 OF 2001**

**THE HON S E LINARES**

**BAYSIDE SCHOOL**

Will the Minister confirm that 'A' Level PE is now being offered at Bayside?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1042 and 1043 of 2001.

**NO. 1042 OF 2001**

**THE HON S E LINARES**

**BAYSIDE SCHOOL**

Can the Minister confirm that the key skills programme is now being offered at Bayside in Year 12?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Questions 1041 and 1043 of 2001.

**NO. 1043 OF 2001**

**THE HON S E LINARES**

**WESTSIDE SCHOOL**

Will the Minister confirm that IT GCSE is now being offered at Westside?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1041 of 2001**

Yes.

**Answer to Question No 1042 of 2001**

Yes.

**Answer to Question No 1043 of 2001**

No.

**SUPPLEMENTARY TO QUESTION NOS 1041, 1042 & 1043 OF 2001**

**HON S E LINARES:**

Can the Minister state why he has not been able to keep to the commitment given in this House that IT GCSE will be an option in Westside?

**HON DR B A LINARES:**

The commitment is to offer IT as a GCSE option in Westside but I fail to recollect that it was suggested that this would start in September. The options curriculum programme is decided in September of the previous year and the pupils were not offered that option last year necessarily it has not been possible to start the course in September this year. Nevertheless I can tell the hon Member that an IT qualified teacher up to GCSE level has been now deployed to Westside school and the headmaster assures us that the IT GCSE will be put to the pupils in year 9 during the options selection this academic year from next September. I would like nevertheless to put this in context, the fact that GCSE as a subject at GCSE is not being offered as an option as yet in Westside does not mean, and the House must understand, that IT is not taught in Westside, in fact it is one of the compulsory subjects as a separate subject with two periods a week in year 8 and in year 9 in the key stage 3 a period, and then it is taught as an integral part of the Business Studies GCSE course actually in year 10 and year 11 and in the Commercial Studies, RSA Commercial Studies Course for students in years 10 and 11. It is also taught as an optional computer literacy and Information Technology course to resit students in year 12 and to 'AS' and 'A' Level students in years 12 and 13 and the head teacher tells me with the recruitment of the new IT teacher this year it is planned to offer information technology as an optional course in year 10 for next September.

**HON S E LINARES:**

I appreciate the fact that IT is being taught it is just that in Question No 649 of 2001, we had a small debate about GCSE in Westside and the Minister said that the girls in Westside will have every opportunity of doing GCSE and 'A' Level courses in Information Technology and the Minister even went further that if the resources in the schools were not available for this academic year that he would look into sending the girls to the College of Further Education. So why have the girls not been given the option of being able to go to the college for this year until the course is ready for next year for the year 9?

**HON DR B A LINARES:**

Very probably for the lack of demand.

**HON S E LINARES:**

If there is a lack of demand why have the courses in the first place, when the Minister is putting the courses in place it is because there must be a demand. Next year the Minister has just said in year 9 they are going to offer it as an option. If they are going to offer it as an option there must be certain demand already to offer it as an option because in the last Question Time again he said that that is not how Westside works and schools work that it is not to do with the demand, or sorry that they do not put the course in place first without knowing the demand. Is it the case now that they are putting the course first without knowing the demand?

**HON DR B A LINARES:**

I am suggesting that there may have not been a demand to do the course this year in the College of Further Education. Once the course is offered within the time-table curriculum in Westside with an IT qualified GCSE teacher it is perfectly feasible and viable for the school's administration to put this option, and we will wait to see what the demand is, but certainly it is

now viable for the school during the integrated time-table to put in years 10 and 11 an option of IT.

**HON J J BOSSANO:**

Is it that the Minister knows that it was made available and there has been no response or is he just speculating that that might be the reason?

**HON DR B A LINARES:**

I said very probable, I am just simply drawing on my experience of how these things work.

**HON J J BOSSANO:**

Well the Minister can find out in fact what actually happened and tell us.

**HON DR B A LINARES:**

Yes.

**NO. 1044 OF 2001**

**THE HON S E LINARES**

**CULTURAL GRANTS**

Can the Minister give a breakdown of the cultural grants awarded with names of groups and amounts given to each group?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1044 of 2001.**

The following is a list of cultural grants awarded to groups and associations up to October of the current financial year:

<b>Group/Association</b>	<b>£</b>
Danza Dance Company	250.00
Fine Arts Association	1,000.00
Gibraltar Amateur Drama Association	500.00
Gibraltar Music Centre	1,450.00
Gibraltar National Dance organisation	4,000.00
Gibraltar Photographic Society	950.00
Gibraltar Youth Band	1,500.00
Metior Saxum d’Gibraltar	750.00
Rock on the Rock Club	2,150.00
Rooke Band	300.00
Tarik Modern Theatre Dance Company	500.00
The Arts Centre	700.00
The Calpe Singers	1,439.00
The Gibraltar Academy of Dance	595.00
<b>Total</b>	<b>16,084.00</b>



**NO. 1045 OF 2001**

**THE HON S E LINARES**

**THEATRE ROYAL**

Now that the Government have publicly announced the extent of the refurbishment of the Theatre Royal, can the Minister give details of the total projected cost to the taxpayer and to the EU?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1096 of 2001.

**NO. 1046 OF 2001**

**THE HON J C PEREZ**

**DISPOSAL OF HOSPITAL WASTE**

Can Government state what are the arrangements in place for the disposal of Hospital waste whilst the incinerator is out of action and domestic refuse is being disposed at Los Barrios?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH**

Clinical waste is collected in purpose made hard plastic containers, which are then sealed. They are collected from the wards at regular intervals during the day and then deposited in a locked room awaiting collection. Community Projects collect clinical waste from the hospitals six days a week from Monday to Saturday. Once collected they are delivered to a warehouse at the North Mole and from there are transported into Spain where the containers and contents are shredded, sterilised and then disposed of. If the hon Member is referring to Non-Clinical Waste, this is disposed of in large black plastic bags. These bags are collected regularly from the wards during the day and then deposited in a designated blocked up area in the patio. Industrial Cleaners Services Limited collect this refuse every day except Sundays.

**SUPPLEMENTARY TO QUESTION NO 1046 OF 2001**

**HON J C PEREZ:**

The old arrangements whereby clinical waste, that is to say limbs and things like that were incinerated in a small incinerator which was side to side to the incinerator, that has been discontinued?

**HON LT COL E M BRITTO:**

That is correct.

**NO. 1047 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPENSATION CLAIMS**

Can Government give a breakdown of the amount paid in compensation claims in respect of the Gibraltar Health Authority for the Financial Year 1999/2000 showing the sum paid for each claim?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1048 and 1049 of 2001

**NO. 1048 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPENSATION CLAIMS**

Can Government give a breakdown of the amount paid in compensation claims in respect of the Gibraltar Health Authority for the Financial Year 2000/2001 showing the sum paid for each claim?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1047 and 1049 of 2001.

NO. 1049 OF 2001

THE HON MISS M I MONTEGRIFFO

**GHA – COMPENSATION CLAIMS**

Can Government give a breakdown of the amount paid in compensation claims in respect of the Gibraltar Health Authority for the Financial Year 2001 to date?

ANSWER

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

Answer to Question Nos 1047, 1048 and 1049 of 2001

Claim	1999/2000 £	2000/2001 £	2001 to date £
A	206,795.00		
A		248,000.00	
B		30,000.00	
C		18,835.25	
D			16,267.31

SUPPLEMENTARY TO QUESTION NOS 1047, 1048 AND 1049 OF 2001

**HON MISS M I MONTEGRIFFO:**

I take it that these figures are referring to compensation as regards medical negligence?

**HON DR B A LINARES:**

Well they are compensations which have been established legally as liabilities by the department, the causes may be varied. These claims go back many years some of them go back as far as 16, 17 years.

**HON MISS M I MONTEGRIFFO:**

Included in these figures do we also have the legal fees or are they shown separately as they are in the subhead that comes out of the Gibraltar Health Authority as legal fees or do those figures also include the legal fees?

**HON DR B A LINARES:**

I do not think those figures include the legal fees, those are the figures that determine the damages which the legal authorities feel are due to the parents or persons concerned.

**HON MISS M I MONTEGRIFFO:**

When the Government have taken advice to compensate people are they taking advice from the Government legal department or are they taking advice from private legal firms?

**HON DR B A LINARES:**

I do not know if in each particular case but I do know that certainly the one that I am familiar with the advice came from the Government Attorney General's Chambers. In that sense there were no legal fees involved.

**HON K AZOPARDI:**

Can I just clarify this last point because my Colleague was saying that there were no fees involved in relation to that big claim but of course in view of the substantial nature of that claim the hon Member may recall even during her time, perhaps not during her time, certainly in my time, there were London Council advising the Government in relation to all issues of liability and quantum in particular in relation to that claim that dates back to 1986 so there are some fees obviously.

**NO. 1050 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPENSATION CLAIMS**

Can Government state how many claims for compensation have been received by the Gibraltar Health Authority in respect of Medical Treatment afforded to GHA Patients?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Since the introduction of the Complaints Procedure, 26 claims for compensation have been received by the Gibraltar Health Authority in respect of Medical Treatment afforded to GHA Patients.

**SUPPLEMENTARY TO QUESTION NO 1050 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Twenty-six?

**HON DR B A LINARES:**

These are of course claims, not all of them have been met I have not got the details of that. How many have been met, how many are in the process of being considered, and how many have been rejected.

**HON MISS M I MONTEGRIFFO:**

If I understood the Minister correctly is he saying that these claims have actually occurred since the GHA started with their Complaints Procedure?

**HON DR B A LINARES:**

That is the information that I have got. There are more complaints, these are claims for compensation within that global figure of complaints.

**HON J J BOSSANO:**

In the 26 claims the information that has been provided as to claims paid are not included, these are 26 on top of the three that we have down here, is that correct?

**HON DR B A LINARES:**

Yes I asked the same question myself and I was told that they are separate from the figures given earlier in the previous question.

**HON J J BOSSANO:**

So that means that none of the 26 have been met because in answer to the question previously given the last column is 2001 to-date where there is a figure of £16,000 in respect of one claim?

**HON DR B A LINARES:**

I am told that it was not included there, that is a separate claim altogether. I agree with the hon Member that we should have included the total sum of claims which have received compensation in 2001 but that is the way it has been presented.

**HON J J BOSSANO:**

My question is, is the one claim for example paid to-date in 2001 one of the 26 or not and if the answer is no then it should follow that none of the 26 have been paid?

**HON DR B A LINARES:**

They have been paid but they are not recorded in this table, some have been paid, this is the way that it was put to me and I agree with the hon Member it does not quite make sense to me either but certainly the £16,267 does not include monies which have also been paid in respect of the 26 claims that I am now referring to and of which I do not have a figure.

**HON J J BOSSANO:**

Does the Minister know how many of the 26 have been paid and how many are still pending?



**HON DR B A LINARES:**

No, I mentioned before that I do not know how many. I think this is a matter that I shall follow up and clarify and establish very definite information which is I agree not available here and I apologise.

**HON MISS M I MONTEGRIFFO:**

Does the Minister agree to pass on the information once he has cleared the different figures to the Opposition?

**HON DR B A LINARES:**

Of course I will.

**NO. 1051 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPLAINTS PROCEDURE**

Can the Government state the number of complaints that are being received through the GHA's Complaint Procedure, from 1 May to end of October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Twenty-five complaints have been registered through the Complaints Procedure from the 1<sup>st</sup> May 2001 to the end of October 2001.

**SUPPLEMENTARY TO QUESTION NO 1051 OF 2001**

**HON MISS M I MONTEGRIFFO:**

In view of the very critical comments made by the Ombudsman in his report about the efficacy of the Complaints Procedure are the Government seriously looking at the recommendations that he stated in his report whereby he said that because none of the clinical complaints had been properly investigated that there should be independent board looking at the complaints of the GHA rather than the GHA looking at their own complaints?

**HON DR B A LINARES:**

No I do not recollect that the Ombudsman said that none of the complaints had been properly investigated, his concern was the fact that the complaints were taking a long time to be responded to. This matter was discussed with the Ombudsman, I think he has a reference to that as well in his report, that this was due to the avalanche of complaints since we opened up the avenue of the complaints procedure and that we

were now looking into providing necessary administrative resources to be able to speed up and be able to meet with this new enterprise of the complaints procedure.

**HON MISS M I MONTEGRIFFO:**

The Ombudsman's report did say that none of the clinical complaints had seen fruition and that there were a lot of people who had not received any reply at all and the Minister of course is correct in saying that the Ombudsman said that lots and lots of people were waiting far too long a time for their complaints to be seen to, therefore does the Minister not agree that the Complaints Procedure in itself should be reviewed and perhaps take on board the comment that I have said of the Ombudsman that it should be an independent body, therefore if it is an independent body they view matters differently and perhaps they have more time in order to be able to look into the complaints.

**HON DR B A LINARES:**

I have discussed this matter with the Ombudsman and he is of agreement that we should now try to expedite within the present system the responses to complaints by providing the necessary administrative resources which we have been lacking up to now but there are also problems of the consultants being able to have sufficient time to do this clerical stuff, seeking up reports, drawing up reports, having them prepared, we have also looked into that matter by giving administrative leave to some of the consultants to be able to attend to this need. There have been technical and practical problems in being able to respond expeditiously to the complaints and I think that is the thrust of the Ombudsman's complaint and criticism. He is in agreement that we should now give a chance to the Complaints Procedure by injecting better resources to see whether we can improve on the product before we start thinking of something much more radical which is to seek an independent type of enquiry.

**HON J J BOSSANO:**

Would there not be some merit in the Complaints being at arms length to the GHA but not necessarily outside the Government, not independent of the Government but independent of the Health Authority.

**HON DR B A LINARES:**

There are arguments for and against that approach. We feel that the designated officer given the necessary resources, the consultants themselves because we are talking about clinical complaints given also sufficient provision and time and opportunity to be able to do the necessary administrative work in seeking reports, drawing reports, that if we can provide this context and this opportunity and this facilities that the Complaints Procedure will probably begin to respond more adequately to its objective which is really to satisfy patients that their complaints and their concerns are being attended to seriously by the Authority. We have decided at the Authority that we should now give some more time and we have discussed this matter as the hon Lady may know that there is a Complaints Board as a sort of watchdog so this perhaps compensates for this arms length. There is a Complaints Board totally independent of the Authority which watches over, looks at the statistics, keeps an eye on the way the Complaints Procedure is working and we have a report

from them in which they also focus on the need to resource and facilitate the operation of the Complaints Procedure if it is going to be successful. So at the moment this agreement is being discussed between the Complaints Board, the Ombudsman and ourselves but given the new resources that we have injected the new opportunities that we have given, perhaps we can achieve what we all obviously want.

**NO. 1052 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**DIALYSIS UNIT**

Have Government now decided what facilities will be provided when they set up the Dialysis Unit?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

No.

**SUPPLEMENTARY TO QUESTION NO 1052 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is it Government's intention to provide facilities that will mean that our dialysis patients will not require to go to the La Linea Dialysis Unit?

**HON DR B A LINARES:**

The Government's position is exactly the same as provided in an answer to Question No 680 of 2001 by the Chief Minister where he assured the House that the Government have not fixed their position as to the setting up of a dialysis Unit in Gibraltar Independent of that in La Linea but that there will be some provisional dialysis in the new hospital and we are currently studying a report that we have sought from Professor Terry Feast, the Chairman of the UK Renal Registry, Professor Feast undertook a review of the local renal services in April this year, he also assessed the dialysis unit in La Linea and has provided a technical and advisory report to the Government which is now under consideration.

**HON MISS M I MONTEGRIFFO:**

It seems to be the trend of this Government that whenever they do not want to say 'yes' or 'no' they refer back to previous questions. I am going to try to push the Minister a little bit more and ask him whether even though they are not decided is it not considered by the Government preferable that patients should not go to La Linea, otherwise why have a unit here providing certain services if they will have to go to La Linea anyway, does he not believe that money provided by the Government for a Dialysis Unit is well spent money?

**HON DR B A LINARES:**

I am afraid I cannot commit myself to any of the conclusions which have been put for me on a plate by the hon Lady.

**HON J J BOSSANO:**

How much longer will they need to be studying this report which they have had since April?

**HON DR B A LINARES:**

As I have said in reply to an earlier question it is always a bit of a dilemma to set datelines when these things have to be explored and considered but obviously well before the completion date of the new hospital.

**HON J J BOSSANO:**

Who is studying the report at the moment is it at the level of Ministers or people in the hospital?

**HON DR B A LINARES:**

It has been studied by people in the hospital but now it is being put for consideration by the Ministers.

**NO. 1053 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – HEALTH CENTRE**

Can the Government confirm whether a clinic at the Health Centre had to be closed recently, due to there being a large amount of cockroaches?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Two cockroaches were found in one of the clinics. The clinic was closed for one day whilst the pest control unit was called in to deal with the situation. The doctors saw the patients in another clinic.

**NO. 1054 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PRESCRIPTION CHARGES**

Can the Government state how much revenue the Gibraltar Health Authority has raised from 1<sup>st</sup> April 2001 to end of October 2001 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 Questions No 1055 to 1057 of 2001.



**NO. 1055 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NUMBER OF 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 in respect of 1,2,3,4,5,6,7 of 2001/2002?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1054, 1056, and 1057 of 2001.

**NO. 1056 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NUMBER OF 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 periods 1,2,3,4,5,6,7 of 2001/2002, in respect of which £2.50 per item 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 1054, 1055 and 1057 of 2001.

**NO. 1057 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**DISPENSING FEES**

Can Government say what was the amount paid to Pharmacists from 1<sup>st</sup> April to end of October 2001 specifying each month, and how much of this was due to prescriptions dispensed during this period and give a breakdown of the yield of 15 per cent on-cost of the basic price of medicines and of the £2.35 and then £1.80 per item prescription charged in respect of the medicines to which the sum applied?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to her, but before doing so I would like to make a couple of points which I have made before actually but the hon Lady keeps ignoring them. The hon Lady keeps referring to the hundred per cent increase in prescriptions, well I understand that she wants to score a political point on this one but if we want to be exact and statistical and mathematical about this it is not correct. The £1.20 charged during her administration applied to any number of items, the £2.50 charged now only applies to three items maximum also pensioners used to pay a 20p charge before, now they do not pay anything at all and when we put all this together it is not correct to make a blanket assertion, prescriptions have been increased by 100 per cent.

Second point is in relation to Question No 1056 of 2001, I have to explain that it is not possible to answer the question as asked by the hon Lady, I have pointed this out before, one prescription may have more than three items and they do not attract the charge of £2.50 yet within the same prescription some items are more expensive than others, so it is not possible to identify which of these items have attracted the £2.50 charge. So I have provided the total cost of the paying prescriptions of the white prescriptions but it is impossible to answer the question as presented but I can see that the point of the question is simply to get the total cost.

**HON MISS M I MONTEGRIFFO:**

Yes.

Answer to Question 1057/2001

**1054/2001**

Year 2001-2002

Period 1 start w/e 1<sup>st</sup> April

Period 8 ends with w/e 28<sup>th</sup> October

Revenue raised for period 1 – 8 inclusive – 70053 @ £2.50 = 175132.50

Before increase in prescription charges revenue raised would be 84340 @ £1.20 = £101208.00

Also approximately 66% of 173194 items would have paid 20p = 22861.60

Total revenue that would have been raised would have been £124069.60

Therefore extra revenue raised would be £51062.90

Periods 5 – 8 incomplete as not all accounts have been submitted.

**1055/2001**

**2000/2001**

Period	1	2	3	4	5	6	7
Scripts	11715	11913	12391	11927	11441	10431	9256
Items	35934	36688	39322	37313	35280	32278	27886
Cost +15%	358861	365147	399000	388995	367296	336598	142994

**1056/2001**

**2001/2002**

Period	1	2	3	4	5	6	7
Scripts	5429	5575	5701	5426	5118	4807	4264
Items	11941	12126	12854	12128	11278	10532	9192
Cost	133411	129369	145153	141246	128058	126044	105906

Periods 6 & 7 incomplete

**2000/2001**

Period	1	2	3	4	5	6	7
Scripts	5145	5217	5473	5027	5219	5298	5594
Items	10732	11073	11617	10881	10820	11085	11801
Cost	103744	109530	118148	113961	111877	114208	121843

**1057/2001**

The amount paid to Pharmacists from 1 April – 30 September 2001 was £2,787,104.45

With regard to the details requested in the second part of the question, it has not been possible to obtain the figures in the short time available and, will give these to the Hon Member as soon as I have received them.

**NO. 1058 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – EXPENDITURE**

Can Government confirm of the amount budgeted for the Gibraltar Health Authority for the financial year, how much has been spent by the end of September, giving a breakdown by head of expenditure?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I hand to her.

Answer to Question 1058/2001

<b>Subhead</b>	<b>Expenditure to Sept 2001</b>
01 PE Basic	5,178,139.45
02 PE Overtime	691,808.63
03 PE Allowances	1,033,325.71
04 PE Gratuity	188,066.08
05 Wages (Basic)	297,018.27
06 Wages (Overtime)	144,407.75
07 Wages (Allowances)	3,248.75
08 Relief Cover	289,307.90
09 Social Insurance	392,306.46
10 GPMS	2,866,421.16
11 Drugs & Pharmaceuticals	428,464.82
12 Medical Departments	96,514.10
13 Medical & Surgical Appliances	148,982.80
14 Hardware, Uniforms & Linen	118,801.82
15 Patients Appliances	31,158.82
16 Dressing Medical Gases & Tests	450,164.00
17 Provisions	97,522.96
18 Laundry	143,530.20
19 Cleaning Expenses	42,909.04
20 Health Centre	88,574.95
21 Expenses of Visiting Cons	38,737.19
22 Recruitment/Contractual Exp	390,729.98
23 Expenses of Motor Vehicles & Fuel	22,999.45
24 General Office Expenses	29,128.28
25 Electricity & Water	106,913.09
26 Telephone Service	77,744.91
27 Printing & Stationery	36,841.56
28 Legal Fees	9,164.10
29 Official Visits Abroad	2,434.10
30 School of Health Studies	33,869.67
32 Sponsored Patients	1,246,921.42
33 General Miscellaneous	48,732.50
34 Contingency Fund	8,000.00
35 Ambulance Service	255,000.00
36 Registration Board	-
37 Repairs & Maintenance	27,677.72
38 Equipment I&DF	110,702.89
39 Major Works I&DF	23,062.58
40 Computerisation	13,329.50
43 Claims	16,267.31
44 Ex Gratia Payments	2,962.34
<b>Total</b>	<b>15,231,892.26</b>

**SUPPLEMENTARY TO QUESTION NO 1058 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether there is indeed a new subhead 43 Claims?

**HON DR B A LINARES:**

I cannot answer that question I am not sure whether it is a new sub head?

**HON MISS M I MONTEGRIFFO:**

It is just that I have the estimates of expenditure here with me and there is no subhead on Claims and there is a new subhead here which is No 43, in fact the subheads in the estimates finish with subhead 40. We have a subhead here which says Claims £16,267.

**HON K AZOPARDI:**

To my knowledge it is a new subhead.

**HON MISS M I MONTEGRIFFO:**

It is, that is what I mean I take it that it is a new subhead.

**HON DR B A LINARES:**

I have to look it up.

**HON MISS M I MONTEGRIFFO:**

If we are talking about claims obviously we are talking about compensation claims?

**HON DR B A LINARES:**

That is right. Those are the £16,000 odd pounds that we spoke about earlier on in the table that I provided.

**NO. 1059 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO SPAIN**

Can Government confirm what sort of agreement they have reached with the Spanish Authorities for Gibraltar Patients to be referred to their Medical Institutions?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1060 of 2001.



**NO. 1060 OF 2001****THE HON MISS M I MONTEGRIFFO****PATIENT REFERRALS TO SPAIN**

Of those patients who have elected to go to Spain, can Government give a breakdown of the Spanish Andalusian Institutions where they have received treatment and the nature of the treatment?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1059 of 2001**

No formal agreement has been signed with the Spanish Authorities for Gibraltar patients to be referred to their medical institutions. The GHA continues to use the long standing practice and arrangements provided for by EU Regulations 1408/71 and 574/72. That is to say, the GHA issues a form E112 for each EU national referred to a state institution in another country. Where the patient is not a EU National, the GHA pays the medical institution directly against an invoice.

**Answer to Question No 1060 of 2001**

We have always been sending patients to Spain at their request and where this has been appropriate. At present five patients are waiting for appointments for diagnostic purposes. I now hand the hon Member a list of some hospitals we have used in the past and we are using currently.

Clinica Gutenberg	Malaga	Foetal Abnormality Scan
Clinica Urologica	Marbella	Urology
Clinica El Angel	Malaga	Lithotripsy
Hospital Carlos Haya	Malaga	Cardiology
Hospital Materno Infantil	Malaga	Premature Babies and other paediatric illness
Hospital Municipal	La Linea	Dialysis, blood disorders
Hospital Universitario		
Puerto Del Mar	Cadiz	Nuclear Medicine, Cardiology, Neurosurgery, Oncology and Vascular

## **SUPPLEMENTARY TO QUESTION NOS 1059 AND 1060 OF 2001**

**HON MISS M I MONTEGRIFFO:**

When we have asked this question we have done so because the Government have actually come out publicly saying that they had reached an agreement and therefore what the hon Minister is now saying that the arrangements, the procedure for patients going to Spain will, for example, be the same as what has happened before with the hospital where we send out patients for neuromuscular conditions, obviously because they cannot travel abroad. Is it that the patient will be given the option to go ?

**HON DR B A LINARES:**

So long as it is seen appropriate by the consultant locally, an option will be given and is being given but may I correct the hon Lady at no time did I say that during my meeting with Señor Francisco Vallejo Serrano, the Consejero de Salud of the Andalusian Government there was an agreement, I know that the media both locally and in Spain represented this as a formal agreement but at no time did I ever say that there was a formal agreement, there were discussions held, useful discussions, because we wanted to expand in response to pressure on demand locally from user groups that why should we not look further into Spanish medical facilities beyond those that are used now and we thought that it would be useful to meet with the experts and technical people there. Our own technical people also went and the agreement, the accord, simply that they would pass information to us about their medical institutions and facilities which they found credible so that our own consultants, our own doctors could then explore contact and establish that sort of relationship which exists now between the consultants and medical institutions in UK. So, it was again very much an exploratory discussion which has been followed up now at management level both in the Junta de Andalucía and ourselves but certainly no formal agreement of any sort. There is no need for an agreement in that sense because within EU Regulations, as I have pointed out, there are facilities for patients to be referred to when it is established that the specialism which is required either in Britain or in Spain or any other European country is not available locally, that is the condition of the E112.

**HON MISS M I MONTEGRIFFO:**

If the patient has the option, is the option being given to the patient once the consultant agrees that they can go to Spain or can the consultant overrule the patient's desire if he feels that that patient is better treated in the UK medical institutions?

**HON DR B A LINARES:**

I think in this matter and I think that the hon Lady will know from her own experience the last word must lie with the consultant they have their own clinical judgement, clinical views of what is the best route to follow in the context of the particular needs of the particular patient and obviously the last word will lie with the consultant. That is why part of the strategy that we have now is that the consultants themselves should now explore the medical institutions which have been identified for us so that they can establish that sort of relationship which gives them confidence and which gives them

the comfort to send their own patients to treatment which they believe is credible and reliable.

**HON MISS M I MONTEGRIFFO:**

If a patient is indeed sent or sponsored to a UK hospital and then for whatever reason, medical reason, the patient suddenly requires more highly specialised treatment, will that hospital in Spain refer our patient to another medical institution which is more appropriate for that condition? For example, if a patient is sent to a hospital for one specific medical condition and suddenly they decide that that patient for arguments sake requires treatment in another hospital because that hospital does not provide those services, is there a mechanism whereby that Spanish hospital can refer a patient to another hospital in Spain for more specialised treatment?

**HON DR B A LINARES:**

I believe there is, I do not know about a mechanism but I believe there is a practice because I have from conversations with the director of operations heard recently that in some, I think it was the hospital in Cadiz, they said – “ this patient would be better treated in that other medical institution we would advise you to refer them to that institution,” not quite a mechanism but certainly a practice to do so as good medicine, as good medical practice and I suppose the consultants in one particular hospital if they feel that the patient should be treated by another consultant of their knowledge who could attend to that particular need much more adequately and I believe it has happened recently but I am not into it as the hon Member might quite well understand at the level of operations.

**HON J J BOSSANO:**

Given the publicity that surrounded his expedition to the Junta de Andalucia which obviously does not conform to the reality of what went on, does the Minister not think that he ought to put the record straight when all this was in the press locally. I know it was in the press in Spain but here in Gibraltar does he not think he ought to put the record straight when people were being told here that there had been a major breakthrough with the Junta de Andalucia and there were congratulatory letters and congratulatory articles, maybe he enjoyed being congratulated in the letters and the articles so much that he did not want to bring them down to earth?

**HON DR B A LINARES:**

The record was not entirely wrong I do not think it was a question of putting the record straight because it had gone terribly wrong, the media did speak of a breakthrough in the sense that we were now broadening the horizons, the dimensions of our medical care and that they were much more seriously attending to the facilities that are provided in Spain seriously I mean having had conversations at top level between a Minister in Gibraltar and a Minister of the Andalucian Government, that was a breakthrough in that sense. It was an important event, the media may have as often happens with the media gone as far as saying that there was an agreement as I have corrected a moment ago there was no formal agreement but nevertheless I do consider that it was an important step forward by the Government of Gibraltar in establishing a contact with the Government of Andalucia in order to explore to what extent we can make greater use for the benefit of our people of excellent medical

facilities which they would identify. I do not think the record was entirely wrong to the point that I would have to set it straight as the hon Member has suggested.

**HON J J BOSSANO:**

We have been told today in fact that the system in place is the system that is provided for under EEC Law and that is certainly not the impression that was given by anything that was said or attributed to the Minister or the debate that took place in the press in the sense that the impression was given that this was a bi-lateral Junta de Andalucia / Gibraltar Government arrangement confined to hospitals possibly in the Cadiz area?

**HON DR B A LINARES:**

What was bi-lateral was the working together in identifying and making greater use of what is already available within the EEC Law.

**HON J J BOSSANO:**

So in fact it is not that there are intended, this is not that it is as I think at the time what was attributed to the Minister was that this was the first step that would then lead to a more formalised agreement, I think that is what it was quoted as having said at the time, that is not the case because what we are doing is using the form E111 which will then go through the same system as all the other patients in the reciprocal payment system between London and Madrid?

**HON DR B A LINARES:**

That is the case but what was new is the assistance and the support and the understanding of the Andalusian Government we would now expand the use that we are now making of EEC Provisions law for the benefit of our patients by making greater use of the medical facilities in Spain and the support and advice and sympathy of the Andalusian Government was very welcomed and had to be acknowledged.

**HON J J BOSSANO:**

If what they were doing was granting us what we are entitled to have under EU Law coming from Spain it is something to be grateful for since they normally do not do it but if it would have been any other Member State I would have thought it is what it is to be expected.

**HON DR B A LINARES:**

I am not sure about that coming from Spain it was not to be expected but saying coming from Madrid I would say it was not to be expected. My experience both in Education and Medical Care is that the authorities within this region, Andalucia and certainly the Cadiz province is most understanding and most helpful and co-operative. I do not think that one should be surprised that they in this particular case show the same spirit, frankly, I am being very honest with the hon Member that is my experience and they...at this level what they called 'humanidad' which is medical care for people whatever their nationality they do have a sensitivity which perhaps in

Madrid and in other areas further afield do not have. But certainly I have to speak up and say that certainly in education and culture and in medical care the authorities in this region in the vicinity do show an understanding when looking at the human aspect and human dimension of our needs and not really our nationality and 'el contencioso' as they often say.

**HON J J BOSSANO:**

I am not sure how the Spanish system works but given that presumably there is the equivalent of the national Health Service in Spain this has something that ultimately has to be channelled through Madrid has it not or are they completely independent in Andalucia?

**HON DR B A LINARES:**

Certainly the way we have been working and the way we are told we could carry on working, certainly quite independent of Madrid.

**HON MISS M I MONTEGRIFFO:**

I have been looking at the list that the Minister has passed me over the hospitals, in fact am I not right in assuming that if we are talking about one new hospital that is being added to the list because the first three we are talking about clinics, and these are private clinics, in fact we are talking about Clinica Gutenberg in Malaga, Clinica Urologica in Marbella, Clinica el Angel in Malaga, then we are talking about Hospital Carlos Haya in Malaga which is a new hospital but the one for premature babies we have always been using, the La Linea Hospital for dialysis we have always been using and the Puerto del Mar in Cadiz we have always been using. Am I not correct?

**HON DR B A LINARES:**

The hon Member is correct but I do not see the point of that, precisely the thrust of what I have been trying to explain to this House is that we are now trying to expand the availability of other centres which we have not used in the past perhaps because we have not had any knowledge of them and we are trying to seek information and the price from the technical people who work at the Junta de Andalucia.

**NO. 1061 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1998?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1062 and 1063 of 2001.

**NO. 1062 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1999?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH**

Answered together with Question No 1061 and 1063 of 2001.

**NO. 1063 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 2000?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The average cost of treating a pensioner in the UK for 1998 was £1971.71  
The provisional comparative figure for 1999 is £2,266.19.  
The figures for 2000 are not yet available as the hon Lady knows this figure is audited by the UK Commission and it has not been provided to us as yet.

**SUPPLEMENTARY TO QUESTION NOS 1061, 1062, AND 1063 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware why the increase in the figure from one year to another is it because it is linked to the cost that is published by the European Commission?

**HON DR B A LINARES:**

Yes these figures are audited by the European Commission, they establish what is the average cost of treating a pensioner in UK and this becomes the standard cost for other European levels. Why the increase, I am afraid I have no idea.



**NO. 1064 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING TEMPORARY VISITORS IN UK**

Can the Government state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 2000/2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The latest available cost to the UK of treating temporary visitors to Gibraltar in respect of 2000/2001 is approximately £50,000.

**SUPPLEMENTARY TO QUESTION NO 1064 OF 2001**

**HON MISS M I MONTEGRIFFO:**

At this point in time as we are talking about sponsored patients can the Minister confirm whether the formula which he and I agree is an extremely complicated one and as he said in the last House one needs to go on a course in order to be able to learn it, those were his words, he did say that the quota is now calculated on a yearly basis does he mean that the formula has now been changed from calendar year to financial year?

**HON DR B A LINARES:**

I have not got the records but I think I have now more or less got the hang of this formula, I see the point of the information that the hon Lady is seeking because all these are factors that determine the formula, that determine the quota. As regards the actual review of the formula I have to say surprisingly perhaps, but what I said last

time that this matter was discussed in the House, that the last time that the formula was actually agreed using all these factors was on the 4<sup>th</sup> June 1998, which established a figure of 120 patients to be treated free of charge in UK. Since then there has not been a further review but I think I have a note somewhere that a meeting is scheduled to take place between the officials in UK and the officials here .

**HON MISS M I MONTEGRIFFO:**

To refresh the Minister's memory he did say in answer to Question No 688 of 2001 that in 1998 the quota system changed from calendar to financial years.

**HON DR B A LINARES:**

Sorry that is correct, that is the question asked it is going from calendar to financial year.

**HON MISS M I MONTEGRIFFO:**

So it refers to the whole of the formula?

**HON DR B A LINARES:**

That is right.

**NO. 1065 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can the Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK as at 31 December 1997?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1066 to 1071 of 2001.

**NO. 1066 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK as at 31 December 1998?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1065, 1067 to 1071 of 2001.

**NO. 1067 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK 1999?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1065, 1066, 1068 to 1071 of 2001.

**NO. 1068 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK in 2000?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1065 to 1067, 1069 to 1071 of 2001.

**NO. 1069 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in the UK in 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1065 to 1068, 1070 and 1071 of 2001.

**NO. 1070 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many UK Social Security Pensioners, who were not also in receipt of a Gibraltar Social Security Pension, were resident in 1999 and registered with the Group Practice Medical Scheme?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1065 to 1069 and 1071 of 2001.



**NO. 1071 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government now state how many UK Social Security pensioners, who were not also in receipt of a Gibraltar Social Security Pension, were resident in 2000, and Registered with the Group Practice Medical Scheme?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The figures that I will give the hon Lady today are the same as I gave in answer to Question No 692 of 2001 and 469 of 2001. There have been no developments since then I can not still give the figures for 1999 or 2000 but in terms of the UK Pensioners in Gibraltar 1997- 275, 1998 – 303, and Gibraltar Pensioners in UK 1997 was 24 and 1998 was 33. As I have explained the figures for 1999 and 2000 are not available the registration of these pensioners is updated routinely by the Central office of the DLSS in Newcastle and the representatives of the UK will be meeting the GHA Officials early in 2002 and I hope to be able to furnish the hon Member with all this information shortly thereafter.

**NO. 1072 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**ENROLLED NURSES**

Can Government now state when Enrolled Nurses will be able to train up to the level of Staff Nurse?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Enrolled nurses would be eligible to apply for training to Diploma Level at the next intake provided they meet the entry requirements set by the University of Sheffield which is five GCSEs. The GHA has already through the School of Health Studies, offered Enrolled Nurses who have the necessary entry requirements, the opportunity to apply for funding to support them in completing a distance learning Enrolled Nurse Conversion Course which has been designed for them by Sheffield University.

**SUPPLEMENTARY TO QUESTION NO 1072 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Why have the Government decided not to allow all Enrolled Nurses to apply irrespective of whether they have GCSEs or not, is it that they believe that those Enrolled Nurses who have GCSEs are performing better than the others that do not have the GCSEs.

**HON DR B A LINARES:**

It is not the case that we think that one performs better than others but these are not conditions set by the Government they are conditions set by Sheffield University and it is they who validate, who have actually designed, provided and validated the course.

We have to adhere by their requirements, nevertheless I am of the view and I am moving in that direction, that equivalent experience I am of the view and I am putting those views to Sheffield University, that equivalent experience should be taken also into account as a factor in making these candidates eligible for a distance learning course after all distance learning and persons working probably with the family is a bit of a struggle and every facility should be given and I am indeed making those views clear but at the end of the day we do depend on the validation conditions of Sheffield University because we want the course to be properly recognisable academically.

**HON MISS M I MONTEGRIFFO:**

So really what the Minister is saying is that to a certain extent he does agree with my analysis and can the Minister confirm when the next intake will take place?

**HON DR B A LINARES:**

Next September.

**HON J J BOSSANO:**

The Enrolled Nurse courses are just for Gibraltar are they not because they do not exist in UK?

**HON DR B A LINARES:**

That is right.

**HON J J BOSSANO:**

Therefore it is not a question of us having to meet UK standards to achieve a UK qualification because this is a Gibraltar qualification only so what is the problem with Sheffield University accepting Enrolled Nurses who at the end of the day whether they have a GCSE or not if they do not succeed in completing the course and passing the exams they will not reach the level.

**HON DR B A LINARES:**

Precisely what we are talking about is upgrading Enrolled Nurses to the level of Staff Nurses with a diploma. The diploma is a validated course by Sheffield University, what we are talking about is following a course which leads to a diploma, in that sense Sheffield University had every right and every logic in establishing "If you want this Sheffield University validated diploma, these are the conditions and this is the course that you have to follow." Although they have designed it at a distance learning structure and methodology, nevertheless what we are talking about is the diploma, the Enrolled Nurse concept does not exist in UK anymore but the diploma is.

**HON J J BOSSANO:**

But it will not be a diploma that is a UK qualification surely because it will not be that somebody with a Sheffield University diploma will then be able to get employment as an Enrolled Nurse in the UK because it is not a qualification that exists there.

**HON DR B A LINARES:**

They will get a job as a Staff Nurse in UK.

**HON J J BOSSANO:**

They will be able to get a job as a Staff Nurse?

**HON DR B A LINARES:**

Of course.

**HON J J BOSSANO:**

I see.

**HON DR B A LINARES:**

This is what we are talking about, moving from Enrolled Nurse to Staff Nurse.

**NO. 1073 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NUMBER OF NURSES**

Can Government state what was the number of nurses in post as at the end of October 2001 with a breakdown by grade, giving the full-time equivalent of each grade?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1073 of 2001**

	<b>Staff in post end October 2001</b>
Director of Nursing Services	1
Deputy of Nursing Services	1
Clinical Nurse Manager	6
Sister/Charge Nurse	33
Staff Nurses	106.5
Senior Enrolled Nurse*	9 ( <i>*obsolesent grade</i> )
Enrolled Nurses	83
Nursing Assistant	97.5
Tutor	3
<b>Total</b>	<b>340</b>

**SUPPLEMENTARY TO QUESTION NO 1073 OF 2001**

**HON MISS M I MONTEGRIFFO:**

The Minister usually includes the number of student nurses and he has not done so on this occasion, could he pass that information to me at a later stage?

**HON DR B A LINARES:**

I can give the hon Member that information if she care's to take it down.

**HON MISS M I MONTEGRIFFO:**

Yes of course.

**HON DR B A LINARES:**

We have 11 second year students completing the diploma course in 2003 and we have 8 pupil nurses completing studies to enrolled nurse level in April 2003.

**NO. 1074 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA - POST OF RADIOLOGIST**

Can Government confirm whether they intend to recruit a permanent Radiologist for the Gibraltar Health Authority as was the case previously?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

In answer to Question No 695 of 2001 I stressed the point that we do have permanent radiology services. All practitioners, and indeed patients are happy with the current arrangements we do not have a part-time service we have a permanent full-time service. The services are currently provided by two Spanish Practitioners and are supplemented by quarterly visits from UK Radiologists who assist the GHA in auditing the service. The GHA sees no reason for changing current arrangements at this stage but continues to keep the situation under review.

**SUPPLEMENTARY TO QUESTION NO 1074 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is it not the case that the GSD gave a commitment to employ a permanent Radiologist and indeed in the last election campaign the Minister went as far as to say in the manifesto that one of the major improvements to health services had been the employment of a permanent Radiologist, does he now not believe that a permanent Radiologist is a major improvement?

**HON DR B A LINARES:**

The hon Lady must understand that we have the equivalent of a permanent Radiologist, the fact that the service is being provided by two persons that make up

one full-time service, this happens very often in teaching and in other services and other areas of employment where two part-timers will make up one full-time equivalent, so we are perfectly happy and satisfied that we are giving the full-time permanent service. The question is that it is being provided by two Spanish excellent Radiologists, nevertheless they make up a full-time equivalent and I can tell the hon Member that I have personally investigated and sought information and there is general satisfaction from doctors and staff and more important than anything else by patients.

**HON MISS M I MONTEGRIFFO:**

I agree with what the Minister has said because so was I when I was in Government and that is why I am actually asking him about the post of a permanent Radiologist because when I was in Government we had a permanent service as he says by having different doctors covering at the same time and it was actually the Opposition then which was the GSD which criticised that very service that he has now?

**HON DR B A LINARES:**

I think the hon Member has diverted from the point, the fact that we are talking about a full-time permanent Radiological service at consultancy level, that was non-existent during .....

**HON MISS M I MONTEGRIFFO:**

The Radiologists that we engaged when we were in Government they were not consultants.

**HON K AZOPARDI:**

The hon Member will remember the service that was provided when she was in Government was on a visiting specialist basis. They had visiting Radiologists come to Gibraltar, consultants, but there was no full-time permanent service available in Gibraltar and what my hon Colleague is pointing out is that we had a full-time consultant Radiologist with one person in post and now we have the equivalent of a full-time consultant Radiology service which is not what they had when they were in Government.

**HON MISS M I MONTEGRIFFO:**

I beg to disagree with the Minister because never in the years that I was in Government did we have one day when we were not able to provide a consultant Radiologist in the x-ray department but be that as it may, are the Government considering, seeing that he says the matter is under review, that one day perhaps they will engage the services of a permanent Radiologist. It is just that I hear so much about medical Spanish institutions and Spanish doctors that I am worried that one day we are going to be taken over by the Spaniards.



**HON K AZOPARDI:**

It is absolute rubbish to suggest that the hon Member had a Radiologist in Gibraltar 365 days of the year, what they had was access to a Radiology service what we have now is a permanent radiology service here 365 days a year, it is completely different.

**HON MISS M I MONTEGRIFFO:**

I cannot accept that because we had the same service having a consultant for 365 days a year too which I can not understand the difference.

**NO. 1075 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PSYCHO – GERIATRIC PATIENTS**

Can Government now state how many Psycho-Geriatric Patients have been admitted in KGV from 1<sup>st</sup> April to end of October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

There were seven psycho-geriatric patients admitted to KGV from 1<sup>st</sup> April to end of October 2001. I am talking about admissions, seven admissions, five of these patients have been discharged and only two remain actually in the KGV at present.

**SUPPLEMENTARY TO QUESTION NO 1075 OF 2001**

**HON J J BOSSANO:**

In arriving at this statistic, if a person is admitted, discharged and admitted because quite a lot of them go in voluntarily and therefore can not be retained if they choose to leave, is that counted as an admission every time they go out and they come back or are we talking about seven different people?

**HON DR B A LINARES:**

We are talking about seven different patients but of those, five are not in the KGV at present.

**HON J J BOSSANO:**

What I am saying is in the period April to October there could be people who have actually not been there the whole period, been and then have been discharged and then sort of had to come back again?

**HON DR B A LINARES:**

The question was how many patients have been admitted albeit three or four times during that period but seven patients were admitted and are not currently there now that is the information I have got.

**NO. 1076 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**CONSULTANT ELDEROLOGIST**

Can Government state whether the Geriatrician is based in a clinic?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The Consultant Elderologist has provision of clinic space at the Elderly Care Agency, plus the use of a host clinic within St Bernard's Hospital.

**SUPPLEMENTARY TO QUESTION NO 1076 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is the Geriatrician able to see patients who are in effect out-patients, in fact is it that GP's are able to refer patients to the Geriatrician?

**HON DR B A LINARES:**

I should think so but I have not checked on that myself.

**HON MISS M I MONTEGRIFFO:**

I will be grateful if the Minister would check on it and also is the Geriatrician able to do private practice?

**HON DR B A LINARES:**

The Geriatrician is of course subject to the agreement that regulates private practice which applies to all consultants. So yes he would be entitled to carry out private practice within the constraints and within the margins or parameters of the private practice agreement.

**HON MISS M I MONTEGRIFFO:**

But the Geriatrician does happen to visit St Bernard's Hospital Wards and does the normal rounds for the elderly patients?

**HON DR B A LINARES:**

Indeed.

**HON MISS M I MONTEGRIFFO:**

Does he have an input as regards which elderly patients should be moved to Mount Alvernia?

**HON DR B A LINARES:**

Yes one of his roles will be to advise and to liaise with other consultants and with the hospital services management in terms of assessing and advising of these charges and on transfers to Mount Alvernia.

**NO. 1077 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**MENINGOCOCCAL INFECTIONS**

Can Government confirm that the deaths from Meningococcal infections in Gibraltar has not been as high in any previous recorded year, as it has been in the current year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Records on notifications go as far back as 1987 and during this period, three deaths occurred in 2001 from Meningococcal disease of these, two were caused by Group C and one caused by Group B. Previous to this, deaths have occurred in 1987, 1989, 1993 and 1998, one each in each of these years.

**SUPPLEMENTARY TO QUESTION NO 1077 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Therefore by implication he should be saying yes to my question. In the year 2001 there has been three deaths, in all the other years that the Minister has actually made reference to we are talking about one death, in 1987 one death but there were 20 notifications, in 1989 – one, in 1993 – one, in 1998 – one, and in 2001 – three. What I am asking is can they confirm that the deaths have not been as high in any previous recorded year as it has been in the current year?

**HON DR B A LINARES:**

I hope the hon Member is not suggesting that this miniscule sample of statistics can in any way reflect any significant pattern either of epidemic and what is worse a pattern of malpractice or negligence on the part of the practitioners. The Leader of the Opposition will be able to inform her that in the law of statistics miniscule samples of this nature cannot reflect any significant patterns, they are subject to the whirligig of

chance, they are fortuitous. Perhaps I can illustrate this point rather in an interesting way by saying that one of these deaths, one of these three deaths actually occurred in January 2001, if this sad death had occurred a month before the statistics for 2000 would have gone up by one and we would have gone up by two. This shows that it is not scientific at all, certainly it would be dishonourable to suggest that there is any prior pattern of malpractice in the fact that these deaths have suddenly occurred this year. Neither can we contemplate an epidemic either for scientific reasons as well, that is why I pointed out in the answer that two of the deaths were caused by Group 'C' and one caused by Group 'D' because that precisely shows the two different strands show that there is no what they call continuum, incidence continuum, the fact also that the deaths occurred with time spaces between them also show that there is no way that they can be interpreted as a continuum reflecting an epidemic. I wanted to point that out but in that context with that assurance that there is no insinuation of anything like that, yes, there were three deaths in the year 2001 and there was one death in 1987, 1993, in other words this year we have had more, two more than in all those years.

**HON MISS M I MONTEGRIFFO:**

I have not said anything about malpractices, I do happen to have the table in front of me which was provided by the Gibraltar Health Authority and all I expected the Minister to do was to give a simple answer to the question which is yes. It does not mean that I am saying that there is an epidemic I have not said that, I have just said can he confirm that the trend is in the increase?

**HON DR B A LINARES:**

No, there is no trend, the hon Member is talking about trends an incidence of three deaths in 2001 and an incidence of one death of other years. There is no trend this is the point I am trying to make.

**HON J J BOSSANO:**

We accept that there is no trend because a trend would require several years consecutively to be pointing in a particular direction but the laws of probability given that the Minister refers to my limited knowledge of statistics, I do not have the expertise that Mr Ernest Montado has on the subject, but I think I may have more than seems available sometimes to the Government within their own resources to judge from some of the answers we get in this House that the laws of probability would suggest that if we had looked at the figures up to December 2000 no one would have predicted that the following year we would have three because it butts the trend. The trend that exists is that in fact there is one death every two years or every three years that is the trend established until the year 2000. That the incidence of death from Meningococcal infections in Gibraltar until last December was on average one every two or three years and clearly not related to the number of infections because in fact we had one when we had 20 infections and we had 1 when we had 4 infections and we have had one death when we had one infection so there is a pattern which one would say would be the normal mortality rate in Gibraltar from this particular cause and usually unexpectedly and unexplainably there is a change in that pattern in the year 2001 and therefore the reaction was if something upsets what has been the established pattern for 13 years one would expect some concern on the part of the Health Authority in case it was indicative of something that needed looking at and

what I think the Health Authority was wrong in doing was that it sought to deflect the concern by the number of deaths by instead of responding to the question of the number of deaths by responding to the question of the number of infections. The Health Authority conveniently ignored the question of the number of deaths and told the public in Gibraltar that it was normal because it had fluctuated between 20 people getting infected in 1987 to zero in the year 2000 and that therefore the five infections this year was not significant, but we were not talking about the infections, we were talking about the deaths because if there are 20 and all 20 get well nobody will be worried.

**HON DR B A LINARES:**

I would be worried.....

**HON J J BOSSANO:**

If 20 get well?

**HON DR B A LINARES:**

If there were 20 it shows an epidemic and the fact that none of them died, thank God, that does not mean that there is not a really menace and a real danger if we are in the throes of an epidemic I would have said the GHA was absolutely right in focusing on the much more dangerous reality of an epidemic of the 20 deaths in one year which very much signify that there is a real problem there than in the small pattern and samples that we have had. If one talks about a trend I would accept that there is some sort of mathematical trend as the hon Member has described it but if he means by a trend with an underlying cause that is what I cannot accept.

**HON J J BOSSANO:**

We are not projecting it into the picture.....

**HON DR B A LINARES:**

Fine then we are agreed on that.

**HON J J BOSSANO:**

I am saying that the history of.....

**HON DR B A LINARES:**

There is a mathematical abstract trend there in terms of statistics but there is no, in any case the three deaths of course as the House knows have been subjected to inquests and investigation and post mortems to detect and to actually ascertain what the causes were.



**NO. 1078 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**AVAILABILITY OF BEDS IN ST BERNARD'S HOSPITAL**

Can Government confirm whether they are satisfied with the situation relating to the availability of beds at St Bernard's Hospital?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1081 and 1082 of 2001.

**NO. 1079 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**POST OF CHIEF-EXECUTIVE**

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 AND HEALTH**

No.

**SUPPLEMENTARY TO QUESTION NO 1079 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I take it therefore that the Government do not accept the claim that has been put in by the Chief Executive in the Health Authority?

**HON DR B A LINARES:**

The Chief Executive has not made a formal claim at all but certainly it does not mean that and it does not mean that the Government are not concerned about the salary level of the Chief Executive. The Government are concerned and the Chief Minister has made it clear in answer to previous questions in the House that he is certainly looking at this matter but he is looking at it globally in the context of a broad review of senior posts and responsibility related at specific of senior posts.

**HON MISS M I MONTEGRIFFO:**

Every time I bring this question I am told that the matter is being looked at and we are now on the fourth year that it is being looked at. When we are talking about a review of senior grades is it going to take another three, four years or does the Minister have an idea whether the matter will be resolved before this term of office.

**HON DR B A LINARES:**

It is very much in the mind of the Chief Minister.

**NO. 1080 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA - PRIVATE PATIENTS**

Can Government confirm how many Private Patients are being treated at St Bernard's hospital as out-patients and as in-patients on a monthly basis since they introduced Private Practice?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The Government have not introduced Private Practice into the hospital as suggested by the question. The Government have regulated it so that it does not prejudice public patients something that they when in office did not think it necessary or important to do.

**SUPPLEMENTARY TO QUESTION NO 1080 OF 2001**

**HON MISS M I MONTEGRIFFO:**

The Minister does not answer the question he goes back and criticises us, what we were doing was completely different to what this Government has done and I have explained it in this House. They have regularised it, they have introduced it because we were phasing it out but being that as it may they have been six years in Government and it is now their turn to be answerable to what they say they are going to do, therefore the question that I will formulate is a repeat of my original question, is the Minister prepared to tell me how many private patients are being treated at St Bernard's Hospital as outpatients and as inpatients on a monthly basis? All he has to say is I am prepared or I am not prepared.

**HON DR B A LINARES:**

Government are concerned that the private practice does not encroach into the service that the Authority gives to public patients. In that sense we feel satisfied that this has been regulated and controlled by the Private Practice Agreement which came into effect in January 2000 and therefore the practice carried out by consultants outside their working hours in terms of outpatients and with controlled operations on a weekly basis, one major, two intermediate or four minors is a matter for them to regulate and to account for and it is not part of the private practice agreement that they should actually give an account to the Authority. I am not prepared to give the hon Lady the information that she seeks.

**HON MISS M I MONTEGRIFFO:**

In the last House of Assembly Meeting I was told by the Government that indeed they have the figures, is it that the Minister knows but does not want to tell the Opposition, is that the case?

**HON DR B A LINARES:**

We may know, we may not know but certainly we do not feel that this area of private practice comes under responsibility and accountability by the Government or the Opposition. Whether we know or not know is not the point, the point is that we are not accountable or responsible for this information.

**HON MISS M I MONTEGRIFFO:**

When Government facilities are being used and the monies are being voted here for the Health Service surely are not the Government responsible for the implementation of policies by them within a public service.

**HON DR B A LINARES:**

It is not a public service it is private practice and we are satisfied that it does not encroach on the service that the consultants are paid to give to our public patients.

**HON MISS M I MONTEGRIFFO:**

The Minister says that he is satisfied, well the Chief Minister is not satisfied because in the last House of Assembly Meeting he did say “ the hon Member is absolutely right, as far as our concerns, they use,” talking about the consultants, “they use the public list as a marketing tool for their private practice that is absolutely correct and we will be looking at this.” So it is incredible that the Minister for Health says in this House that the private practice is not encroaching in the public service, that he is not willing to pass over information when we are talking about consultants using a public service for their private practice and also it is incredible that the patients that go to St Bernard’s Hospital actually agree with what the Chief Minister has said and with our observation that the public waiting lists are being affected by the private ones.

**HON DR B A LINARES:**

Public waiting lists are actually alleviated by the fact that some people go privately otherwise there would be actually inflated.

**HON J J BOSSANO:**

Can I ask the Minister these private patients do they make a payment to the Health Authority independent of the payment they may make to the consultant whose patient they are?

**HON DR B A LINARES:**

Yes they pay the Health Authority for the services that the Health Authority has given to them like investigations et cetera.

**HON J J BOSSANO:**

Therefore does the Minister still think that he is not in his role as Minister for Medical Services bound to answer as a legitimate question in this House how many people are paying the Health Authority as private patients because that would give us the number of the patients because if he does not want to give it to us for another reason then he can give it to us because they pay him or does he not think it is information he should share notwithstanding the fact that it is Government revenue.

**HON DR B A LINARES:**

That route would give us the revenue raised from these patients but certainly would not give us an indication of the numbers which is really what is being sought.

**HON J J BOSSANO:**

I am saying suppose the question was formulated on the basis, look I have had a number of questions answered today were I asked how many people paid tax at the rate of 20 per cent, how many people paid tax at the rate of 35 per cent, how many people are paying PAYE and I do not see why it is not equally legitimate to say how many people have paid the Health Authority as private patients since the beginning of April in the current financial year?

**HON DR B A LINARES:**

If that question is asked in that way we would consider following an enquiry into that respect.

**NO. 1081 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**ELDERLY CARE PATIENTS**

Can Government state how many Long Stay Elderly Care Patients there were at St Bernard's Hospital in April, May, June, July, August, September, and October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1078 and 1082 of 2001.

**NO. 1082 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – MOUNT ALVERNIA**

How many Elderly Citizens are awaiting a place at Mount Alvernia and how many of these are occupying a bed at St Bernard's Hospital?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1078 of 2001**

No, we are not satisfied with the situation relating to the availability of beds at St Bernard's Hospital.

**Answer to Question No 1081 of 2001**

The number of Long Stay Elderly Patients at St Bernard's Hospital was as follows:-

April	48
May	45
June	47
July	43
August	46
September	45
October	42+

**Answer to Question No 1082 of 2001**

Fifty-one patients have applied for residency within the John Mackintosh Homes and 18 are in St Bernard's Hospital.



**SUPPLEMENTARY TO QUESTION NOS 1078, 1081 AND 1082 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware that because of the lack of beds at St Bernard's Hospital there are operations being cancelled very frequently?

**HON DR B A LINARES:**

I am aware that operations, selective operations are occasionally cancelled but I would not say very frequently.

**HON MISS M I MONTEGRIFFO:**

Does the Minister not consider that it is prudent of the Health Authority to have a record of how many operations, routine operations are being cancelled on a weekly or a monthly basis?

**HON DR B A LINARES:**

I assure the hon Lady that this is being carefully monitored and logged.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware then how many operations are being cancelled on a weekly or a monthly basis?

**HON DR B A LINARES:**

I am not aware at this moment of time in my own mind but I am aware that the statistics are there, the records are there and that they are all logged and that they can be made available.

**HON MISS M I MONTEGRIFFO:**

Can the Minister provide the Opposition with a number of operations that have been cancelled over a period of time?

**HON DR B A LINARES:**

As this is a matter that is being held and operated by the hospital management I will consult with them as to the availability of the records.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware because I happened to experience this incident, about an elderly lady who was told that she had to go a day before the operation because apparently this is the new policy or a policy that has existed for quite a number of months to check in and that this lady was told to go a day before the operation, she was clerked in then in the evening she was told that she should fast but that a bed was not guaranteed. The following morning she was called again, she was told that she could go within 10 minutes she was called again to say that there were no beds available and then ultimately she was called to go up. Does the Minister agree that therefore the checking-in or the clerking-in is an added burden to the patient because we are talking about an exercise which only takes about 10 minutes and patients are being made to go without knowing whether they will actually be allowed for the operation because of shortages of beds?

**HON DR B A LINARES:**

As far as I am told the clerking-in system is working well because it does dislodge a bed that would otherwise be occupied by a person who is only waiting for an operation the next day but in general terms I believe this is working properly but in this particular case I am not aware of that particular case and certainly I will investigate it if the hon Member cares to give me privately and identify the person as she often does in cases where some confidentiality is required.

**HON MISS M I MONTEGRIFFO:**

I will do so and I will also inform the Minister that out of five people who went to St Bernard's three were only taken in and two were sent back home and I will pass over the information to him.

**HON J J BOSSANO:**

Would the Minister agree that in the light of his investigating specific cases like this if this is something that happens regularly then the system would need to be looked at again because it must be obvious that people are already worried about the thought of having to go for an operation and this can only add to the stress of having to build up I imagine the expectation of being operated and then to be told to go home and then to be told again that they are going to be operated cannot be doing the patient any good?

**HON DR B A LINARES:**

My answer to the initial question as to whether the Government were satisfied with the bed situation in the St Bernard's Hospital I very frankly and honestly said that we are not satisfied. There is a problem there, we have to look scientifically and practically at the causes of it and try to find the solutions, obviously this is what I feel perfectly confident that the hospital services management and the Chief Executive and the Director of Operations and the Director of Nursing are constantly attending to because obviously the situations that the hon Member has described to me are of course not at all satisfactory to anybody.

**NO. 1083 OF 2001**

**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<sup>st</sup> April to the end of October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1084 of 2001.

**NO. 1084 OF 2001**

**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<sup>st</sup> April to end of October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1083 of 2001**

	<b>Out-patients attendance Casualty</b>	<b>Out-patients Attendances at clinic</b>
<b>April</b>	1706	1452
<b>May</b>	1915	1711
<b>June</b>	1880	1768
<b>July</b>	1800	1631
<b>August</b>	1933	1368
<b>September</b>	1893	1608
<b>October (to 30<sup>th</sup>)</b>	1763	1814
<b>Total</b>	<b>12890</b>	<b>11352</b>

**Answer to Question No 1084 of 2001**

	<b>In-patient Admissions</b>	<b>Average no of patients per day</b>
April	463	133
May	491	135
June	450	138
July	477	124
August	429	132
September	417	136
October	410	134

Average number of patients per day 133.

Average admissions per day 15.

**SUPPLEMENTARY TO QUESTION NOS 1083 AND 1084 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Can the Government say whether they are indeed using such statistics in order to decide the number of beds for the new hospital?

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

So we hope that the Minister will not be suffering when they build the new hospital from any shortages of beds, we hope that that will happen. Is the Minister hopeful that he will be able to eradicate the problem of the shortages of beds when and if he builds a new hospital ?

**HON DR B A LINARES:**

Yes.

**NO. 1085 OF 2001**

**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<sup>st</sup> April to the end of October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1086 of 2001.

**NO. 1086 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NUMBER OF HOUSE-CALLS**

Can Government state how many house-calls were attended to by Health Centre Doctors from 1<sup>st</sup> April to end of October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1085 of 2001**

The total number of attendances at the Health Centre during the period 1<sup>st</sup> April to 30<sup>th</sup> October 2001 was 84,389.

**Answer to Question No 1086 of 2001**

The number of House-Calls attended to by the Health Centre doctors during the period 1<sup>st</sup> April to 30<sup>th</sup> October 2001 during clinic hours was 3,631.

**SUPPLEMENTARY TO QUESTION NOS 1085 AND 1086 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I will need to spend a little bit of time to work the calculation but perhaps the Minister can confirm whether these figures are decreasing, static or increasing?

**HON DR B A LINARES:**

I will have to look that up myself I do not have the information in front of me.

**NO. 1087 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ALZHEIMER’S DISEASE**

Following the request by the Opposition that the Drug Remienyl for Alzheimer’s Disease be made available in Gibraltar and given the answer given to Question No 709 of 2001, can the Minister for Health now confirm whether the Dementia Clinic is operational?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

I do not quite know what the hon Lady means by following the request by the Opposition she means chronologically following, yes, if she means as a result of the Opposition’s representations certainly not. But I am very pleased to announce that the Formulary committee approved the proposal by the consultant psychiatrist in its entirety and has also issued guidelines on prescribing procedures by the Dementia Clinic. A joint Dementia Clinic is to be held on the 2<sup>nd</sup> Thursday of every month at Mount Alveria building up on the successful memory clinic set up by the consultant psychiatrist about six months ago and the first Dementia Clinic will take place on November 8<sup>th</sup> 2001 although the formal launch of the Dementia Clinic is to be held on 13<sup>th</sup> December 2001. Only a small proportion of those assessed by the Memory clinic were found to benefit from Galantamine (Reminyl®). To date about 20 persons have received Galantamine.

**SUPPLEMENTARY TO QUESTION NO 1087 OF 2001**

**HON MISS M I MONTEGRIFFO:**

When we talk about request we did actually request that the drug be made available through a Question in the previous House of Assembly Meeting.



**NO. 1088 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO UK**

Can Government state since the 1<sup>st</sup> April to the end of October 2001 what was the total number of patient referrals to the UK?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1089 to 1092 of 2001.

**NO. 1089 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO UK**

Can Government state what was the number of Sponsored Patients treated in the UK from 1<sup>st</sup> April to the end of October 2001 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 AND HEALTH**

Answered together with Question Nos 1088 and 1090 to 1092.

**NO. 1090 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO UK**

Can Government state what was the total number of Sponsored Patients treated in the UK for the period 1<sup>st</sup> April 2001 to the end of October 2001 with the costs being met by the UK Government and what was this cost?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1088, 1089, 1091 and 1092 of 2001.

**NO. 1091 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENTS REFERRALS TO SPAIN**

Can Government state how many patients have been given a choice of being treated in Spain as opposed to the UK as Sponsored Patients and have elected to go to Spain since the commencement of the agreement?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question Nos 1088 to 1090 and 1092 of 2001.

**NO. 1092 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO SPAIN**

Can Government state the number of patients that have been sent to Spain for Scans each month of the current year and the comparable figures for last year?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1088 of 2001**

The total number of referrals for the period 1<sup>st</sup> April to the end of October 2001 was 693.

**Answer to Question No 1089 of 2001**

Two hundred and ninety-seven sponsored patients were treated in the UK from the 1<sup>st</sup> April 2001 to the end of October 2001. The medical costs as invoiced to date are £137,837.50.

**Answer to Question 1090 of 2001**

One hundred and nineteen patients were treated as quota patients between 1<sup>st</sup> April 2001 and the end of October 2001. Costs have not been provided by the UK.

**Answer to Question No 1091 of 2001**

With regard to the question of how many patients have been given a choice of being treated in Spain as opposed to the UK and have elected to go to Spain since the commencement of the agreement I have already stated in answer to Question No 1065 of 2001 that there has been no formal agreement and therefore no commencement date has been established from which a calculation can be made.

**Answer to Question No 1092 of 2001**

<b>Month</b>	<b>2000</b>	<b>2001</b>
January	41	88
February	76	101
March	93	85
April	40	111
May	76	110
June	54	132
July	54	83
August	42	102
September	52	116
October	122	123

**SUPPLEMENTARY TO QUESTION NOS 1088 TO 1092 OF 2001.**

**HON MISS M I MONTEGRIFFO:**

In Question No 1091 of 2001 the Minister obviously is now saying that there is no Agreement but can he not give the figure of sponsored patients that are being sent to private and public institutions that were not being used before per the list that he passed over to me in answer to Question No 1060 of 2001?

**HON DR B A LINARES:**

That list we agreed there was only one new hospital institution. I perhaps should have answered as well in answer to Question 1091 of 2001 that out of 43 patients who have been referred since the 1<sup>st</sup> of July 2001, five patients actually opted to be treated in Spain and the referral was approved by the Consultant.

**NO. 1093 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO SPAIN**

Can Government state what are the arrangements for payment in respect of patients sent to Spain for Scans?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

It is not clear from the question whether the hon Member is referring to payments made to the institution or to the patient. The appointments for the patients are made by the Radiology Department. The latter certify the invoices on arrival and these are forwarded to the Sponsored Patients Section for payment. Payment is made by draft in Euros. With regard to the petrol allowance given to patients, this is paid by the Sponsored Patients Section directly to the patient or escort in advance of the appointment from an imprest. The rates are Algeciras £2.50, Marbella £5.00, Malaga/Cadiz £10.00.

**SUPPLEMENTARY TO QUESTION NO 1093 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I was just going to ask the Minister to confirm whether he was including the scans also in Malaga, so we are talking about scans in Algeciras and the MRI in Malaga. What I am interested in, perhaps the Minister can provide me with this information, is the amount that the Gibraltar Health Authority is paying for these scans over a period of time to the Spanish Clinic?

**HON DR B A LINARES:**

Over what period of time?

**HON MISS M I MONTEGRIFFO:**

What has been spent up to now in this financial year?

**HON DR B A LINARES:**

I will be providing the amount I do not have with me that figure but I will provide it.

**HON MISS M I MONTEGRIFFO:**

Thank you.

**HON J J BOSSANO:**

Can the Minister explain how is it that this cannot be done through the form E111 and the EEC system that we use for patients as the Minister was saying in relation to people using hospitals in Spain for treatment. That is covered by the EU arrangement the reciprocal arrangements were Member States charge each other, why is it that the scans cannot be included in that system?

**HON DR B A LINARES:**

I am informed that this is outside the scope of the EU Regulations we are talking about investigations and not treatment.

**HON J J BOSSANO:**

So the EU only covers where a treatment is required.

**HON DR B A LINARES:**

Specialised treatment.



**NO. 1094 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – MEDICAL CERTIFICATES**

Can Government confirm whether Medical Practitioners at St Bernard's Hospital are no longer providing Medical Certificates to employees working within the Authority who are unable to work?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Medical Practitioners do issue Medical Certificates at St Bernard's Hospital. It is only Senior House Officers at Accident and Emergency (A&E) department who no longer do so., when the certificate requested does not relate to A & E medicine.

**SUPPLEMENTARY TO QUESTION NO 1094 OF 2001**

**HON MISS M I MONTEGRIFFO:**

The Minister is actually saying that this is a new policy that Senior House officers are no longer issuing medical certificates?

**HON DR B A LINARES:**

Senior House Officers in the A & E Department and they do issue certificates for matters which are very much within the scope of accidents and emergencies but not for other medical treatments which are related to general practice.

**HON MISS M I MONTEGRIFFO:**

I have a few cases of people who were diagnosed with certain medical conditions and were told by the Senior House Officer and indeed by the Administration that the Senior House Officers were no longer able to provide the certificates even though they had told the employees that they were unable to work, is the Minister aware that they are now told that they need to go to the Health Centre in order to get a medical certificate?

**HON DR B A LINARES:**

I am aware in respect of Senior House Officers in the A & E Department as I have stated. They may issue treatment, medication, but they cannot issue certificates of being unfit for work. These are matters much more related to General Practice.

**HON MISS M I MONTEGRIFFO:**

But this is a departure of what used to happen before because now we have a situation where employees are having to leave the premises and go to the Health Centre. Would it not be more logical for a Senior House Officer to refer the matter to a consultant at the hospital who will issue the certificate, rather than place a further burden to the Health Centre having the employees departing the premises and going to the Health Centre.

**HON DR B A LINARES:**

They do not have to leave the establishment for treatment or for medication but they do have to leave the premises for a certificate of being unfit for work because that is very much within the scope of General Practice and not of an Accident and Emergency Doctor.

**HON MISS M I MONTEGRIFFO:**

I do not wish to press too much this point but if it is the Senior House Officer who diagnoses the patient therefore would it not be more convenient if he has diagnosed the patient already rather than having him have to go to the Health Centre and place a further burden on the GP's all he needs to do is to refer the matter to his consultant and then provide the medical certificate.

**HON DR B A LINARES:**

Doctors within St Bernard's can certificate, only the Accidents and Emergency House Doctors are not geared to this certification and they are the only ones who are not issuing certificates at this stage but other doctors in St Bernard's may do so.

**HON MISS M I MONTEGRIFFO:**

That is why I am saying is it not more practical that they should refer the matter to their consultants rather than have the employee to go all the way down to the Health

Centre place a further burden on the GP's there and not have a simpler system because a Senior House Officer.....

**HON K AZOPARDI:**

With respect both the hon Member and the Minister are repeating the same point. The hon Member is saying that medical certificates should be issued within the hospital and my Colleague has said in his answer that medical practitioners at St Bernard's do issue medical certificates, the only distinction that he raises is that Senior House Officers in Accidents and Emergencies do not. Every one else who is a medical practitioner at St Bernard's does so the point that the hon Member is making is already catered for.

**HON MISS M I MONTEGRIFFO:**

So the Government can confirm then that if an employee is told by a Senior House Officer that he cannot issue the medical certificate even though he has diagnosed the patient that if the patient then turns to the Senior House Officer and says " Well can it be issued by a consultant at the hospital," the answer would be yes.

**HON DR B A LINARES:**

A Senior House Officer in A & E can actually give treatment for a diagnosed ailment but what he cannot do is certificate absence from work but the consultant and the SHO within the hospital may do so.

**NO. 1095 OF 2001**

**THE HON J L BALDACHINO**

**VOCATIONAL CADETS**

Can Government state how much has been spent to date out of £910,000 Vocational Cadets Expenditure.

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The Government have spent £511,633.66 on the Vocational Cadets Expenditure as at 30 October 2001.

**SUPPLEMENTARY TO QUESTION NO 1095 OF 2001**

**HON J L BALDACHINO:**

Does the Minister think that the total of the £910,000 will be spent in this financial year, how many employers have taken up the offer under the Cadet Scheme for the £511,000 that have already been spent and how many cadets have been taken by how many employers, if any of the cadets that have already been paid out of this have finished the course they were supposed to do, how many have been employed and when they have finished the trade and what type of qualifications are the Cadets being trained for and in what trades?

**HON DR B A LINARES:**

The first question, whether the budget of £910,000 will be spent, I would think it is pretty close because £511,000 in six months more or less tallies with the yearly budget. With regards to the Cadets we have two intakes at present, I will give the hon Member the details.

**NO. 1096 OF 2001**

**THE HON DR J J GARCIA**

**THEATRE ROYAL**

By when must the EU funding earmarked by the Government for the Theatre Royal restoration project be spent?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1045 of 2001**

The full extent of the Theatre Royal refurbishment has not been publicly announced by the Government as yet and as such details of the total cost are not fully determined.

**Answer to Question No 1096 of 2001**

EU funding approved under the Objective 2 1997/99 programme for the Theatre Royal project ends on 31<sup>st</sup> December 2001.

**SUPPLEMENTARY TO QUESTION NOS 1045 AND 1096 OF 2001**

**HON DR J J GARCIA:**

Does that mean it has to be earmarked by the end of this year not necessarily spent?

**HON DR B A LINARES:**

Is spent.

**HON S E LINARES:**

Does the Minister know how much money comes from the EU, is it not the case that these projects have to be matched by Government that means that if the EU puts in a certain amount the Government have to match that amount?

**HON DR B A LINARES:**

One thing is not related to the other, the question asked by the hon Member is about the projected total cost of the design project which is now entering into stage 'D', we have just covered stage 'C'. Stage 'C' is the building design and until then it is premature to be able to assess what the total cost is, this has nothing to do with how much will the percentage from Government be and what percentage will come from the EU.

**HON S E LINARES:**

How much of the Objective 2 has been applied for?

**HON DR B A LINARES:**

For the next programme the application has not yet been determined.

**HON J J BOSSANO:**

The work carried out now is from the EU programme that started in 1999, surely it is possible to establish how much of that has been spent to-date on the Theatre Royal?

**HON DR B A LINARES:**

It is projected that by the end of this year we will have spent £1 million.

**NO. 1097 OF 2001**

**THE HON DR J J GARCIA**

**THEATRE ROYAL**

How many tenderers applied for the tender for Demolition and Enabling Works at the Theatre Royal, who were they and how much did each bid?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

The following tenderers applied for the tender for the Demolition and Enabling Works at the Theatre Royal:

1. Fitzpatrick Contractors Ltd
2. Sharrock Shand Ltd
3. Skanska
4. Blacktop Ltd
5. Topgem Ltd

It is Government practice only to divulge the amount bid by the successful tenderer, which in this case was Fitzpatrick Contractors Ltd with a bid of £208,086.69.

**SUPPLEMENTARY TO QUESTION NO 1097 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether this was the lowest tenderer?

**HON DR B A LINARES:**

As with all tenders the award criteria was not exclusively based on the lowest offer, in this particular case only three of the tenderers namely Fitzpatrick, Topgem and Sharrock Shand fully complied with the tender instructions and submitted all the required documentations. Of these Fitzpatrick's was clearly the most competitive on price grounds with particularly competitive day-work prices.



**NO. 1098 OF 2001**

**THE HON DR J J GARCIA**

**HOTEL, CATERING AND HOSPITALITY SERVICES COURSE**

How many students who completed the 6<sup>th</sup> Intake of the course on Hotel Catering and Hospitality Services have gone on to obtain employment in that sector?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1099 of 2001.

**NO. 1099 OF 2001**

**THE HON DR J J GARCIA**

**HOTEL, CATERING AND HOSPITALITY SERVICES COURSE**

How many persons expressed an interest in taking part in the Hotel, Catering and Hospitality Services Course advertised on 4th September, how many openings were there and how many will proceed to start the course?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

**Answer to Question No 1098 of 2001**

A total of eight trainees have completed their course, of which four have obtained permanent employment within the Tourism sector. One Trainee apart from the four who have obtained permanent employment, one has left Gibraltar for the UK to undertake further studies leading towards a Higher National Diploma and HND in Tourism and Leisure Management.

**Answer to Question No 1099 of 2001**

The total number of enquiries received for Intake 8, advertised in September 2001, was 41. Of these, 26 applications were received, 15 applicants were found successful in interviews and 15 commenced training in October 2001.

**SUPPLEMENTARY TO QUESTION NOS 1098 AND 1099 OF 2001**

**HON DR J J GARCIA:**

Is the Minister in a position to say what happens to the other three of the eight?

**HON DR B A LINARES:**

No, I am not in a position here and now to say exactly what has happened to them.

**HON J J BOSSANO:**

Of the four that were employed in the tourism sector, to what extent is their employment directly related to the course that they followed?

**HON DR B A LINARES:**

It is very difficult to assess that, it is an internal almost intrinsic sort of process and motivation, I would say that the course has enabled them to obtain employment, has given them an opening and certainly necessary skills in that area of employment.

**HON J J BOSSANO:**

Presumably the Minister would say that because that is what he would like to be the case not because he can actually say, " We trained somebody as a waiter and he has been employed as a waiter – or – We trained him as a cook but he has been employed as a cook." We do not know whether the people who actually went into the sector have gone in as unskilled labourers which was the state of their skills before they went through the Hotel, Catering and Hospitality Services in the absence of evidence to the contrary?

**HON DR B A LINARES:**

One would have to ask the employers and also one would have to ask the monitors in the training unit who actually steer the passage from the training into employment but I would actually bet my bottom dollar that the skills derived in this course has actually enabled and been very welcomed by the employers when interviewing and recruiting employees for their different tasks in their employment.

**HON DR J J GARCIA:**

Is the Minister in a position to say where they are employed and what as?

**HON DR B A LINARES:**

I can say where they are employed but not exactly in what position, Norma Jean Restaurant, The Rock Hotel, The Gibraltar Air Terminal and The Elliott Hotel.

**NO. 1100 OF 2001**

**THE HON DR J J GARCIA**

**BUSINESS MANAGEMENT PROGRAMME**

How many parties have expressed an interest in participating in the 5<sup>th</sup> course leading towards a Certificate/Diploma in Business Management organised by the University of Durham following its launch in May?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

According to the University of Durham up to 40 people expressed an interest in the 5<sup>th</sup> Business Management Programme.

**SUPPLEMENTARY TO QUESTION NO 1100 OF 2001**

**HON DR J J GARCIA:**

Are these 40 now actually proceeding with the Diploma course or has that narrowed down?

**HON DR B A LINARES:**

It has been narrowed down to 20 people.

**HON DR J J GARCIA:**

Can the Minister say whether the course has already commenced and is proceeding with those 20 people?

**HON DR B A LINARES:**

Certainly the 4<sup>th</sup> BMP course was completed in October 2001, the Post-Graduate Diploma in Strategic Management is proposed for January 2002, it is still to start in 2002 the 5<sup>th</sup> Course.

**HON DR J J GARCIA:**

Could I ask the Minister how many completed the 4<sup>th</sup> course?

**HON DR B A LINARES:**

Twenty.

**NO. 1101 OF 2001**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY**

Can Government list the areas of disagreement that have now been identified in the negotiations between the Government and the Ministry of Defence over the transfer of the Garrison Library?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

Answered together with Question No 1102 of 2001.

**NO. 1102 OF 2001**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY**

At what stage is the Government's consideration of the counter-proposals by the Ministry of Defence for the transfer of the Garrison Library?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

There are no specific areas of open disagreement between the Library Committee and the Government. But there are still many areas open to negotiation in the context of the proposals made to us by the Library Committee. I cannot give any more details at this stage while these discussions are in process.

**SUPPLEMENTARY TO QUESTION NOS 1101 AND 1102 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to say without giving any specific detail as to the amount whether they are asking for a payment as part of the deal?

**HON DR B A LINARES:**

I can confirm that the question of payment has not come on the table of negotiation or discussion.

**NO. 1103 OF 2001**

**THE HON J J BOSSANO**

**GHA – COST PER BED**

Are the Government now in a position to give the estimated cost per bed at KGV and St Bernard's Hospital respectively?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH**

No.

**SUPPLEMENTARY TO QUESTION NO 1103 OF 2001**

**HON J J BOSSANO:**

Can the Government explain why they are not able to give the information?

**HON DR B A LINARES:**

As I explained in answer to Question No 717 of 2001, we do not have a figure of costs per bed because in order to do so we would need to carry notional ledgers and apportion costs such as salaries, wages, fuel, grants, meals, works, equipment, laundry, hardware, medical gases, bandages, pump services et cetera and as we discussed or rather the Leader of the Opposition discussed with the Chief Minister last time, we suggested we could ask the Hospital Management whether they have costs and nominal ledgers as an establishment as opposed to all the Health Service because the idea was to strip all these costs in order to establish the cost per bed but management has not been able to provide this extensive exercise.



**HON J J BOSSANO:**

The way we left it last time in Question No 717 of 2001 was that I was told "We can ask the Hospital Management whether they have costs, nominal ledgers on the persons at St Bernard's Hospital and find out for the Member and let me know." The question is since I heard nothing from them I assumed that it was being done post April. Is it not a fact that an exercise was done when negotiations were taking place with the MOD as to the costs to the MOD of making use of St Bernard's given that the Primary Care Health Centre Costs were being stripped out, that it was the Hospital costs that were the subject of the bi-lateral negotiations at least that is how it was when I think my hon Colleague left it and I am sure it must have been when the Hon Mr Azopardi continued with the exercise?

**HON K AZOPARDI:**

The hon Member is correct that at the time that we were in discussions with the MOD as to whether we could enter into a long-term partnership, there were assessments done by consultants that came over from London who charged substantial fees for the work that they did, as consultants tend to do. I think that the problem would be that while we have these figures they are probably now somewhat dated and it was a very intricate and complex exercise to try to extrapolate the data to come up with a ball park figure of how much an average cost per bed per day was at St Bernard's or indeed elsewhere in the Health or Social Services. So that exercise was not done in-house, I suppose it could be done but it would require expertise, specialisation and indeed time and probably financial resources to be able to do that and I think what my hon Colleague indicated was that having reflected on the matter it is not possible for the Health Authority to do that exercise in-house, I suppose it could be done but I do not think that the Government would want to dedicate specific resources to be able to assess that question when it is not within the ordinary bounds of the tasks that we have directed the Health Authority to conduct.

**HON J J BOSSANO:**

Presumably the Government are able to produce the historical figure that is there in a specific year in the past and then it would not be particularly difficult to extrapolate from that what the cost would be today on the assumption that the share of the cost of the total budget then has not changed significantly from then until now and as I understand it from my Colleague when she was there this exercise was being done at that stage without employing expensive consultants by the Hospital Management. It might not have been a precise figure but it was a very good indicator and very close to the mark, we are not asking for more than that, we are asking for an estimate of what the sort of level of cost per bed is in each institution and if it is there in the records in the past well then at least if we get given the figure for that particular year we will look at what that represented in the context of the total budget of that year and then extrapolate.

**HON DR B A LINARES:**

My discussions with the Finance Section in the Health Authority certainly was not on the basis of the information that has just arisen out of a similar exercise having been done historically, in that context I will go back certainly as we have suggested and extrapolate the conclusions from that exercise to the present day.

**NO. 1104 OF 2001**

**THE HON J C PEREZ**

**COMPETENT AUTHORITY**

Have Government now taken a final decision over who will be the competent authority in respect of the implementation of Council Directive 1999/32, related to the sulphur content in certain fuels?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Department of Trade, Industry and Telecommunications.

**SUPPLEMENTARY TO QUESTION NO 1104 OF 2001**

**HON J C PEREZ:**

Does this need to be communicated to the EU?

**HON K AZOPARDI:**

That will depend of course on the provisions of the directive, it is normal practice to communicate, it is normal practice for there to be a specific provision, that I am sure we will direct attention to once we progress the designation of the competent authority.

**NO. 1105 OF 2001**

**THE HON J C PEREZ**

**HARBOUR VIEWS PROMENADE**

Have Government now sorted out the confusion that existed over the provision of cafeteria and other facilities at Harbour Views Promenade and can they inform the House whether a tender is in place or the facilities will be re-tendered?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The tender was awarded in 1999 on certain conditions. There has been no progress on the project. The Government would like to see a project of this type materialise.

**SUPPLEMENTARY TO QUESTION NO 1105 OF 2001**

**HON J C PEREZ:**

Yes but that does not answer my question on whether the tender is still valid or whether the Government are still choosing to re-tender and invite other parties, given that since 1999 they have been unsuccessful in getting the party that was successful to start or realise the project?

**HON K AZOPARDI:**

The tender fundamentally is still valid until the Government decide otherwise and discuss that with the parties. The situation really relates to the fact that the parties who were awarded the tender have another issue with the Government in relation with a different project in respect of another site and what has been happening is that I think, and I am speculating now, but I think that they had formed the view that if significant investment was going to be done it was going to be done on the other project, so they had been trying to progress the other project before

this one, seeing how far they can get on that one before they decide whether they do this project or not. We do not see the existence of these facilities and the other project as connected but I think that they do and until we form a final view or perhaps give them final satisfaction in relation to the other issue I do not expect that we will see immediate progress. There may come a point that if they decide that not to progress it further we will have to re-tender if we think that that is correct but that stage has not arrived yet.

**HON J C PEREZ:**

Perhaps the Minister might be able to persuade the Chief Minister that making swimming available in the area might in fact be an incentive for the project to get off the ground given the connection that that might create in the area.

**HON K AZOPARDI:**

I do not think that I need to persuade the Chief Minister because he has indicated in the House before that the Government want to see a project of this type.....

**HON J C PEREZ:**

No, I think the Minister has misunderstood me, that if he convinces the Chief Minister that it would be a good thing to demarcate an area and allow swimming in the promenade, that that would help the realisation of the project in that it would create a commercial climate for the tender to be realised.

**HON K AZOPARDI:**

I am sure the Government will consider all options which will enhance the recreational leisure facilities in the area in the same way as each suggestion has its merits, of course we will consider that.

**NO. 1106 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR/MOROCCO FORUM**

What date has been set for the next meeting of the Gibraltar/Morocco forum following that held in Gibraltar in October 2000?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Following the meeting of October 2000 a meeting of the Gibraltar/Morocco Forum was held on the 12<sup>th</sup> July 2001 in Tangier. No date has yet been set for the next meeting.

**SUPPLEMENTARY TO QUESTION NO 1106 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to say what kind of thing is being discussed in these meetings given the length of time between one and the next?

**HON K AZOPARDI:**

Generally speaking my understanding is that the Moroccan side are interested in very wide things I will give the hon Member an example, one of them is that they wanted some assistance from us in drafting some laws because they wanted to set up a finance centre in Morocco and I advised my department that I did not think it was wise for us commercially to be involved in that affair. From our point of view the Gibraltar/Morocco Forum is of use because there is a specific Intereg strand of funding which is directed for cross-border cooperation and there is a specific programme that we put forward on a Gibraltar/North Africa, Gibraltar/Morocco basis and so clearly we need to have partners in Morocco with which we meet and with which we hope to organise some expenditure in accordance with the programme parameters but it is not a lot of funding that is in this programme, it is something like £400,000 euros over six years and ultimately I would agree if he is of the view, I think I share it, that it has not been a very productive forum so far but we have to have a forum if we are going to get this funding.

**NO. 1107 OF 2001**

**THE HON DR J J GARCIA**

**POST OF COMMERCIAL PROJECTS OFFICER**

How many persons applied for the post of Commercial Projects Officer in the Department of Trade and Industry, how many were short-listed and who has been selected for the post?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1108 of 2001.

**NO. 1108 OF 2001**

**THE HON DR J J GARCIA**

**POST OF COMMERCIAL PROJECTS OFFICER**

Who has filled the post of Commercial Projects Officer with the Gibraltar Development Corporation and when was this post filled?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The post for Commercial Projects Officer has been filled by Mr Martin Figueras, who took up the position on the 1<sup>st</sup> July 2001. Twenty applications were received for the post of Commercial Projects Officer. All were short-listed except two who were unable to attend the interview due to absence from Gibraltar.

**NO. 1109 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

How many times have parties displaying advertisements been told to remove them since the Town Planning Regulations which dictate the control of advertisements was re-enacted in April, who are they and what were the advertisements?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1110 of 2001.



**NO. 1110 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Can Government say how many parties have failed to comply with instructions from the Development and Planning Commission to remove advertisements under the re-enacted Town Planning Regulations and how many have been taken to court?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Three parties have been formally required by notice in writing to remove unauthorised signs, two have complied and the remaining party is currently in the process of applying for permission. No parties have been taken to Court. Apart from these occasions there have been informal verbal discussions with a number of parties in relation to signage matters during the course of pending planning applications or as a result of planning officers becoming aware of particular matters.

**NO. 1111 OF 2001**

**THE HON DR J J GARCIA**

**CHEMCO PLANT**

Who are the qualified and experienced engineers that are expected to commission the sullage tanks at the Chemco Plant and when will this happen?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The sullage tanks at the Chemco Plant are in the process of being commissioned by OES Gibraltar Limited, following an independent survey conducted on the storage tanks by a specialist company, Caulicontrol SA at the request of the Environmental Agency.

**SUPPLEMENTARY TO QUESTION NO 1111 OF 2001**

**HON DR J J GARCIA:**

Is this the same company that the Minister gave in answer to Question No 757 of 2001 where he mentioned the Environmental Agency, this is in writing after the meeting of the House. He mentioned that the Environmental Agency had contracted Mr Lyle Seale as a Consultant on this, is that the same one as the one that will commission the tanks or was it somebody else.

**HON K AZOPARDI:**

I do not have definite information but I believe they are different parties. The information I gave him by letter was as to the identity of the UK consultants but just looking at the name that I have just given him, Caulicontrol SA, seems to me to be a Spanish Company so I imagine that they are a different parties.

**HON DR J J GARCIA:**

An issue which arose the last time the question was asked the Minister may have had time to make enquiries, we raised at the last meeting of the House that the tanks being used in the plant were not new which the Minister confirmed, has he been now able to establish where the tanks had been used previously, how they performed at the old location and how old they are?

**HON K AZOPARDI:**

No I do not have that information and all I can tell him is that this is precisely why the Environmental Agency have insisted on an independent assessment before they can have their discharge licence to make sure that their tanks are in proper condition and comply with all health and safety standards.

**NO. 1112 OF 2001**

**THE HON DR J J GARCIA**

**TENDER – DEVELOPMENT PLAN FOR GIBRALTAR**

How many parties have submitted an application for the tender for the commissioning of a new development plan for Gibraltar in response to the Government tender notice of May 2001, who are they and what proposals have been made?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Expressions of interest from the following 11 companies were received for the tender for the commissioning of a new Development Plan for Gibraltar:

1. Wimberly, Allison, Tong and Goo;
2. W S Atkins
3. RPS Group Plc
4. Architectural Design Associates
5. Ove Arup and Partners
6. Scott, Wilson, Kirkpatrick and Company Limited
7. Drivers Jonas
8. Colin Buchanan and Partners
9. Llewelyn-Davies Team
10. EDAW Limited
11. Symmonds Group Limited

Of the 11 companies six were short-listed, interviewed and invited to submit offers for the next stage of the tender:

1. W S Atkins
2. RPS Group Plc
3. Architectural Design Associates
4. Scott, Wilson, Kirkpatrick and Company
5. Drivers Jonas
6. Llewelyn-Davies

All the proposals received from these adhere to the brief provided to them by Government. The final award has not yet been made and the details of each proposal are commercial-in-confidence and can not be divulged at this stage.

#### **SUPPLEMENTARY TO QUESTION NO 1112 OF 2001**

**HON DR J J GARCIA:**

Can the Government say of the six that have been short-listed whether any are from Gibraltar or have a Gibraltar office or presence and also give an indication of the time scale which the Minister has in mind in relation to the production of the actual planning?

**HON K AZOPARDI:**

There are different issues there, I will just enlighten the hon Member. As to the issue of the Gibraltar connection one of the six was a purely Gibraltarian outfit. This Architectural Design Associates which was basically practitioners from different fields who have their own practices but came together for the purposes of this tender. As to the others they are all UK based except W S Atkins is a company that has worked in Gibraltar before, I think that the others have not to my knowledge worked in Gibraltar before. As to the time-scale of production the initial assessment that we make of this is that after appointment it would take about 18 months for a development plan to be prepared but the issue which is holding up the award is that we had made an initial assessment of how much it would cost to do a development plan and we had made an initial assessment perhaps I should not mention the figure because we still have to award it and it may be prejudicial to our discussions with the different parties but let me say that the six parties have all submitted bids well in excess of double what the Government had initially assessed was going to be cost of the development plan and that being the case the Government are considering the matter before taking any further steps.

**HON DR J J GARCIA:**

Can the Minister say at this stage whether the Government are envisaging in the new plan any radical departures from the 1991 plan?

**HON K AZOPARDI:**

The whole purpose of the Development Plan is that it should put across the Planning Commission and Government's policy view as to development, urban planning, control and usage of land across Gibraltar and that it should also give guidance as to the types of guidelines that people would have to adhere to when submitting planning applications in relation to a specific issue such as change of use or the type of thing that they can do on the land or to buildings and so therefore, yes of course, I do believe as has always been the case that when one actually comes to the position of preparing a Development Plan, it should put across the Government's vision of what it views should be the case in relation to all those issues and necessarily therefore there would be significant departures from the 1991 plan at least as to Government policy.

**NO. 1113 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR IN EUROPE BUSINESS DEVELOPMENT SCHEME**

Can Government say how many full-time jobs the Gibraltar in Europe Business Development Scheme has created to 30<sup>th</sup> September 2001, and how many the parties in question said would be created when they submitted their application for funding?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

A total of 35 full-time jobs have been created under the Gibraltar in Europe Business Development Scheme up to 30 September 2001, a total of 43 full-time jobs are expected to be created by the parties in question.

**SUPPLEMENTARY TO QUESTION NO 1113 OF 2001**

**HON J J BOSSANO:**

The 43 are inclusive of the 35?

**HON K AZOPARDI:**

Yes.

**NO. 1114 OF 2001**

**THE HON DR J J GARCIA**

**EUROPA BUSINESS CENTRE**

What is the total number of tenants in Europa Business Centre as at:

- (a) 31<sup>st</sup> March 2001;
- (b) 30<sup>th</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total number of tenants (occupied units) at the Europa Business Centre are as follows:

- |     |                                       |   |    |
|-----|---------------------------------------|---|----|
| (a) | as at 31 <sup>st</sup> March 2001     | - | 49 |
| (b) | as at 30 <sup>th</sup> September 2001 | - | 50 |

**SUPPLEMENTARY TO QUESTION NO 1114 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to say what is the maximum number of tenants that the Europa Business Centre can take. Is it full or is it half full can he give an indication of that?

**HON K AZOPARDI:**

No but I can get the information to the hon Member?

**HON DR J J GARCIA:**

I would be grateful for the information.

**NO. 1115 OF 2001**

**THE HON DR J J GARCIA**

**EUROPA BUSINESS CENTRE**

What is the total amount of rent arrears owed by Government tenants in Europa Business Centre as at 30<sup>th</sup> September 2001 and how many tenants owe over three months in rent arrears?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total amount of rent arrears owed by Government tenants at the Europa Business Centre as at 30<sup>th</sup> September 2001 is:

- (a) Current Tenants - £97,695.40 of which  
15 tenants owe over three months rent representing £88,408.88 (90 per cent);
- (b) Terminated Tenants (Absconded or Repossessed) (15 in No) - £34,277.29.

**SUPPLEMENTARY TO QUESTION NO 1115 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say how many of the 15 tenants who terminated actually absconded?

**HON K AZOPARDI:**

No I do not have that information. In both cases whether they have absconded or repossessed the practices as I have indicated before which is that the arrears is passed on to the Central Arrears Unit that then pursue those matters whether they are absconded or repossessed.



**HON DR J J GARCIA:**

Absconded in this sense means what that they have run away from Gibraltar or they have disappeared?

**HON K AZOPARDI:**

It can mean a variety of things but generally speaking these are not people who are foreign to Gibraltar so I think the word absconded is just a general term that LPS use when they mean that they have not pro-actively repossessed so they may include even people who have voluntarily surrendered premises or have just abandoned them but obviously people who are around in Gibraltar in general terms I would say that generalisation applies to most of them and so therefore can be pursued for arrears.

**HON J J BOSSANO:**

The £34,000 in respect of the people that are no longer tenants can I ask is this money owed to the Government or is it owed to the Commercial Property Company?

**HON K AZOPARDI:**

The landlord of the EBC is the Government.

**HON J J BOSSANO:**

Does the Minister know whether any of these have gone through the stage of, assuming that some of them are limited companies, of the Central Arrears Unit moving to the point of seeking the dissolution of the business, the winding-up of business or whatever?

**HON K AZOPARDI:**

Yes I understand that that is the case although I do not have a breakdown a statistical breakdown of how many that involves or indeed neither is it possible to give him a breakdown of how much has been recovered because I am told that what the Central Arrears Unit do when they get notice that there are arrears that they need to pursue they then contact all other Government departments, electricity, water, social insurance, PAYE and then they pursue for a lump sum. So it is very difficult for them unless they are given a lot of time to breakdown recovery indeed it may not even be possible in some cases because they may recover £10,000 out of a debt of £50,000 but that £50,000 is accumulative debt broken down to many different sums and to whom do they allocate the £10,000 so it is seen collectively that is the difficulty. Usually there is quite a demand for these units so we would have assigned these to other people either by tender or by some relocation if there is some strategic need to move people into that centre but I would imagine without having the list of people and when they left that I do not mislead the House when I say that I am almost sure that they have been already allotted to other people.

**NO. 1116 OF 2001**

**THE HON DR J J GARCIA**

**NEW HARBOURS**

What is the total number of tenants in New Harbours as at:

- (a) 31<sup>st</sup> March 2001;
- (b) 30<sup>th</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total number of tenants (occupied units) at New Harbours are as follows:

- |     |                                       |   |      |
|-----|---------------------------------------|---|------|
| (a) | as at 31 <sup>st</sup> March 2001     | - | 91   |
| (b) | as at 30 <sup>th</sup> September 2001 | - | 102. |

**NO. 1117 OF 2001**

**THE HON DR J J GARCIA**

**NEW HARBOURS – ARREARS**

What is the total amount of rent arrears owed by tenants in New Harbours as at 30<sup>th</sup> September 2001 and how many tenants are over three months in rent arrears?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total number of rent arrears owed by tenants at New Harbours as at 30<sup>th</sup> September 2001 is:

- (a) “Current Tenants” - £320,852.36 of which  
27 tenants owe over three months rent representing £278,774.07 (87 per cent)
- (b) “Terminated Tenants” - (Absconded or Repossessed) (25 in No) £263,183.16.

**NO. 1118 OF 2001**

**THE HON DR J J GARCIA**

**NEW BANKING LICENCES**

How many applications for new banking licences have been received since May 2001 inclusive, giving the date the application was made and the name of the bank(s) concerned?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

One. The matter is currently commercial-in-confidence.

**SUPPLEMENTARY TO QUESTION NO 1118 OF 2001**

**HON J J BOSSANO:**

Can the Minister say whether the one application is from somebody exercising passporting in on the basis of a branch or would it be for an application to have a wholly owned Gibraltar Bank with a licence which is an original Gibraltar licence?

**HON K AZOPARDI:**

Yes it is the latter.

**NO. 1119 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF COMPANIES**

How many companies have been struck off under the new Section 203A of the Companies Ordinance, on a monthly basis, since it came into effect on 14<sup>th</sup> March this year?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Companies House commenced the striking off procedure pursuant to Section 203A of the Companies Ordinance on 19<sup>th</sup> September 2001. To date Companies House has listed a total of 10,328 companies to strike off. Before the listed companies can be struck off there is a statutory waiting time of three months. Striking off will therefore commence as from 19<sup>th</sup> December 2001.

**SUPPLEMENTARY TO QUESTION NO 1119 OF 2001**

**HON J J BOSSANO:**

I take it that the three month period is to allow the owners of any of those companies to do something about it before they get struck off and if so how do they find out if they are one of the 10,328, is it advertised somewhere ?

**HON K AZOPARDI:**

Yes the answer systematically to what the Leader of Opposition has asked is yes on all grounds. Yes, it is a requirement to give notice pursuant to the sections so that people can give representations so that they are not struck off and let me say that between March and September this year Companies House sent out warning notices to all the clients, everyone who has dealings with Companies House on the new procedures and then made the

necessary arrangements to publish the notices on the Internet in addition to the seven supplements and so the name of the company under section 203A subsection 2 which the Registrar proposes to strike off must be published in the Gazettes and people have had we think sufficient notice as a result of all those procedures.

**HON DR J J GARCIA:**

Has the Gazette with the 10,000 names already been published?

**HON K AZOPARDI:**

I do not have the publication date but it is a statutory requirement to publish in the Gazette the name of that company and the information that I have is that the publication must have been done at least on the 19<sup>th</sup> of September if they intend to strike off as from the 19<sup>th</sup> of December, that is the statutory three month period. My understanding is that it was done in the 7<sup>th</sup> Supplement whatever that means I do not think it is generally circulated I think that one may have to request it but there is a general notice to everyone that that is going to be the case and these companies are not just registered anywhere they are registered with licensed company managers so those people know that that procedure is there so they will check that list.

**NO. 1120 OF 2001**

**THE HON DR J J GARCIA**

**THE PROTECTED CELL COMPANIES ORDINANCE**

How many applications have been received to create a protected cell company since the law came into force either:

- (a) outright; or
- (b) by converting an existing company?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Protected Cell Companies Ordinance was commenced on the 1<sup>st</sup> November 2001. No formal applications have yet been made though a number of enquiries have already been received.

**SUPPLEMENTARY TO QUESTION NO 1120 OF 2001**

**HON DR J J GARCIA:**

Is the Minister in a position to say how many enquiries at this stage?

**HON K AZOPARDI:**

The PCC Legislation envisages principally three types of specialised niche activity in the Finance Centre, securitisation, insurance and fund management. We expect to get enquiries and indeed we have had preliminary discussions on all those fronts but the harder enquiries have come in insurance and the reasons for that is that, of course hon Members will have noted that in the last few weeks there has been a significant downturn or nervousness in the insurance market. A lot of fragility as a result of the September 11<sup>th</sup> tragedies, that has made people look at the organisation of insurance through different vehicles and captives have

suddenly become much more attractive to people. We are a jurisdiction that offers captives and protected cell companies that can be structured as captives as an EU jurisdiction whereas there are many up-front costs that people were paying from a non-EU jurisdiction that still wanted to move into the EU and they were having to use all sorts of different types of structures. So the principal interests that we have seen in the last few weeks certainly has been from insurance companies, who some of them quite major significant operations, multinationals that have been discussing that type of structure with agents in Gibraltar and indirectly also with us, as to whether these things progress we will have to wait and see but certainly there is a lot of nervousness in the market that will invariably turn people to thinking about new strategies.



**NO. 1121 OF 2001**

**THE HON DR J J GARCIA**

**OBJECTIVE 2 PROGRAMME**

How much of the 8.38 million euros allocated to Gibraltar under the Objective 2 Programme for Gibraltar in the period 2000-2006 have been earmarked for the public sector projects and how much for private sector projects and what are they?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There are no quotas set for either public or private sector projects under the Objective 2 Programme for the period 2000-2006.

**SUPPLEMENTARY TO QUESTION 1121 OF 2001**

**HON J J BOSSANO:**

That means that the Government could decide to use it all in the public or all in the private?

**HON K AZOPARDI:**

Theoretically yes, but obviously we are not going to hog it all as it were in the public sector because we are sensitive to the needs of the private sector, the representations of the business community which are that there should be a funding source, but it is also reality that given that we have got about £750,000 per year for the next six years it is inevitable given our experience since we first accessed the EU Funds that not all of it will be used for the private sector and a big bulk, a substantial part will be done by the public sector. A balance needs to be struck, what the Government are doing is formulating their ideas on the type of project that would direct public sector funding for if we need to do that and then taking an in-principle view of that but leaving space for private sector projects along the way.

**NO. 1122 OF 2001****THE HON DR J J GARCIA****EU FUNDING**

Can Government list the parties that have applied for EU Funding since 1<sup>st</sup> May 2001 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**

The information requested by the hon Member is set out in the written schedule that I hand to him. May I add that I was looking at the list which was formulated before the end of last week, my understanding is that the second and third applications on that list are now approved.

**Answer to Question No 1122 of 2001****Schedule**

Six applications have been received for EU funding since 1 May 2001, listed as follows:

**Objective 2 programme 2000-2006**

<b>Applicant</b>	<b>EU Grant</b>	<b>Purpose of Grant</b>	<b>Status of Application</b>
Pitstop	£3,257	Refurbishment works, purchase of equipment and assistance	Approved

<b>Applicant</b>	<b>EU Grant</b>	<b>Purpose of Grant</b>	<b>Status of Application</b>
P Balban T/A Marina Health Clinic	£3,656	Purchase of equipment, refurbishment works, promotion and advertising and assistance with rents/rates	Under consideration
D Peñalver T/A Pendant Dental Laboratory	£1,915	Purchase of dental laboratory equipment	Under consideration
Salsa Fishing Tours Ltd	£3,045	Purchase of fishing equipment, advertising and promotion, office refurbishment and assistance with rent	Under consideration
Technical Support Services	£106,750	Flow & Load survey and sea outfall and main sewer study	Approved
Department of Trade, Industry & Telecommunications	£200,000	Construction of an additional 18 Units at Lathbury Barracks (Phase II)	Under consideration

**NO. 1123 OF 2001****THE HON DR J J GARCIA****GIBRALTAR GOVERNMENT FUNDING**

Can Government list the parties that have applied for Gibraltar Government funding, from the Gibraltar Enterprise Scheme or from any other source since this information was made public in answer to questions in May this year, 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**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I hand to him.

**Gibraltar Enterprise Scheme**

<b>Project No</b>	<b>Total Grant/Loan</b>	<b>Applicant Sponsor</b>	<b>Purpose of Grant</b>	<b>Status of Application</b>
<b>GE5051</b>	£6,857 (G)	Headmasters	Refurbishment of premises	Not approved
<b>GE5052</b>	£19,000 (G)	Suissa Bros	Purchase of a self loading traler	Under consider
<b>GE5053</b>	£3,890 (G) £10,000 (L)	Iberia News	IT equipment working capital	Under consideration

**NO. 1124 OF 2001**

**THE HON DR J J GARCIA**

**EU INVESTOR COMPENSATION SCHEME**

How many parties made submissions to the Government in relation to the Investor Compensation Scheme Consultation Paper which was circulated by the Government in May and who were they?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1145 of 2001.

**NO. 1125 OF 2001**

**THE HON DR J J GARCIA**

**CERTIFICATION SERVICE PROVIDERS**

How many applications for certification service providers have been received since the last Question Time in this House and how many have been approved by the Minister to issue accreditation certificates for electronic signatures, when were they approved and who are they?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

No applications have been received to date.

**NO. 1126 OF 2001**

**THE HON DR J J GARCIA**

**EUROPORT**

What area of Europort has paid rates because it is occupied as at:

- (a) 31<sup>st</sup> March 2000;
- (b) 31<sup>st</sup> December 2000;
- (c) 31<sup>st</sup> March 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The proportion of the total area of Blocks 1-9 Europort where rates liability does arise at the requested dates is:

- (a) 10.2 per cent;
- (b) 10.8 per cent;
- (c) 10.9 per cent.

**NO. 1127 OF 2001**

**THE HON DR J J GARCIA**

**EUROPORT**

What area of Europort has not paid rates because it is unoccupied as at:

- (a) 31<sup>st</sup> March 2000;
- (b) 31<sup>st</sup> December 2000;
- (c) 31<sup>st</sup> March 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The proportions of the total area of Blocks 1-9 of Europort where rates liability does not arise at the requested dates is:

- (a) 89.8 per cent;
- (b) 89.2 per cent;
- (c) 89.1 per cent;

and while it is not in my answer let me say that it is not related to the occupation issue which is why I have answered it slightly different.

**SUPPLEMENTARY TO QUESTION NO 1127 OF 2001**

**HON DR J J GARCIA:**

The actual question asked for the area, does the Minister have those figures available rather than the proportion ?



**HON K AZOPARDI:**

It was difficult to answer the hon Member's question without misleading him because it was not possible to say how the payment of rates that we have received correspond in relation to area or occupation. Strictly speaking it is none of the two in this sense. Let me explain to the hon Member that while the rates liability arises directly proportional to area that one occupies in this particular respect there are different factors in this sense, blocks 1-4 are empty in their entirety because they are going to be used for the new hospital so there is no liability there, block 5 is the hotel building and there is currently an application for change of use so that it is currently unoccupied therefore it does not pay rates so the rates liability figures the percentages that I have given him in relation to his question, his question was in relation to the whole of Europort which are blocks 1-9 in reality. All the rates that are being received are in relation to blocks 6-9 only and in relation to 6-9 there is still a heavy element of development aid in place which minimises rates liability substantially so he could not say "well they occupy 'x' metres and therefore the rates liability should be 'y'", he has got to factor in the rates discount, the development aid, all those things and so therefore it is a bit more complicated and this is why we have answered it in this way which is to answer the percentages as to rates liability rather than giving him a more misleading answer as to actual occupation of Europort. My understanding is that of blocks 6-9 about two thirds has been let.

**HON DR J J GARCIA:**

Does the Minister have available what area of Europort is still subject to development aid in terms of rights of the area that is covered, the two thirds that is occupied?

**HON K AZOPARDI:**

No I do not have that, I do not have that figure I have some indication that I may have some of the information here with me but I would want to check it so that I do not mislead the hon Member, if he wants I can send that information to him.

**HON DR J J GARCIA:**

We would be grateful if the Minister could do that. Could I ask in relation to the change of land dues request which the Minister mentioned for the hotel building and the application which is pending for the change of use is that the change of use from a hotel to what, offices or.....?

**HON K AZOPARDI:**

To commercial residential.

**NO. 1128 OF 2001**

**THE HON DR J J GARCIA**

**GUN WHARF**

Are Government aware of the latest state of affairs regarding the re-provisioning of a finger jetty for the Ministry of Defence by alternative means as a development from the Gun Wharf tender award?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The matter is still under consideration. Different options are being looked at including whether the MOD can be accommodated elsewhere without the need of building a finger jetty.

**SUPPLEMENTARY TO QUESTION NO 1128 OF 2001**

**HON DR J J GARCIA:**

Can the Minister tell the House whether if there is no need to construct a finger jetty which was a condition of the original tender the project would be put out to tender again or how do the Government intend to proceed?

**HON K AZOPARDI:**

The Government took the view that we could de-link the issue of the finger jetty with the project that was awarded and so therefore what we did was to renegotiate the premium that would be payable by the entity that were awarded the Gunwharf tender so we have been able to obtain a far higher premium than we would have been had they had to build the finger jetty. The reason we de-linked it is that we think that there are options so that we do not have to build the finger jetty and I would hope that by the time the hon Member asks the next question on this issue which I am sure he will we will have resolved this matter all things being equal.

**HON DR J J GARCIA:**

Could the Minister elaborate on precisely what is meant by an alternative to the construction of a finger jetty, what is it that Government are actually considering?

**HON K AZOPARDI:**

Basically the construction of the finger jetty was necessary so that the MOD could berth certain vessels next to it and we are hoping to be able to provide a plot of land for them to be able to do that instead of building a finger jetty. If we can do that then things will be resolved, at the moment we are looking at different options, we still cannot reach a concrete answer on that because it is dependent on third parties but we are in discussions on a tri-lateral basis MOD, these third parties and ourselves.

**HON DR J J GARCIA:**

The payments of the increased premium can the Minister tell the House what that is, the original premium plus what it has been increased to now?

**HON K AZOPARDI:**

I cannot remember what the original offer of the premium was in connection to the building of the finger jetty but from memory I believe that the total premium that we are obtaining now is about £1.45 million.

**HON J J BOSSANO:**

Has that premium actually been paid or is it something that will be paid at a future date?

**HON K AZOPARDI:**

Under the structure that we are envisaging with the development licence which has yet not been signed it would be paid in instalments up to a certain period. That is the structure that has been negotiated because the Government wanted to renegotiate and raise the premium.

**NO. 1129 OF 2001**

**THE HON DR J J GARCIA**

**NORTH MOLE INDUSTRIAL PARK**

At what stage of completion is the North Mole industrial park?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The North Mole Industrial Park is nearly complete.

**SUPPLEMENTARY TO QUESTION NO 1129 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say when the units themselves will be ready for allocation?

**HON K AZOPARDI:**

After some snagging we expect to be handed the premises at the end of the year, we would expect also to go out to tender in relation to the units very soon and those units would be put out to tender and so assuming that that process is run relatively quickly we should be able to have people in occupation a few months after that.

**HON DR J J GARCIA:**

From the Minister's last answer would it be correct to deduce that some of the units are going out to tender and others are not and if so to what purpose are those that are not going out to tender, what purpose are those going to be put to?

**HON K AZOPARDI:**

The units will all go out to tender except for one particular scenario and we are in discussions in relation to a relocation of a particular business which is in a location which is fairly strategic and we would like to shift so that it allows the Government to conduct a different project. If the negotiations are successful then we have agreed in principle to relocate that business to a space which we negotiate and agree within the North Mole Industrial Park. Now that may involve three or four units perhaps the rest of the units will go out to tender. If those negotiations are not successful then all the units will go out to tender.

**HON J J BOSSANO:**

Do Government have a preferred activity for that particular location, of the use of the units?

**HON K AZOPARDI:**

We will specify on the notice that will go out that preference will be given to Port related activities.

**NO. 1130 OF 2001**

**THE HON DR J J GARCIA**

**GARROD ROAD**

How many parties expressed an interest in the tender for the allocation of a commercial property at Garrod Road and what is the nature of the bids received?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Two parties expressed an interest in the tender for the allocation of a commercial property at Garrod Road as follows:

- |    |                           |   |                    |
|----|---------------------------|---|--------------------|
| 1. | Oak Garage Limited        | - | £200.00 per month; |
| 2. | H L Wilkie & Sons Limited | - | £322.00 per month. |

**SUPPLEMENTARY TO QUESTION NO 1130 OF 2001**

**HON DR J J GARCIA:**

Is it correct to assume it was awarded to the highest bidder?

**HON K AZOPARDI:**

Yes.

**NO. 1131 OF 2001**

**THE HON DR J J GARCIA**

**ROCK HOTEL**

Can Government say how many objections, if any, there have been to the proposal for the construction of a residential development of seventy-one apartments in five blocks at the Rock Hotel?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1132 of 2001.

**NO. 1132 OF 2001**

**THE HON DR J J GARCIA**

**ROCK HOTEL**

Can Government say how many objections, if any, there have been to the proposed development to erect an apartment on six floors at the Staff Quarters Rock Hotel?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There have been seven representations in relation to the developments proposed by the Rock Hotel.

**SUPPLEMENTARY TO QUESTION NOS 1131 AND 1132 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether these representations which had to be made in writing by the 30<sup>th</sup> September have now been considered by the Development and Planning Commission?

**HON K AZOPARDI:**

No.

**HON DR J J GARCIA:**

Is it possible for the Minister to, given that the closing dates for making representations is already expired, is it possible for him to inform the House on the nature of the objections or representations received?



**HON K AZOPARDI:**

I do not think it is appropriate if the matter has not been considered by the Development and Planning Commission yet, for us to ventilate, divulge the nature of the representations. I would say that the majority, I call them representations because not all of them are objections and that is the word used in the Ordinance in any event, the majority are objections but as to the nature of them I think it is proper for the Development and Planning Commission to consider the matter first.

**HON J J BOSSANO:**

Is it not the case that the land in question is held on a lease from the Government by the Rock Hotel and that the terms of that lease which I believe is at an annual rent of £100 for the whole area per annum is that it can only be used for the purposes of the hotel and if that is the case how is it that the tenant can make these proposals without seeking the landlords consent in the first place for change of use?

**HON K AZOPARDI:**

The hon Member is right, apart from the planning issues there are change of use issues, consent issues, extension of lease issues, and premium of land issues, all of which are matters that need to be discussed with the landlord, the Government, but it is standard practice that people who intend or are already in discussions with the Government on all those issues in parallel sometimes make an application to the Planning Commission to see what type of development would indeed be approved by the Planning Commission on the basis that it does not constitute permission to construct in any event and it is relevant sometimes for the Government to allow that process to be conducted at least in parallel to its discussions on consent and change of views because LPS, for example, cannot make an assessment of land value unless they know what type of development will be allowed but certainly all those issues still arise and the Government have not considered their position qua landlord in relation to that development.

**HON J J BOSSANO:**

But of course if the Government qua landlord was inclined to say no then all the rest goes by the wayside so the tenant must believe that the Government are not against the idea in principle.

**HON K AZOPARDI:**

I am not in the mind of the tenant but let me say that that does not necessarily follow. There have been a number of occasions that people are in discussions with the Government bring forward a planning application which is either approved or refused and either find that it is refused at DPC stage or it goes to the Government and then it is severely limited or refused, so it does not necessarily follow, this is why there is a separate process and it is important that it should remain separate that consent at planning stage should involve necessarily, consequently consent at Government stage and vice versa. The Government may consent and the Planning Commission may decide to take a different view of the matter and either limit the project in a particular way or take some other course.

**HON J J BOSSANO:**

In terms of the Government's position the Minister has mentioned the LPS, is it that the tenant is talking to LPS rather than talking directly to the Government?

**HON K AZOPARDI:**

Land Property Services are Crown Agents. Talking to them is talking to us in the sense that they obviously are agents of the Government in those matters. My understanding is that until quite recently that there had been no formal application but that one was being made to the Government in relation to all those issues, change of use, extension of lease and so on and I know that there has been correspondence between the solicitors acting for the tenant and LPS. I expect that a formal application will follow and that it will be discussed by the Government, but no discussion has yet been had by the Government on all those issues.

**HON J J BOSSANO:**

If the tenant were to take the matter up at Ministerial level would it be the Ministers or would it be the Minister that would have responsibility for dealing with it?

**HON K AZOPARDI:**

The Government as a whole is interested and would have to take a view to these issues but certainly the Ministry of Trade and Industry would be the first port of call for issues in relation to this. I have not, other than a very small, very brief conversation with one of the tenants, I have not had a conversation about this nor was it a negotiation or anything like that, it was just to put us on notice that a planning application was going to be made but I imagine as is the normal way of things that because the particular tenant happens to be a hotel it may or may not have been raised with my Colleague the Minister for Tourism at some point and that I would have thought normal business.

**HON J J BOSSANO:**

Are we talking here about a tourist development or are we talking about residential developments which effectively is a property development being carried out on a piece of land where, the fact that it happens to be the owner of the Rock Hotel that is planning it, is not really anything to do with the tourist industry a such, a property development for flats for sale, what is the project?

**HON K AZOPARDI:**

I am not suggesting that it is a tourist development all I am saying is that because the tenant happens to be a hotel it may or may not, I do not have information, but it may or may not have been raised with the Minister of Tourism in the normal course of discussions on perhaps other matters. It is inevitable, indeed I would have thought normal that if someone is discussing a whole range of issues that they might mention the fact that they intend to make an application in this way. I cannot give the hon Member that information I was trying to answer him in as complete a way as possible way when he mentioned "who is going to be the Minister?" I thought he was suggesting that perhaps some other ministers were involved. If that is the case it may have been that they have received the information in the normal

cause of things. All I can tell him is that the Government have not considered those matters because a formal application has not been made but I understand will be made and it will be considered fully by the Government. Apart from that there is a planning application which has as yet because the public participation process has just come to an end has not been considered by the DPC.

**HON J J BOSSANO:**

The leaseholder is actually the Rock Hotel as a limited liability company and not Mr Gaggero and some other guys. Knowing Mr Gaggero I would have expected him by now to have lobbied every Member of the Government never mind the Minister for Tourism?

**HON K AZOPARDI:**

I have information as to the leaseholder because I remember requesting it when I gave information to the Hon Mr S Linares who asked for that information and it was supplied to him, I cannot remember whether it was the Rock Hotel, I can certainly tell him that the Planning Application was made in the name of Rock Hotel so I assume it is but the Opposition already have that because I have sent it to them.

**NO. 1133 OF 2001**

**THE HON DR J J GARCIA**

**PROPOSED SCIENCE PARK**

Have Government now considered how to best take forward the recommendations of the report by Seagal Quince Wickstead (SQW) for a science park in order to attract investment and what conclusions have the Government come to?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Government are at present considering how best to take forward the recommendations of the report by Seagal Quince Wickstead (SQW) for setting up a Science Park in Gibraltar. No firm conclusions have yet been arrived at.

**SUPPLEMENTARY TO QUESTION NO 1133 OF 2001**

**HON DR J J GARCIA:**

Can the Minister give an indication as to the timescale when they expect to reach some conclusions?

**HON K AZOPARDI:**

I indicated to the hon Member in answer to Question No 752 of 2001 the basic background and the issues that were being raised. Since then we have had discussions with the consultants which were advising us and we have also had a visit from the University of Toronto at our request because they offered as well to assist. University of Toronto are the leaders or are one of the recognised world leaders in relation to this type of business development and this type of field to try to advise us on the way forward. The basic decision

is that we can decide either, and there are two schools of thought, either to have incubator units operating for individuals within a Science Park or we can try to attract the interests of a multinational who together with an educational institution can provide us a triangle of interest, Government, educational institution and multinational to take the matter forward on the basis that land is available, EU funding and Government funding is available to take that forward. The latter is my preference and I have asked consultants to try to advise us on how we can approach multinationals we are intending to approach certain educational institutions with which we have links already, like Sheffield University. If that does not work, once we have considered how to take that forward, then we may be left with the so called incubator units but I am more nervous about directing specific funding which could be quite significant maybe £1 million or £2 million for a project where we have no firm view that we will have someone take up the science park element, really what we are trying to achieve is some degree of guarantee not an absolute guarantee but at least to firm up the level of interest before we take the matter forward.

**HON DR J J GARCIA:**

The Minister mentions that land was available, where would that land be?

**HON K AZOPARDI:**

In principle at Lathbury Barracks but alternative plots can be considered but we thought that it would sit well with the other satellite and other investments of that type that are being made and directed to that area.

**NO. 1134 OF 2001**

**THE HON DR J J GARCIA**

**ECOM LIMITED**

Can Government say at this stage, in respect of the Ecom project at Lathbury Barracks:

- (a) whether and when the conditional outline permit has been issued;
- (b) on what date was the building application submitted to the Development and Planning Commission;
- (c) has the Development Licence been issued and if so when;
- (d) has any payment been made by the tenderer and if so what amount and when?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1138 of 2001.

**NO. 1135 OF 2001**

**THE HON DR J J GARCIA**

**INDUSTRIAL PARK – LATHBURY BARRACKS**

Has work on the construction of the business units in respect of Phase 1 of the industrial park at Lathbury Barracks now commenced?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Yes.

**SUPPLEMENTARY TO QUESTION NO 1135 OF 2001**

**HON DR J J GARCIA:**

Can Government say whether they have been able to establish the rent of those units?

**HON K AZOPARDI:**

No, the completion is set for end of March next year so what we have done is decide at the moment the criteria for allocation which I do not have with me in case the hon Member asks in supplementary but we have discussed and decided the allocation criteria and I have asked LPS to try to suggest the type of rent that we will fix to those premises also but that discussion has yet not been had.

**NO. 1136 OF 2001**

**THE HON DR J J GARCIA**

**EUROPLAZA DEVELOPMENT**

With regard to the Europlaza Development, can Government say:

- (a) on what date was the conditional outline permit issued;
- (b) on what date was the building application submitted to the Development and Planning Commission;
- (c) has the Development Licence been issued and if so when;
- (d) has any payment been made by the developer and if so what amount and when?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

- (a) The Conditional Outline Permit was issued in April 2001.
- (b) No Building Application has been submitted to date.
- (c) A Building Lease dated 4<sup>th</sup> August 1989 was granted to JPC (Gibraltar) Ltd for a term of 150 years.
- (d) Payment made by the developer was £1,822,450.



**NO. 1137 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Can Government say how many meetings of the Development and Planning Commission have taken place since 5<sup>th</sup> April 2001, giving the dates of such meetings?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Seven meetings have taken place:

16<sup>th</sup> May 2001  
12<sup>th</sup> June 2001  
19<sup>th</sup> July 2001  
26<sup>th</sup> July 2001  
31<sup>st</sup> August 2001  
27<sup>th</sup> September 2001  
31<sup>st</sup> October 2001.

**NO. 1138 OF 2001**

**THE HON DR J J GARCIA**

**ECOM LIMITED**

What was the reason for the reported delay in granting planning permission to Ecom Limited?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There have been outstanding issues that needed to be resolved prior to the issue of the Permit.

- (a) Substantial progress has been made and the Outline Permit for the Ecom Project will now be issued within the next few days.
- (b) No building application has been submitted yet to convert the site. Only a demolition application has been received to demolish unnecessary structures/buildings. These works are now completed.
- (c) The Development Licence will also be signed in the next few days.
- (d) No payments have therefore been made.

**SUPPLEMENTARY TO QUESTION NOS 1134 AND 1138 OF 2001**

**HON DR J J GARCIA:**

Is the Minister able to say what were the outstanding issues which emerged before the permits were ready for issuing?

**HON K AZOPARDI:**

Several environmental ones as to how the site would spill over into the natural environment and the removal of habitat, the size of the development and also there was some information that was required on the emission and noise from the power generating plant that they intend to set up. All those issues they have known about for some months and so it is not true that there has been delay but rather that they have not responded for some months on those issues and so we have been unable to process the application.

**HON DR J J GARCIA:**

Is the Minister aware that the delay was actually revealed by one of the directors of the company in an interview and that was the reason why we ask the question?

**HON K AZOPARDI:**

I understand, I am not ascribing any blame on the hon Member all I am saying is that I saw that article, I do not accept what he said and I thought that they were not prudent statements given the context of the matter but Government did not feel like thrashing it out in public with the particular director.

**NO. 1139 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

Have any appeals been heard to date, or pending being heard by the Development Appeals Tribunal, if so listing the relevant dates when this happened and giving the nature of the appeal?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 1140 of 2001.

**NO. 1140 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

How many appeals heard by the Development Appeals Tribunal have been upheld and how many have been rejected up to 30<sup>th</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

No appeals have been heard to date. Five appeals are pending to be heard. The nature of the appeals are as follows:

1. Appeal against refusal for the erection of a sign application.
2. Appeal against condition attached to Outline Planning in relation to a redevelopment of site.
3. Appeal against refusal reference an unauthorised air conditioning unit.
4. Appeal against refusal reference Outline Planning Application to construct three residential units.
5. Appeal against refusal to grant Building Permission to construct an extension.

Publication of the names of the appellant party or property is not appropriate as the matters are under consideration by the Tribunal.

**NO. 1141 OF 2001**

**THE HON DR J J GARCIA**

**E-BUSINESS**

What steps have Government taken to foster fiscal structures in order to attract e-business to Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Current fiscal structures already attract e-business to Gibraltar. Apart from this Government announced a one year waiver of import duty for personal and commercial computer hardware and software until July 2002 and have provided that companies may also deduct the whole of the capital cost of IT investment in first year up to £50,000, in addition to the existing £30,000 capital investment deduction.

**SUPPLEMENTARY TO QUESTION NO 1141 OF 2001**

**HON DR J J GARCIA:**

When the Minister announced in June that these fiscal structures were going to be created or implemented to attract e-business, were those actually the measures that he had in mind or are there any new measures which have not actually come into force yet?

**HON K AZOPARDI:**

One of the things that I said was that we would facilitate the importation of specialist skills in the information technology field, what we had in mind then but we have structured it differently, is that we wanted to open that up to wider criteria and wider discretion so that it is easier for businesses to continue specialists in the IT field and not just allow qualified and exempt companies to do that as the legislation was

granted to be able to do that but as a result of the State Aids case, inevitably we are having to withdraw our thinking so we are waiting for the outcome of the State Aids case. What we intend to do is also try to, create some sort of facility to encourage the need which people have mentioned to me from time to time that there should be some flexibility with the personal tax system to attract and allow people to engage specialists in IT. Obviously we will continue discussing and doing some thinking on that issue generally, but there has been quite a significant impact with the State Aids case also across the board and in particular this view because I prefaced my answer saying that current business structures are attracted to Gibraltar, but we will have to review that if we have an adverse judgement. We need to ensure that they remain as static as possible.

**HON DR J J GARCIA:**

Can I ask the Minister one of the issues which he also raised which was the question of relaxing immigration laws in order to foster e-business, has there been any incidence of that already?

**HON K AZOPARDI:**

The answer is yes, there have been some examples one of them is Ecom in particular were if the project takes off and indeed they construct and then launch the services that they intended initially to launch they are going to require some flexibility in that respect and they intended, they have told the Government to bring in a certain number of specialists who are non-EU nationals to run part of the services that they intend to undertake. Government are quite willing to do that if we know specifically what the business is for and that it provides a benefit to the overall economy.

**HON J J BOSSANO:**

In relation to the States Aid case impact which the Minister mentions on parsant I think, is it that in a number of areas there has been a noticeable reticence of potential customers while the State Aid business has been in the news and that things are sort of on hold until we see the result, is that an accurate definition of what is taking place or not?

**HON K AZOPARDI:**

All I can say is that I do sense nervousness and anxiety in the industry and that is certainly true I cannot tell the hon Member, I certainly cannot say that business is not being done, business continues but it is not business as usual in Gibraltar. It is business against the background that we know that there is a very serious threat facing the industry. I can tell the hon Member, for example, one interesting statistic that he may be interested in, yesterday we received the usual statistics I get from Companies House as to levels of incorporations which in the months after July show there has been a significant descent in the number of companies being incorporated in July, August, September compared to last year. We had seen an upward trend every single month consistently for the last four or five years except for very few exceptions but I have noticed that the July/August /September quarter in particular there has been a decent. People are still incorporating and it is not so marked that people should worry about but it is having some effect obviously on general things.

**NO. 1142 OF 2001****THE HON DR J J GARCIA****E-BUSINESS**

How many e-business questionnaires entitled Gibraltar E-business Survey June 2001 were sent out by the Government and how many were returned with a breakdown by sector in each case?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Survey Totals:	
Total sent	1,501
Returned with unknown address	70
Returned Surveys (completed)	176
Possible total	1,431
Percentage Returned	12
Returned by Sector:	
Retail/Wholesale	115
Financial Services	44
Maritime	11
Tourist /Services	6

Although the original date for returns was the 22<sup>nd</sup> June 2001, this was extended to the end of August 2001 and again extended to October. The survey is now closed and the results are being compiled. A more detailed report should be available by the end of the month.



**NO. 1143 OF 2001**

**THE HON DR J J GARCIA**

**ELECTRONIC COMMERCE DIRECTIVE**

Have the Government now been advised by HMG that the European Commission and other EU Member States have been notified of the designation of a Gibraltar “Contact Point” as required by Article 19 of the electronic commerce directive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1144 of 2001.

**NO. 1144 OF 2001**

**THE HON DR J J GARCIA**

**ELECTRONIC COMMERCE DIRECTIVE**

Have Government now been advised by Her Majesty's Government that the EU Commission has been notified of the transposition by Gibraltar of the electronic signatures directive and the electronic commerce directive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The United Kingdom Government will notify our transposition of the directives when the UK itself notifies its transposition, which has not yet occurred.

**SUPPLEMENTARY TO QUESTION NO 1144 OF 2001**

**HON DR J J GARCIA:**

When a similar question was posed at the last meeting of the House in Question No 724 and 725 of 2001, the Minister said that Her Majesty's Government were taking the necessary steps to notify the Commission of the transposition of Gibraltar by these directives together with the designation of a Gibraltar contact point under the e-commerce directive and the Minister added that the Government expect the notification to be completed imminently, has there been a change of position on the part of the United Kingdom?

**HON K AZOPARDI:**

That was our expectation in the context of the discussions that the Legislation Unit was having with Her Majesty's Government at the time since then the UK has said

that it prefers to notify simultaneous with its own transposition, we do not see that as a major issue, as long as they notify at some point.

**HON J J BOSSANO:**

The Government do not anticipate any problem about the Gibraltar contact point?

**HON K AZOPARDI:**

I do not see why there should be a problem.

**HON J J BOSSANO:**

Well most of the problems that we seem to have are not problems that we see that we should have them but that does not stop us from having them, but there has been no hint of a difficulty about that I take it?

**HON J J BOSSANO:**

No, but given all that the hon Member has said in the preface to his question not envisaging it does not mean that it will not materialise.

**NO. 1145 OF 2001**

**THE HON DR J J GARCIA**

**EU INVESTOR COMPENSATION SCHEME**

Can Government state what the latest position is regarding the transposition of the EU Investor Compensation directive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Four responses were received in total. They were from representative bodies and from individual licensees. The Government would not wish to reveal the identity of the parties without their consent. The Government have for sometime now been liaising with the Financial Services Commission, the Industry and the UK Treasury. These discussions continue. Drafting of a Bill to transpose the directive to EU standards is very advanced.

**SUPPLEMENTARY TO QUESTION NOS 1124 AND 1145 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to tell the House the general thrust of the submissions that have been made to the Government?

**HON K AZOPARDI:**

It is very technical, the consultation paper, I do not know if the hon Member has seen it and that is why he asks the question, but the consultation paper describes the investor compensation scheme directive which guarantees a minimum level of protection and then goes on to describe the concept and definition of eligible investments and eligible investors and the EEA and third country branches and then talks about the limits of the scheme, the

structure of the scheme, the information that needs to be given to investors and how the investor compensation scheme could be financed and that there are two main proposals. The first, the investor compensation scheme could be funded in the same way as the deposit guarantee scheme and the second, instead there could be a possibility of the scheme covering itself against the risk of claims by taking out an insurance policy. It is on all those technical issues that representations were sought and the comments that we have received were again responding to those very nett and technical matters, I could take the hon Member through the representations some of them are quite extensive, the hon Member wishes to have a copy of the consultation paper and then ask me specifically whether there is any issue ones he digests the contents of it, then I would be happy to give him any information.

**HON DR J J GARCIA:**

If the Minister could supply a copy we would be grateful for that.

**HON J J BOSSANO:**

The Minister said that the legislation to transpose the directive to EU standards is being prepared, was it not the issue we learned earlier this year in our budget time that the United Kingdom wanted it to be transposed to higher than EU standards?

**HON K AZOPARDI:**

Yes, that is one of the issues, apart from the technical ones on which we are consulting the industry there is also the issue that the UK would like the investor compensation scheme to be based on the UK scheme which is higher than the EU level and we have made clear what our position is and other different options are being canvassed but at the moment that is still the UK's position, we are trying to find a way around it because we do not see why we should prejudice basically the investment services industry in Gibraltar by adopting a scheme which will make Gibraltar businesses uncompetitive.

**HON J J BOSSANO:**

I agree entirely with the view of the Government but my question is given that they are drafting the legislation to EU standards, what does that mean? Does it mean that we are going to proceed down that road irrespective of what the UK position is?

**HON K AZOPARDI:**

The UK are putting pressure on the Government on the basis that they are concerned but they face infraction proceedings and we have said to them that our position is that the fear of infraction proceedings can be immediately dissipated by us transposing the directive and we have told them that we have legislation ready, so it is not our problem and not our fault if through their position which is well beyond the remit and scope of the directive they then invite infraction proceedings. Indeed we have invited the UK to respond to any fear of infraction proceedings by telling the European Union that the reason that it is not being transposed in Gibraltar is that we do not believe that we are going to have access to the EU market, that we are being denied access by the United Kingdom. So far the UK has declined to follow that course.

**HON J J BOSSANO:**

In what sense are we being denied access unless it is transposed the way they want it transposed is that the position?

**HON K AZOPARDI:**

It is a rather tongue in cheek invitation to the UK, we are being denied access in the sense that one of the key elements to achieve investment services passporting would be to have an investor compensation scheme, so if one does not have a scheme one can not get access to the market and we can not get the scheme because at the moment the UK is insisting on us adopting a scheme which is beyond the scope of the directive but at the same time is following the course of telling us that they are under pressure and facing infraction proceedings on the matter and we have told them that they should tell the EU that it is because we are being denied access to the markets. No doubt the EU would raise an eyebrow and enquire and be quite interested in that response and this is probably why the UK will not follow that course of action.

**HON J J BOSSANO:**

But presumably if we actually were to proceed with Gibraltar legislation which the Government are satisfied fully complies with the requirements of the directive and therefore properly transpose those requirements into the laws of Gibraltar, once we do that irrespective of how happy or unhappy the UK is with that, Gibraltar would be completely compliant, the fractional proceedings issue would not arise and nobody could prevent Gibraltar companies then being able to operate passporting rights on the basis of compliance with the investor protection scheme that was EU proof.

**HON K AZOPARDI:**

Yes in theory that is certainly true but this is one of a number of outstanding matters on investment services passporting that we are discussing with the UK and we prefer it for the pressure to remain on the UK on infraction proceedings because we think that it is certainly more advantageous to our position for their minds to be focused on the urgency of resolving this matter.

**HON J J BOSSANO:**

If this was resolved that would not be enough to clear the way for this particular sector of the industry to get passporting rights, there are still other things pending then?

**HON K AZOPARDI:**

There are other things being discussed but I think this is a very big issue and once this is cleared we would hope that in tandem we could deal with the other matters but certainly we view this as something that should be driven in parallel to our accession into this third tier of passporting, we do not believe that we should just deal with the transposition which is what the UK would want without us first clearing the path for obtaining passporting as well.

**NO. 1146 OF 2001**

**THE HON DR J J GARCIA**

**FIBRE OPTIC LINK – GIBRALTAR /LISBON**

Can Government explain what is the route that will be followed by the planned fibre optic link between Gibraltar and Lisbon?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question together with Question No 1147 of 2001.

**NO. 1147 OF 2001**

**THE HON DR J J GARCIA**

**CABLE LINK – GIBRALTAR/ MOROCCO**

Have Government now met the remaining two parties who expressed an interest in the provision of a cable link between Gibraltar and Morocco and what conclusions have been reached as a result of meeting the six interested parties?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Government have met all relevant parties but are not yet ready to make a statement on this matter.

**SUPPLEMENTARY TO QUESTION NOS 1146 AND 1147 OF 2001**

**HON DR J J GARCIA:**

For the purpose of clarification, Government are not ready to make a statement on the fibre optic link being through Lisbon or being with Morocco or on anything at all?

**HON K AZOPARDI:**

On anything relevant to the question, yes, not on anything at all. I think that should have been evident given that we have answered nearly 400 questions already. I know why the hon Member has asked the question because it is all in the same article which related to the e-com issue. What I said in relation to the Development and Planning application applies in this case I thought they were comments that were not prudent because they are sensitive discussions that could involve political issues and I do not believe it is appropriate to discuss those publicly. I believe that it was a mistake for that particular director to start discussing them in advance of even



significant progress on the issue. The Government when ready will make that statement and I am happy to brief the hon Member outside the publicity of this House on the issue but I do not want to publicise things when things have not yet been tied up or finalised. Had we gone beyond that point then I think we would be in a safer position but I do not want to undermine the discussions with a degree of publicity which I think the matter does not warrant.

**HON DR J J GARCIA:**

I understand what the Minister is saying but obviously the issue was publicised by the director of the company itself not by the Opposition but having said that we would obviously welcome to be briefed privately on the matter.

**HON K AZOPARDI:**

That is why the Government have discreetly ignored the article in the hope that not many people would have noticed it.

**HON J J BOSSANO:**

In respect of Question No 1146 of 2001 where do the Government come into these issues is it not entirely a matter for the company we are talking about a fibre optic link from Gibraltar to Lisbon and we do not control the intervening space, either air, sea, or land?

**HON K AZOPARDI:**

The hon Member is in danger of doing precisely what I have asked the Opposition not to do, which is to discuss this matter publicly, I am happy to discuss it with him. The Government's role is very simple in relation to discussions which is that there are certain consents and licences that need to be obtained that are crucial to the fruition of the project and therefore it is important for any party wishing to undertake any project to have the Government on the Board, and for licences and consents to be granted. One of the licences that would have to be required is a licence under the new Telecommunications Ordinance. After post-liberalisation those are matters that are being discussed with the Government. As I say I am happy to discuss it with him outside this House.

**NO. 1148 OF 2001**

**THE HON DR J J GARCIA**

**BARS AND RESTAURANTS – LICENCES**

How many licences for bars and restaurants to place tables and chairs outside their establishments were in force as at 30<sup>th</sup> June 2001, providing a list of names and where they are located?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There were 64 licences in place as at 30<sup>th</sup> June 2001. The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I hand to him.

**Answer to Question No 1148 of 2001**

**TABLES AND CHAIRS AS AT 30.6.01**

1.	All's Well	Unit 4 Casemates Barracks
2.	Angry Friar	287 Main Street
3.	Ark Royal	36 Irish Town
4.	Ashall Trading	Market Place
5.	Bacchus Bistro	John Mackintosh Square
6.	Barbary Ape	Grand Parade
7.	Bourbon street	150 Main Street
8.	Buddies	15 Cannon Lane
9.	Bull & Bush Bar	30 Parliament Lane
10.	Bunters	1 College Lane
11.	Burger King	Casemates House
12.	Burger King	292 Main Street
13.	Cannon Bar	27 Cannon Lane

14.	Cannon Hotel	9 Cannon Lane
15.	Casa Antonio	Waterport
16.	Coach & Horses	1 South Sheds Palace
17.	Crossroads Sandwich Bar	20 Parliament Lane
18.	Gibraltar Arms	184 Main Street
19.	Figaro's	Market Lane
20.	Finlayson's Kiosk	Casemates
21.	Hello California (Fish & Chips)	Casemates House
22.	Horseshoe Bar	193 Main Street
23.	House of Sacarello's	Irish Town
24.	House of Sacarello's	Tuckey's Lane
25.	Il Piccolo Mondo	9 Governor's Parade
26.	IC Prod Ltd ( Don Gelati)	24 Main Street
27.	La Barcina	Casemates ex-Health Centre
28.	Laguna Bar	19 Laguna Estate
29.	Latino's	Unit 9 Casemates Barracks
30.	Lenny's Kiosk	4 Casemates Square
31.	Little Rock Café	Unit 5 Casemates
32.	London Bar	76/78 Governor's Street
33.	Lord Nelson	Unit 10 Casemates
34.	Milk & Honey	238 Main Street
35.	Minister's	310 Main Street
36.	Moroccan Restaurant	46 Turnbull's Lane
37.	Munchies	24 Main Street
38.	Norma Jean's Dinner	10 John Mackintosh Square
39.	Oak Room Restaurant	Reclamation Road
40.	Pennyfarthing	7 King's Street
41.	Piazza	Main Street/John Mackintosh Square
42.	Pickwick's	17 Governor's Parade
43.	Piece of Denmark	Unit 3 ex-Health Centre (Casemates)
44.	Picasso's	22A Main Street
45.	Pizzaland	78 Main Street
46.	R & J Kiosk	6 Casemates
47.	Robin Hood	John Mackintosh Square
48.	Rock Souvenirs	Market Place
49.	Roy's II Fish & Chips	1 Convent Place
50.	Royal Calpe	176 Main Street
51.	Royal Oak	Irish Town
52.	Roy's Fish & Chips	45 Main Street
53.	Salsa's	4 Cornwall's Parade
54.	Seawave	Catalan Bay
55.	Simon's Restaurant	44 Cornwall's Lane
56.	Star Bar	12 Parliament Lane
57.	Tony's Restaurant	194 Main Street
58.	Tunnel The	Unit 8 Casemates
59.	Uptown Chicago	10 Cannon Lane
60.	Venture Inn	Lynch's Lane
61.	Village Inn	Catalan Bay
62.	Watergate Restaurant	Waterport
63.	Ye Olde Rock	John Mackintosh Square
64.	Yve's	Unit 1YZ Casemates

**NO. 1149 OF 2001**

**THE HON J J BOSSANO**

**RESIDENTIAL PROPERTIES**

Have any of the residential properties sold to sitting tenants since 1996 been sold on a freehold basis and if so will Government identify the properties in question?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

No properties have been sold freehold.

**NO. 1150 OF 2001****THE HON J J BOSSANO****COMMERCIAL BANKS - ASSETS AND LIABILITIES**

Can Government give the breakdown of assets and liabilities of commercial banks as at the end of July and September 2001?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

<b>Assets as at 30<sup>th</sup> June 2001</b>		<b>Assets as at 30<sup>th</sup> September 2001</b>	
	<b>£</b>		<b>£</b>
Total Assets	5,014,793,000	Total Assets	5,560,888,000
Cash	6,440,000	Cash	9,055,000
Balances with & Loans and Advances to Banks	3,697,721,000	Balances with & Loans and Advances to Banks	4,180,031,000
Loans and Advances	1,164,872,000	Loans and Advances	1,224,611,000
Investments	18,728,000	Investments	16,629,000
Other Assets	127,032,000	Other Assets	130,562,000
<b>Liabilities as at 30<sup>th</sup> June 2001</b>		<b>Liabilities as at 30<sup>th</sup> September 2001</b>	
	<b>£</b>		<b>£</b>
Total Liabilities	5,014,793,000	Total Liabilities	5,560,888,000
Current Accounts	909,445,000	Current Accounts	933,616,000
Deposit Accounts	1,455,096,000	Deposit Accounts	1,482,773,000
Total Deposits	2,364,541,000	Total Deposits	2,416,389,000
Balances from Banks	1,674,672,000	Balances from Banks	2,187,186,000
Other Liabilities	46,829,000	Other Liabilities	48,702,000

**NO. 1151 OF 2001**

**THE HON J J BOSSANO**

**QUALIFYING COMPANIES**

Can Government list the qualifying companies that are currently operating in Gibraltar and the rate of corporation tax payable in each case?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

We have approximately 124 active qualifying companies registered most of which operate from Gibraltar. These companies are subject to a rate of tax which may vary from .5 per cent to 23 per cent depending on the nature of their activities, size and turnover. The rates that particular companies pay are confidential, and may I just add that while I have given a margin of .5 per cent to 23 per cent the discretion is anything between 0 and 35 percent the reality is that most of them are paying somewhere between 2 per cent and 10 per cent.

**SUPPLEMENTARY TO QUESTION NO 1151 OF 2001**

**HON J J BOSSANO:**

Is the listing of the companies also confidential?

**HON K AZOPARDI:**

Yes if the hon Member mean the identity of the companies and the rates of tax and the nature of business, yes that is confidential information.

**HON J J BOSSANO:**

The Minister has told me that the rate of tax is confidential information but why should it be confidential, for example, that the betting shops are qualifying companies when we have volunteered that information previously in the House?

**HON K AZOPARDI:**

No, what is confidential is the rates. If the hon Member wants a list of companies it can be provided.

**HON J J BOSSANO:**

The question asks for the list of qualifying companies and the rate of tax payable in each case, obviously if he cannot give me both things he can give me half.

**HON K AZOPARDI:**

The department does not have a list that separates companies from rates of tax and so that is why I was reticent to give him the departmental list which I could have done quite easily, but I will ask the department to produce a list of companies which I can then send to him.

**NO. 1152 OF 2001**

**THE HON DR R G VALARINO**

**RESIDENTIAL PROPERTY**

Are Government aware of the many young Gibraltarians residing across the border because of their inability to afford to live in Gibraltar and what measures will Government take to combat this growing trend?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are not aware of the number of Gibraltarians living in Spain or the reasons for it. However, the Government are aware that residential property prices in Gibraltar have continued to rise sharply buoyed by a combination of economic prosperity and low interest rates. Whilst this is good for homeowners, it creates difficulty for first time home buyers in entering the property market. The Government will shortly announce a range of policy measures to give first time home buyers access to affordable properties.



**NO. 1153 OF 2001**

**THE HON J C PEREZ**

**TELEPHONE NUMBERING PROBLEM**

What is the position of the Government today, with regard to the public offer made by the Spanish Government of giving Gibraltar a few extra thousand telephone lines from the Cadiz numbering plan?

**ANSWER**

**THE HON THE CHIEF MINISTER**

According to statements attributed by the Spanish press to Señor Piqué, the offer of 70,000 extra numbers is conditional on the numbers not being used for the Finance Centre and also not being used for the purposes of "unfair competition" on Spain. The Government do not see this issue as a question of Spain granting Gibraltar more telephone numbers. Gibraltar has its own numbering plan under the Geneva Convention. The question is therefore, how many Gibraltar numbers are reachable from Spain. Spain is not in a position to grant us more numbers. She is able only to make more of our numbers reachable from Spain. Therefore, if Spain makes more of our numbers reachable from Spain then so be it. But Gibraltar will not accept any conditions thereon. Nor will that impact on the outstanding legal complaints, which is a matter for GNC and GIBTEL.

**SUPPLEMENTARY TO QUESTION NO 1153 OF 2001**

**HON J C PEREZ:**

So if I understand the Chief Minister rightly if Spain unilaterally decides to increase the numbers and not as part of any agreement, then so be it, but the Government will not enter into any agreement whether with conditions or without conditions on a certain number of extra telephone lines from the Cadiz numbering plan.

**HON CHIEF MINISTER:**

That correctly describes the Government's position.

**HON J J BOSSANO:**

I take it then that the Government do not agree with the formulation of Mr Hain who on his visit to Gibraltar described the Spanish offer of making more of our numbers reachable from Spain, although he did not put it quite in that way, as a gesture of goodwill and a step in the right direction?

**HON CHIEF MINISTER:**

Well we accept that it is a step albeit a very small one in the right direction but we do not think that these matters should be matters of goodwill or badwill, they are a matter of ordinary comity of nations, it is a matter of Spain complying with her international treaty obligations in relation to Gibraltar's numbering plan and access to Gibraltar's numbering network. So, certainly to the extent that anyone should try and talk up the significance in terms of generosity of the Spanish offer, first of all we do not see it in that light and it is precisely generosity that we do not think we should be subjected to in this area of life.

**HON J J BOSSANO:**

Given the formulation that the issue is better described more accurately described as how many of our numbers are reachable from Spain, is the implication of that that we may decide to have more numbers whether they are reachable from Spain or not?

**HON CHIEF MINISTER:**

That is a possibility, the technical possibility which is being investigated, it is one of the options that the Government have considered, continue to consider, it has potential implications but if needs be we would have to consider it seriously.

**HON J J BOSSANO:**

If that route was open then presumably the effect on telephone usage from Gibraltar would be limited only to those to whom it is being reached from Spain. We would then be able to issue extra telephone numbers to people to whom being reached from Spain might not be a major consideration?

**HON CHIEF MINISTER:**

There are technical issues involved, I do not want to be drawn too much into them so as not to give the game away but for example it would require Gibraltar to be operating in parallel to different numbering plans. Those numbers which were not reachable from Spain would be longer than those necessarily would have to be longer than those which were. It does not raise insuperable obstacles but it raises technical difficulties.

**NO. 1154 OF 2001**

**THE HON J C PEREZ**

**NON-RECOGNITION BY SPAIN OF THE 350 CODE**

Are Government still supporting the position paper of the British Government on the telephone numbering plan, namely, to accept the 00-44 UK code for calls from Spain only, something which the Chief Minister had turned down months earlier when put to him by the EU Commission?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government do not accept the factual premise in the second half of the hon Member's question. However, I am happy to confirm, once again, that the Government would accept a solution whereby the 00-44 code was used to access Gibraltar from Spain only, subject to certain technical conditions to make it feasible.

**NO. 1155 OF 2001**

**THE HON J C PEREZ**

**NON RECOGNITION BY SPAIN OF 350 CODE**

Have the European Commission given any indication, since April this year, that they are now disposed to take legal action against Spain for its non recognition of Gibraltar's internationally recognised 350 code?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am not aware that the European Commission has given any such indication.

**SUPPLEMENTARY TO QUESTION NO 1155 OF 2001**

**HON J J BOSSANO:**

Have Government given any thought to commencing proceedings against the European Commission for its failure to act on the complaint?

**HON CHIEF MINISTER:**

The Government are not in a position to do that because the Government are not the complainant an action against the Commission of 'Failure to Act' as it is called in the jargon of the European Community would have to be taken by Gibtel or Nynex or both and the Government have invited them to consider whether it is not now time to do that.

**NO. 1156 OF 2001**

**THE HON J C PEREZ**

**LAND PROPERTY SERVICES CONTRACT**

Has the review by Government of the contract with Land Property Services now finalised?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The process of reviewing the contract between Government and Land Property Services Ltd continues. In that review both sides are raising issues for discussion.

**SUPPLEMENTARY TO QUESTION NO 1156 OF 2001**

**HON J C PEREZ:**

Does the Chief Minister not think that the review is taking an undue long time, I think he has been telling us this for the last three years in the House?

**HON CHIEF MINISTER:**

I agree with the hon Member it is taking a long time it is not being conducted at a political level, it is being conducted by the Financial Secretary and the Accountant General. I know that they make progress in the discussions in fits and starts, I have not heard from them directly, that is from the company directly for some time, I have no doubt that the discussions are not taking place as expeditiously as the company would like and certainly there is nothing tactical from the Government's point of view. In other words the delay, the lack of progress, and the lack of finality does not reflect any position that the Government have taken in the negotiations but simply the

administrative time that it has taken given that it is being conducted at that level, of late it has been suggested that there might be Ministerial involvement in the discussions once again in an attempt to accelerate the process and I think that that will probably happen. I would accept the criticism in the hon Member's supplementary that this process has taken an inordinate period of time. In the meantime the existing contract remains in place, some of the things I think I am right in saying that some of the things that the company wanted were being withheld are being paid but that others are not. Whether on balance the company still considers that it is out of pocket the hon Member would have to speak to them but certainly it would be desirable that it should now be wrapped up.

**NO. 1157 OF 2001**

**THE HON J C PEREZ**

**SURVEILLANCE CAMERAS**

Do Government consider that there is still a need to install surveillance cameras in certain areas around Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

In the light of the terrorist attacks in the USA on the 11<sup>th</sup> September 2001, the Government have given the go ahead to install surveillance cameras at the Air Terminal, the Ferry Terminal and the Cruise Terminal. No decision has been taken as to their installation elsewhere, but the Government remain unconvinced by the case for the general deployment of CCTV cameras.

**SUPPLEMENTARY TO QUESTION NO 1157 OF 2001**

**HON J C PEREZ:**

So the view held by the Government previously that it would consider it in respect of areas of vandalism remains under review?

**HON CHIEF MINISTER:**

It remains under review because in a sense there is a reluctance to do it and these things are said in reaction to a spate of vandalism. If that spate of vandalism in that particular area wanes, the natural tendency is to pull back from the installing of the cameras. I am not personally a supporter of the installation of CCTV cameras although I readily accept that there is a case for them in specific areas because of the specific activities that take place in that area. I suppose if there was suddenly a flare

up, I think we last discussed it in relation to the area of Sir Herbert Miles Road, if one looks back to those repeated incidents of vandalism and should it start again, it would very rapidly rise up in the agenda again but whilst it does not happen, it is not actively under consideration.

**HON J C PEREZ:**

I would presume that the decision to install them in the airport and the Ferry Terminal is on advice from experts, the police or whatever, have the Government been advised likewise in the other entry points into Gibraltar which is the land frontier?

**HON CHIEF MINISTER:**

These three terminals are entry points more likely to be used by people arriving from a particular destination which is unlikely to be the case through the land frontier but it has not yet been discounted. The question of entry cameras at the border begins to raise issues of general surveillance of the population at large as opposed to the terminal, the cruise terminal which is just a specific part of the community at a specific time or when they are carrying out. The land frontier is surveilling thousands of people all the time and it raises wider considerations.



**NO. 1158 OF 2001**

**THE HON J C PEREZ**

**BREATHALYSER TESTS**

Are Government still insistent on introducing breathalyser tests and if so when do they expect to introduce the necessary legislation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As already stated the Government are introducing the breathalyser only for the use at the police station or hospital following arrest. The breathalyser will not be introduced for roadside, random use as occurs in the UK, Spain and elsewhere. The legislation is in the final stages of preparation and the Government intend to introduce it in the House shortly.

**NO. 1159 OF 2001**

**THE HON J C PEREZ**

**POST OF FINANCIAL AND DEVELOPMENT SECRETARY**

Can Government confirm that the present Financial and Development Secretary is to be appointed as Chief Executive Officer of Gibtel and Gibraltar Nynex when he finishes his term as Financial Secretary shortly?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Discussions are currently underway with the Financial and Development Secretary, Mr Tim Bristow, concerning the possibility of extending his appointment in that post. The appointment of any Chief Executive Officer for the new telephone company is a matter for the two companies and not the Government. However, the Government have indicated that it has no objection to Mr Bristow being engaged by the telephone companies as well, given that he has been working closely on their affairs as a director since 1997. Any such arrangement would not prejudice the exercise by Mr Bristow of his Constitutional and Statutory duties as Financial and Development Secretary.

**SUPPLEMENTARY TO QUESTION No 1159 of 2001**

**HON J J BOSSANO:**

Have we understood rightly that what we are talking about is Mr Bristow possibly doing the two jobs, Chief Executive and Financial Secretary?

**HON CHIEF MINISTER:**

Yes he is currently doing two jobs, he is currently the Financial Secretary and the Director of both telephone companies and it is not a nominal directorship he is actually

being very heavily engaged in the affairs of the telephone companies in the last two to three years.

**HON J J BOSSANO:**

Then that presumably means that the Financial Development Secretary job is no longer a 39 hour week, five day job with an eight hour working day if he is heavily involved doing something else.

**HON CHIEF MINISTER:**

Necessarily any hours that he spends representing the Government or any hours that he spends on the affairs of the telephone companies he is not spending on the affairs of the Government except to the extent that the interests of the Government and the interests of the telephone companies coincide.

**HON J J BOSSANO:**

The Chief Minister started describing it as representing the Government and then seemed to change his phraseology half way through. Is he not in the company representing the Government as the shareholder?

**HON CHIEF MINISTER:**

That is his current role yes.

**HON J J BOSSANO:**

Therefore that current role means that he is in fact working for the Government while he is in the company protecting their interests, where as if the company is independent of his being employed by the Government employed him that would not be a continuation of the present situation.

**HON CHIEF MINISTER:**

No it would be a different nature of responsibility and duty yes.

**HON J J BOSSANO:**

What is the nature of the remuneration that he gets while he is a director on behalf of the Government of Gibraltar in the telephone companies?

**HON CHIEF MINISTER:**

No my understanding is that at the moment he does not get remuneration.

**HON J J BOSSANO:**

So therefore on that basis clearly he is doing the work not for nothing but for his salary as Financial and Development Secretary and consequently it can be said that in the present circumstances he is actually working a 39 hour week although he may be spending part of that time in his role as a director but are we being given to understand that the Government have no objection to employing somebody as a full-time civil servant and allowing him to be employed during his working hours as a civil servant by somebody else in the private sector and being paid by them.

**HON CHIEF MINISTER:**

The Government have indicated that it has no objection in the exceptional case of this particular public servant. I would not say that I would take the same view of everybody else. In my original answer I made it perfectly clear that we expect the Financial Secretary to discharge his responsibility in full to the Government as Financial Secretary.

**HON J J BOSSANO:**

I would expect the Government to expect that but would the Government not agree that if in fact we have got somebody who is a full-time public servant in an area as important as this being the Financial Secretary and having a place in the House, really it is breaking totally new ground if we are going to allow him to be employed with the level of arm's length that has been indicated where we are being told that it is a decision for the companies and not for the Government. It is one thing for the Government to want to have their own person to protect their interests on the Board, and that I can understand and indeed not only do we support it we initiated that and another thing is describing it in the new scenario, would the Government not agree that this requires thought about possible repercussive effects?

**HON CHIEF MINISTER:**

No, I accept that it is breaking new ground I nevertheless believe given all the factors that have to be brought to bare that it is in the overall public interests that this should be so and the Government are convinced that the role and the remaining statutory and constitutional duties of the Financial and Development Secretary can be discharged by somebody who nevertheless has to, remember that the telephone companies will continue to retain the services of the two current Manager and Managing Director so that this role is in a sense overarching and is intended to facilitate the integration of the two companies for a period of time to try and avoid what is usually difficulties that arise from tribal rivalries if I could call them I am not sure either of them would appreciate the choice of words but hon Members know what I mean in an attempt to maximise the level of integration between the two companies and the two different cultures it has been thought appropriate to overarch this by having somebody over the top of both. This is not a chap who is going to sit at his desk dealing with the day to day affairs of the company it will be a much more strategic role. The Government are satisfied and the Foreign and Commonwealth Office is satisfied.

**HON J J BOSSANO:**

Satisfaction on the part of the Foreign Commonwealth Office nowadays is not necessarily a plus point, can I say, presumably he will be paid a salary by the companies?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

Would that mean then that in fact he will no longer be a director of the company when he becomes Chief Executive?

**HON CHIEF MINISTER:**

No the Chief Executive Officer can also be indeed usually is a director of the company.

**NO. 1160 OF 2001**

**THE HON J C PEREZ**

**POST OF PERSONNEL MANAGER**

Are Government any nearer to filling the vacancy for Personnel Manager than it was when I last raised the matter in the House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Some months ago I asked the Chief Secretary to submit recommendations to me for a possible restructure of the Personnel Department. This exercise is in hand. Regrettably it has taken longer than anticipated owing to other demands on the Chief Secretary but the matter should be finalised before the end of the year.

**NO. 1161 OF 2001**

**THE HON J C PEREZ**

**POST OF COLLECTOR OF CUSTOMS**

When do Government intend to advertise the post of Collector of Customs?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Following the retirement of the previous Collector of Customs, it was decided to allow the two most senior officers in the department to have the opportunity to act as Collector over more sustained periods of substitution with a view to advertising the post for substantive promotion in the autumn. It is proposed to advertise the vacancy shortly.

**NO. 1162 OF 2001**

**THE HON J C PEREZ**

**PORT AUTHORITY**

Is it still Government's intention to restructure the Port Department into the Port Authority?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Yes.

**SUPPLEMENTARY TO QUESTION NO 1162 OF 2001**

**HON J C PEREZ:**

Do Government have any time scale for this? I know that the Minister has been telling me that there have been certain problems but the problems seem to grow rather than diminish in trying to achieve that objective. Have the Government got a deadline for this, have the problems been sorted out, is there an agenda for this to happen now?

**HON J J HOLLIDAY:**

The Government have had detailed discussions with the staff side and as recently as last week a full package of the re-structure following discussions has now been submitted to the staff side and we have a date I think in the next two to three weeks when we will hope to meet and conclude the matter satisfactorily, if possible obviously.



**NO. 1163 OF 2001**

**THE HON J C PEREZ**

**POST OF CAPTAIN OF THE PORT**

How is the post of Captain of the Port presently being covered?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The post of Captain of the Port has been covered on an acting basis since 1<sup>st</sup> September 1999.

**SUPPLEMENTARY TO QUESTION NO 1163 OF 2001**

**HON J C PEREZ:**

Is it envisaged that this will continue until the restructure of the port is complete or is this independent to the restructure of the post or the post will not be altered or touched at all as a result of the restructure?

**HON CHIEF MINISTER:**

The post may be affected in a sort of nomenclature sense only by the restructure but that is not the reason why it has been on an acting basis since the September 1999. I would prefer not to give the hon Member the reasons for that in public but I would be happy to communicate them to him on a private basis in the ante-room given that the interests of everybody are best served by this matter being handled with discretion.

**NO. 1164 OF 2001**

**THE HON J C PEREZ**

**COMPETENT AUTHORITY**

Can Government state whether a revised list of competent authorities in respect of the application of Council directives 93/75 EEC and 78/55 EEC, has been published by the European Commission after 24<sup>th</sup> April 2001, and if so, whether the Captain of the Port appears on the list as Gibraltar's competent authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As far as the Government are aware, no new list has been published since the 24<sup>th</sup> April 2001.

**NO. 1165 OF 2001**

**THE HON J C PEREZ**

**PAY REVIEW**

Can Government state whether the dispute over the 1999/2000 Pay Review affecting Customs and Port Department Personnel has now been resolved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the parity agreement Customs and Port Department personnel are analogued to clerical and administrative staff. Government regard the 1999/2000 reviews to be closed. However as the Government stated earlier this year, Government are always open to address representations from any grade as to whether they are properly analogued or paid in accordance with the principle of parity, to which the Government are completely committed.

**SUPPLEMENTARY TO QUESTION NO 1165 OF 2001**

**HON J C PEREZ:**

Can the Chief Minister confirm that in respect of certainly the Customs I am not sure about the Port Department, there has been a proposal to look at a different analogue to the present one to see whether that is a more convenient or direct or acceptable analogue than the present one with the A grades and that this is indeed being looked into at present?

**HON CHIEF MINISTER:**

It is being looked into but not in connection with the reviews mentioned in the question.

**HON J C PEREZ:**

For both the Port Department and the Customs or only the Customs?

**HON CHIEF MINISTER:**

An element of review, enquiry, research, has taken place also in relation to Port Department personnel, yes, pursuant from my original answer both they and the Government have been researching whether these two grades were never very comfortably analogued when parity was introduced in the first place, whether the proper application of a parity requires them to be re-analogued but whilst they remain analogued as they are under the local parity agreement they cannot negotiate better terms than the grades to which they are analogued.

**HON J C PEREZ:**

Given that the Government contend that the 1999/2000 pay review is not affected I would then presume that the persons concerned have now received their back pay and are now on the new rates of pay as every other civil servant or are they still resisting from taking it?

**HON CHIEF MINISTER:**

Pay review increases have been available to all civil servants and my understanding is that the Customs have taken it up now but that the Port Department have not, the Government do not regard the fact that they have not taken it up as the review being outstanding. They are analogued to a grade, they have no negotiating rights in respect of their own grade and therefore they cannot destroy the basis of parity in that way except through a formal agreement of re-analoguing and the Government has made it perfectly clear to them that it is not willing to do that retrospectively. The Government are willing to consider any reasonable re-analoguing claim that can be justified by proper fair application of the principle of parity but that is a different exercise to negotiating a pay review when one is analogued to a grade.

**NO. 1166 OF 2001**

**THE HON J C PEREZ**

**OMBUDSMAN**

Can Government state whether certain individuals or entities are taking legal action against the Government over matters which have first been raised with the Ombudsman and where the Ombudsman has found in favour of the complainant?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1167 of 2001.

**NO. 1167 OF 2001**

**THE HON J C PEREZ**

**OMBUDSMAN**

Of the cases investigated by the Ombudsman, where the conclusion was, that either a Government Department or a Government agency were acting wrongly, can Government state whether they have taken any action to correct this, and in respect of which cases?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are not aware that any legal action has been taken against the Government over matters which have been raised by the Ombudsman and where the Ombudsman has found in favour of the complainant. In his report to 31<sup>st</sup> December 2000 the Ombudsman identified a total of 37 cases where he concluded that a complaint against a Government Department or Agency had been sustained. The recommendations made in respect of 34 cases were accepted and have been resolved. Two cases are pending resolution and one case is still under review. I hand the hon Member a list summarising the 37 cases and their current status as to the action taken.

### **Answer to Question 1167**

#### **Buildings & Works**

CS/160	Delay in removing rubbish from empty flat and communal terrace.	- Case sustained.	Recommendation made and accepted.
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#### **Education & Training**

CS/14	Failure to obtain a permanent post as classroom aide.	- Case sustained.	Recommendation made and accepted.
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#### **Employment Service**

CS/25	Rigidity of monitoring system for the registered unemployed.	- Case sustained.	Recommendation made and accepted.
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#### **Gibraltar Health Authority**

CS/42	Failure to provide information as to access to the the Gibraltar Group Practice Medical Scheme.	- Case sustained.	Recommendation made and accepted
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#### **Gibraltar Nynex Communications**

CS/136	Disconnection of telephone line.	- Case sustained.	Recommendation made and accepted.
CS/161	Failure to comply with customer service procedures.	- Case sustained.	Recommendation made and accepted.

#### **Gibraltar Post Office**

CS/67	Delay in service.	- Case sustained.	Recommendation made and accepted.
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#### **Gibraltar Security Service**

CS/135	Disposal of vehicle	- Case sustained.	Recommendation made and accepted.
CS/171	Complaint against a Traffic Warden over a fine.	- Case sustained.	Recommendation made and accepted.

#### **Housing Agency**

CS/06	Discrepancy in rent of Government flat.	- Case sustained.	Recommendation made and accepted.
CS/09	Controversy over proposed temporary allocation into hostel.	- Case sustained.	Recommendation made and accepted.
CS/32	The way rent had been worked out.	- Case sustained.	Recommendation made and accepted.
CS/41	Failure to address a recurring nuisance.	- Case sustained.	Recommendation made and accepted.
CS/45	Delay in categorising Complainant on the 'A' Medical List.	- Case sustained.	Recommendation made and accepted.

### **Continued Answer to Question 1167**

CS/82	Failure to properly advise the Complainant of address. the need to re-apply for rent relief given that it had incorrectly recorded the Complainant's	- Case sustained.	Recommendation made and accepted.
CS/86	Failure to demand recovery of rent arrears from both tenants under a tenancy agreement.	- Case sustained.	Recommendation made and accepted.
CS/88	Delay in answering letter.	- Case sustained.	Recommendation made and accepted.
CS/90	Delay in recovering key of empty flat and answering a letter.	- Case sustained.	Recommendation made and accepted.
CS/157	Over delay in answering a letter and making a second offer of accommodation.	- Case sustained.	Recommendation made and accepted.
<b>Income Tax</b>			
CS/69	The imposition of penalties and other irregularities.	- Case sustained.	Recommendation made and accepted.
CS/100	Failure to follow through a recommendation for waiver of PAYE arrears.	- Case sustained.	Recommendation made and accepted.
<b>Lyonnaise Des Eaux Ltd</b>			
CS/43	Failure to communicate impending interruptions of service.	- Case sustained.	Recommendation made and accepted.
CS/139	No notification of impending works.	- Case sustained.	Recommendation made and accepted.
<b>Royal Gibraltar Police</b>			
CS/59	Payment of fine.	- Case sustained.	Recommendation made and accepted.
CS/109	Clamping of a vehicle.	- Case sustained.	Recommendation made and accepted.
CS/121	Prosecution information lost resulting in failure to prosecute.	- Case sustained.	Recommendation made and accepted. Pending implementation.
<b>Social Security</b>			
CS/28	Delay by the Medical Board to hear case and lack of information as to the effect which the gap in insurance contribution would have on pensions.	- Case sustained.	Recommendation made and still under review.
CS/81	Failure to pay social assistance.	- Case sustained.	Recommendation made and accepted.
CS/87	Forcing complainant to take legal action.	- Case sustained.	Recommendation made and accepted in principle for ministerial approval.
CS/91	Failure to properly investigate fraud before reducing entitlement	- Case sustained.	Recommendation made and accepted.



contd

**Continued answer to Question 1167**

CS/98      Failure to grant social assistance.  
CS/110     Pension controversy.  
CS/132     Pension controversy.  
CS/150     Neglect to advise.

- Case sustained.      Recommendation made and accepted.  
- Case sustained.      Recommendation made and accepted.  
- Case sustained.      Recommendation made and accepted.  
- Case sustained.      Recommendation made and accepted.

**Technical Services**

CS/129      The way works had been carried out.

- Case sustained.      Recommendation made and accepted.

**Trade & Industry**

CS/34      Delay in forwarding information.

- Case sustained.      Recommendation made and accepted.

**Treasury**

CS/15      Delay in paying compensation.

- Case sustained.      Recommendation made and accepted.

## **SUPPLEMENTARY TO QUESTION NOS 1166 AND 1167 OF 2001**

**HON J C PEREZ:**

The Chief Minister is talking about the case in the report of the Ombudsman I did not specifically limit my question to that in the event that the Government had already initiated some action in respect of other cases that might have been put to it after the report has been published.

**HON CHIEF MINISTER:**

I think as to litigation the answer would be the same. As to administrative action acceptance because the Government do not necessarily accept the findings of the Ombudsman, Government appointed the Ombudsman in order to avail itself the benefit of his independent assessments but there are cases in which the Government just take a different view. I am happy to say it is very much the minority of cases, so of the ones post the 2000 report I can not say how many are in the Departments and of those how many have been accepted, implemented, or how many are in dispute or pending. According to the Attorney General there is no litigation afoot on any of these cases.

**HON J C PEREZ:**

Is it not the case that in some instances there is an attempt to solve the problems whilst the Ombudsman is investigating the case and before a report is made?

**HON CHIEF MINISTER:**

The Ombudsman encourages that, his preference is not to have to report on a case at all or at least to have to report that it was solved on the basic facts and that it was solved. The more of that that were happening the better the Ombudsman system would be working both from the citizen's point of view and indeed from the Government's point of view that want the best possible services offered to the citizen. There are still cases in which, let me say candidly to the hon Member that the areas of difficulty with the Ombudsman appear to be where the Government take the view that he is straying away from maladministration into matters of policy. The fact that the Ombudsman thinks that the Government should have a different policy over something is something that the Government certainly take into account, we do not disregard his views, the Government's policy is capable of being improved especially in the light of investigated experience but there are issues in which the Government take the view that it is a policy matter and that the Government want to continue doing things as they are being done whereas the Ombudsman who is entitled to his views about the correctness of Government policy would differently if he were a Minister but of course his statutory remit is limited to areas of maladministration and we are both as receptive with each other as possible as to the areas in which policy and administration overlap and I think we both accept that it is the Government on one side and the Ombudsman on the other, but there are areas where the line between policy and administration are blurred.

**NO. 1168 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**TRANSFER OF BOATS AT WESTERN BEACH TO COALING ISLAND**

Are Government now in a position to indicate when they can expect the transfer of boats at Western Beach to the area of Coaling Island to commence?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The position remains as explained in answer to Question No 403 of 2001.

**SUPPLEMENTARY TO QUESTION NO 1168 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I do not know if it is the Hon Mr Britto learning from the Chief Minister or the Chief Minister learning from Mr Britto. In the last House of Assembly meeting the Chief Minister said that there is an outline of an agreement in principal with the MOD that the negotiations had progressed well and that now what they required is discussion with a third party but that these negotiations are also progressing well. Is it that they are progressing so well that the transfer will take place during this Financial Year or is it that the negotiations that they are having with the third party require more negotiations even though they are progressing well?

**HON CHIEF MINISTER:**

They are progressing well but it does require the third party to accept a swap of one site for another to facilitate the full relocation of the MOD. The whole purpose of the current exercise is to avoid the expense of having to build the jetty. The hon Lady will recall that originally the plan was to vacate the basin by building a jetty to which the MOD would transfer the tug

thereby vacating the basin. That proved to be very expensive and we are now looking at a very different proposal, the deal is not yet done, the time between this question and her previous question has not been wasted, the Government have been preparing the paperwork for the equipment necessary to fit out the Coaling Island Basin for yachts as and when if we get it but until we get the site transferred to us by the MOD we are not in a position to press the green button, it really is as simple as that and let me put it to the hon Member this way, a way that I know he will understand politically, for the very same reason that the hon Member thinks it is in her interest to keep on asking this question, for the very same reason the Government have no interest in delaying implementing the project so she should assume that the Government, are contributing absolutely nothing to the delay.

**HON J J BOSSANO:**

Since the other solution that has been considered is not as expensive as the original one which was prohibitive does it mean that now it is not a question of money?

**HON CHIEF MINISTER:**

No it is not, it is not a question of money it is a question, well I think I can not remember the details because this negotiation is being conducted by the Minister for Trade and Industry but it all boils down to what site Taylor Woodrow or Queensway Quay will accept for the development rights that they have over the Gunwharf itself, the sort of the aisle at the end of Gunwharf, the bit that comes back south having gone out west, this bit here, it all boils down to a suitable replacement site for that.

**NO. 1169 OF 2001**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

Can Government say how many people are employed in the offshore betting industry, indicating how many are part time and how many are full time as at 30 September 2001, listing the companies where such persons are employed and how many are Gibraltarians, how many are EU nationals and how many are non EU nationals?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Based on recent returns received from licensed operators as at mid October a total of 533 persons were employed by eight operators. I now hand the hon Member the employment information that he has requested.

**OFFSHORE GAMING COMPANIES - EMPLOYMENT STATISTICS AS AT 26 OCTOBER 2001**

**Licensed Operators**

	<u>Gibraltar</u>	<u>Other British</u>	<u>Spanish</u>	<u>Other</u>	<u>Total</u>
Ladbroke (Gibraltar) Limited - Full Time	41	53	3	15	112
- Part Time	23	22	0	2	47
Sub-Total	64	75	3	17	159
Victor Chandler (Int) Limited - Full Time	32	111	6	31	180
- Part Time	20	15	10	4	49
Sub-Total	52	126	16	35	229
Simon Bold (Gibraltar) Limited - Full Time	11	18	0	4	33
- Part Time	1	0	1	1	3
Sub-Total	12	18	1	5	36
Stan James (Gibraltar) Limited - Full Time	23	43	0	2	68
- Part Time	6	0	0	1	7
Sub-Total	29	43	0	3	75
Netgame Limited )					
Rock Game )	8	1	3	2	14
Eurobet (Gibraltar) Limited	7	1	0	6	14
Demmysportsbet.com Limited	4	2	0	0	6
A F Ballester Limited [Not Operational]	-	-	-	-	-
Totals:-					
Full Time	126	229	12	60	427
Part Time	50	37	11	8	106
Overall Total	176	266	23	68	533

Source: Office of the Financial & Development Secretary

## **SUPPLEMENTARY TO QUESTION NO 1169 OF 2001**

**HON J J BOSSANO:**

If we compare the breakdown provided now with that in Question Nos 792 and 796 of 2001 the Ladbroke figure has gone down, does that mean that Ladbroke is retaining a presence at the present level given for October or is it anticipated that they will go down forever?

**HON CHIEF MINISTER:**

The statistics containing the answers to the questions to which he has just referred were taken from the employment service, these that I am now giving him are from a direct survey of the eight companies, so that reflects the more up-to-date position. Ladbrokes and Eurobet sometimes known as Corals are the only two companies that have informed the Government of the reallocation of their operations to the UK. Both companies proposed to continue to maintain a presence in Gibraltar from where they will be running Internet Casinos and small contracted out bookmaking operations. These remaining operations are expected to employ around 30 to 40 people.

**HON J J BOSSANO:**

If we are talking about 30 to 40 people between the two of them given that in the figure we have got here for October we are talking about 174 between the two of them does that imply that we can expect a drop of 140 on the basis of that indication from the companies concerned?

**HON CHIEF MINISTER:**

Yes indeed other operators are not maintaining but indeed expanding their operations and one possible new operator who does not wish to be named at this stage could eventually employ over 100 people so the Government are very hopeful that after a period of some instability in relation to these 120 odd jobs that they will all be reabsorbed in that same sector but that is it, there would certainly be more than instability, I think there may well be a temporary loss of a high number of those jobs, Ladbrokes is in serious discussions with an operator to buy the call centre but there is no guarantee that it will be a seamless transition and therefore in-between there will be loss.

**HON J J BOSSANO:**

I think in answer to the previous question in fact the Government indicated that the sort of deadline for them being able to find a replacement was October, I think they gave the month of October as a deadline, are we talking then that given that these are the figures as at the end of October and we are now in November that the deadline has now passed or is there a new deadline?

**HON CHIEF MINISTER:**

I think they are in the process of a move at the moment. A lot of their ex-pat people have gone, I was down at the hostel they bought, the Sunrise Motel, and that is more or less deserted. I think they are still employing locals they have not quite finished the move across but that must be imminent now. I do not know if the hon Member knows that I think the behaviour of the Treasury in the UK really does not bear much analysis or scrutiny in terms of fairness. For a Ministry of Government that sponsors the OECD initiative on harmful tax practices, hon Members may recall that the way they got companies with brick and mortar operations in the UK to repatriate the offshore telephone business was by saying "here is a new tax deal for your high street betting shops but it is only available to you if you come back, if you bring back originally the UK telephone betting business." At the last minute they required them also to bring back their international telephone betting business so that, for example, in the case of Ladbrokes all that business that they were doing before 1996, the one that they originally established in Gibraltar to do, international, purely international telephone betting business, nothing to do with the UK they had been forced to repatriate that as well which is not UK business at all to shift that to the UK as a condition to obtaining that tax advantage, if that is not the application to attract the relocation of businesses to one's country I cannot think of a clearer case but I suppose there is one rule for the big boys and another one for the smaller chaps.

**HON J J BOSSANO:**

In the case of Victor Chandler we understood that they were not affected at all from the original statements but in fact what we have here is a drop of 50 jobs from 278 to 229 but this is not presumably connected with relocating to UK because I think the public statements that they made at the time was that they had no UK high street operation?

**HON CHIEF MINISTER:**

Yes indeed I have not in myself been able to conduct the comparison I suspect that Victor Chandler's employment level also fluctuates I do not know if the hon Member has the original figures but is the decline mainly in the part-time figure or in the full-time figure? It is not broken down in that case.

**HON J J BOSSANO:**

Yes the decline is in the full-time which is down from 272 to 180 the part-time is actually up from 6 to 49 so there is an even bigger decline in the full-time component than there is in the overall total it is almost 100 full time jobs lost.

**HON CHIEF MINISTER:**

Yes, I would have to research the point but the previous answers were from employment records which has this problem of contracts terminated but not closed. Because the Government have been monitoring the impact of the Chancellor's decision on the local industry the Financial and Development Secretary has conducted a survey of each operator and these statistics that we now have in front come straight from the employer as opposed to the ones in the previous answer which came from the employment records and are therefore susceptible to the sort of defects that statistics from that source generically suffer from because of non-closure of terminated contracts and things of that sort.



**HON J J BOSSANO:**

In the case of A F Ballester, it says in the paper we have been provided with today, non-operational, is this not the one that was actually announced that there had been a company that had bought it up and that there was going to be an increase of employment that is what we were told the last time.

**HON CHIEF MINISTER:**

Subsequently to that, in other words the company that bought A F Ballester was itself bought by a much larger operation that discontinued its intention to establish the Gibraltar operation.

**NO. 1170 OF 2001**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

What is the state of progress of the two applications for a licence to conduct offshore betting from Gibraltar that were taken forward to the application stage and pending consideration in answer to questions in May?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1171 of 2001.

**NO. 1171 OF 2001**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

How many enquiries for a licence to conduct offshore betting from Gibraltar have been received since 1<sup>st</sup> May 2001, on what dates and by whom, how many have progressed to the application stage, how many have been rejected and how many are pending consideration?

**ANSWER**

**THE HON THE CHIEF MINISTER**

About 21 enquiries have been received since 1<sup>st</sup> May 2001. Of these four are applications from existing operators seeking to expand their gaming operations in Gibraltar, of which two have already been approved and two are under consideration. A further two enquiries are being taken forward to the application stage and are pending consideration. The remainder are not being pursued. Of the two applications under consideration as at April 2001 (Question No 793 of 2001) only one is being taken forward.

**SUPPLEMENTARY TO QUESTION NOS 1170 AND 1171 OF 2001**

**HON DR J J GARCIA:**

Is it possible to elaborate on the reasons for the fact that only four of the 21 have been taken forward to the application stage?

**HON CHIEF MINISTER:**

I can only elaborate in a very general way, the Government receive a lot of enquiries, we are quite choosy about who we allow into the jurisdiction for a potentially high risk, if the House pardons the pun, high jurisdictional risk business like this and many of the enquirers

themselves loose interest when they realise the hurdles that they have to jump through, that this is not just a jurisdiction where one can arrive with a suitcase and set up a business. Many of them do not need our due diligence efforts in the sense that they are not blue chip names or things of that sort. So there is many number of reasons why many enquiries either do not materialise into applications because the enquirer goes away, or because we recommend to the enquirer not to bother to pursue it any further or they submit an application that is turned down. That is rare, usually most people that we intend not to licence get sent and given the message and accept it before going to the trouble of formulating a formal application. This is really in discussion between the enquirer and the Financial Secretary who operates within an established policy parameter and administers this but it is not an area in which the Government believe it is in the public interest to Gibraltar to lower the guard in terms of these calibre and standing of the people that we allow in.

**NO. 1172 OF 2001**

**THE HON DR J J GARCIA**

**OECD TAX INITIATIVES**

Can Government say what the latest position is in relation to the objection by Madrid to the Gibraltar Government giving the OECD the commitment that it seeks?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1173 and 1208 of 2001.

**NO. 1173 OF 2001**

**THE HON DR J J GARCIA**

**OECD TAX INITIATIVES**

Have the Government taken a view of when to give a letter of commitment to the OECD in relation to their initiative against so called harmful tax practices and if so when do they intend to make the commitment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1172 and 1208 of 2001.

**NO. 1174 OF 2001**

**THE HON DR J J GARCIA**

**HEAD 8A SUBHEAD 8(d)**

Can Government provide a breakdown of Head 8A Sub Head 8(d) the £40,000 forecast out-turn for 2000/2001 in respect of private sector fees for legal drafting, listing the name of the firm, the amount paid and the date of payment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1175 of 2001.

**NO. 1175 OF 2001**

**THE HON DR J J GARCIA**

**HEAD 8A SUBHEAD (13)**

Can Government provide a breakdown of Head 8A Subhead 13, the £832,000 forecast out-turn for 2000/2001 in respect of private sector fees for legal advice, listing the name of the firm, the amount paid and the date of payment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 1174 of 2001**

**Head 8A Subhead (e) Private Sector Fees/or Legal Drafting – FY 2000/2001**

**Mr M Llamas**

30/06/00	=	£18,330.00
	=	£ 3,965.00

04/01/01	=	£ 6,005.00
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<b><u>Hassans</u></b>	=	£ 9,867.30
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**Answer to Question No 1175 of 2001**

**8A – 13 Private Sector Fees for Legal Advisory Advice FY 2000/2001**

<b>To</b>	<b>Date</b>	<b>Amount</b>	
	<b>£</b>	<b>£</b>	
<b><u>Hassans</u></b>			
	09.05.00	18,655.00	
	18.05.00	9,010.00	
	18.05.00	8,835.00	
	14.06.00	4,575.00	
	30.06.00	18,042.50	
	12.07.00	330.00	
	19.07.00	26,171.22	
	04.08.00	6,045.00	
	10.10.00	21,513.11	
	13.10.00	2,175.10	
	13.11.00	2,775.00	
	20.12.00	26,855.00	
	01.02.01	1,365.00	
	15.02.01	10,017.10	
	02.03.01	19,555.00	
		<b>175,919.03</b>	
<b><u>Stagnetto &amp; Co</u></b>			
	01.06.00	2,750.00	
	17.10.00	5,951.00	
		<b>8,701.00</b>	
<b><u>Louis W Triay &amp; Partners</u></b>			
	09.06.00	506,853.00	
	08.12.00	330.00	
	14.12.00	675.00	
		<b>507,858.00</b>	
<b><u>White &amp; Case</u></b>			
<b>Jan – April 2000</b>	23.06.00	2,837.83	
<b>May – June 2000</b>	17.08.00	5,228.30	
<b>July - Sept 2000</b>	18.12.00	5,313.61	
<b>October 2000</b>	06.02.01	4,313.10	
<b>Nov-Dec 2000</b>	02.03.01	7,484.30	
		<b>25,177.14</b>	

<b><u>Triay &amp; Triay</u></b>			
	31.07.00	9,657.75	
	14.08.00	6,115.00	
	26.09.00	7,960.00	
	08.02.01	5,359.00	
	02.05.01	2,405.00	
	06.03.01	1,999.00	
		<b>33,495.75</b>	
<b><u>Attias &amp; Levy</u></b>			
	12,650.00		
	08.12.00	1,570.00	
			14,220.00
<b><u>Isola &amp; Isola</u></b>	04.12.00	22,078.50	
<b><u>Budhrani &amp; Co</u></b>	16.01.01	500.00	
<b><u>Miscellaneous</u></b>			
<b>O'Connor &amp; Co</b>	09.06.00	401.93	
<b>Mr Michael Pooles QC</b>	09.08.00	2,000.00	
<b>Mr Michael Llamas</b>	10.10.00	9,620.00	
<b>Mr M Llamas</b>	15.02.01	6,500.00	
<b>Mr M Everall QC</b>	24.11.00	1,500.00	
<b>Mr A Thornhill QC</b>	04.12.00	6,000.00	
<b>Mr Nigel Teare QC</b>	02.03.01	2,643.75	

**NO. 1176 OF 2001**

**THE HON DR J J GARCIA**

**HEAD 8A SUBHEAD 22**

Can Government provide a breakdown of Head 8A Sub Head 22 the £302,000 forecast out-turn for 2000/2001 in respect of Research, Development Studies and Professional Fees, listing the amount of payment, who the payment was made to, when and for what purpose?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested by the hon Member is set out in the written schedule that I now hand to him.

**SUPPLEMENTARY TO QUESTION NO 1176 OF 2001**

**HON J J BOSSANO:**

In respect of the £35,000 grant to the Gibraltar Chronicle for an in-depth study of 11<sup>th</sup> April 2000, did the study go to the Gibraltar Government or did it go to the Gibraltar Chronicle?

**HON CHIEF MINISTER:**

No this was a grant to the Chronicle for its management to obtain this report, bits of it have certainly been shown to the Government in the subsequent discussions but this was not a report for the Government it was a report commissioned by and for the management of the Chronicle.

**Answer to Question 1176**

**8A – 22 Development Studies**

<b><u>To:</u></b>	<b><u>Date:</u></b>	<b><u>Description:</u></b>	<b><u>Amount:</u></b>
<b><u>Misc:</u></b>			
Mr D Mosquera	13/04/00	Estimate for multi – story car park P. Barracks	9,000.00
BDO Fidecs	18/04/00	Grant for Gibraltar Chronicle Ltd for In-depth study	35,000.00
BDO Fidecs	02/03/01	Tax reform working group	3,952.50
Mr P Gomez	03/05/00	Prof fees – 2 Devil's Gap Rd	800.00
KPMG Plc	18/05/00	Project Take – Off	20,000.00
Entec UK Ltd	09/06/00	Incinerator Arbitration In–Town Development Ltd	<u>17,285.94</u>
			86,038.44
 <b><u>Input / Output Study:</u></b>			
Bournemouth Uni	12/05/00	Construction of Study	10,800.00
Image Graphics	01/06/00	Usage during Feb, Mar & April 2001	2,281.49
Worldwide Shipping & Freight Co	23/06/00	Transport cost icw documents sent to India	1,027.00
Infotech Private Ltd	23/08/00	Data entry	225.00
DSS Infotech	02/10/00	Data entry	2,025.00
T.S. Logistics Ltd.	06/10/01	Transport, labour, packing, storage	398.13
DSS Infotech	18/12/00	Data entry	767.39
Samantha Way	01/02/01	Gib Data Entry Survey	1,500.00
DSS Infotech	01/02/01	Data entry	<u>3,193.00</u>
			22,217.01

Continued ..

**Continued Answer to Question 1176**

**Buildings & Works Review:**

Sterling Travel	22/06/00	UK consultants travelling exp	1,120.50
Mr Peter Allatt	14/06/00	UK consultants travelling exp	351.30
Mr Romek Paczek	14/06/00	UK consultants travelling exp	351.30
Sterling Travel	03/07/00	UK consultants travelling exp	1,386.60
Sterling Travel	25/07/00	UK consultants travelling exp	3,994.90
HLB Kidsons Consulting Ltd	27/07/00	Constancy services (Housing)	35,000.00
Sterling Travel	01/08/00	UK consultants travelling exp	679.30
HLB Kidsons Consultancy Ltd	10/10/00	Consultancy services	12,818.06
	19/10/00	Tourist survey sent to UK	84.08
			<u>55,786.04</u>

**Post Office Review:**

Bland Travel	26/10/00	Postal Services consultants	1,748.60
The Rock Hotel	02/10/00	Consultants accommodation	2,560.00
The Elliott Hotel	02/10/00	Members of BPCS Team	1,020.00
Alpha Travel	26/03/01	Consultants travelling exp	937.30
Consignia Plc Int Ltd	28/03/01		<u>16,362.00</u>
			<u>22,627.90</u>

**Nuclear Submarine Study:**

Environmental Agency	26/03/01	Courier icw water & soil samples to UK	4,156.18
NNC Ltd	26/03/01	Consultancy Ser iro radiological monitoring	17,645.57
Foot Antsey Sargent	19/03/01	Consultancy Fee	3,948.70
Clear Advance Account	31/03/01		<u>89,463.98</u>
			<u>115,214.43</u>

**NO. 1177 OF 2001**

**THE HON DR J J GARCIA**

**DIRECTIVE ON THE TAXATION OF SAVINGS INCOME**

Have the Gibraltar Government been able to persuade the British Government to allow Gibraltar to enjoy transitional provisions from the application of the future directive on the taxation of savings income?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No.

**SUPPLEMENTARY TO QUESTION NO 1177 OF 2001**

**HON DR J J GARCIA:**

Can the Chief Minister say whether the British Government have been able to persuade other dependencies, overseas territories to be part of this?

**HON CHIEF MINISTER:**

I imagine the hon Member means to ask whether the United Kingdom has yet delivered the sequencing provisions, delivered the other overseas territories, not all of them, the crown dependencies basically to the same measures, the answer is that we believe that those discussions are taking place as we speak but as yet it has not achieved success with any territory.

**NO. 1178 OF 2001**

**THE HON DR J J GARCIA**

**VISAS FOR NON-EU NATIONALS**

How many visas for non-EU nationals wishing to travel to Gibraltar have been issued at the British Consulate in:

- (a) Tangier
- (b) Casablanca

on a monthly basis since April 2001 inclusive?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The number of visas issued to Non-EU nationals by the British Consulate General in Casablanca and the British Consulate in Tangier since April 2001 inclusive is as follows:-

<b><u>CASABLANCA</u></b>	<b><u>Visas Issued</u></b>	<b><u>TANGIER</u></b>	<b><u>Visas Issued</u></b>
April 2001	6	April 2001	94
May 2001	8	May 2001	112
June 2001	25	June 2001	78
July 2001	8	July 2001	217
August 2001	16	August 2001	122
September 2001	5	September 2001	85
October 2001	21	October 2001	92
<b><u>Up to and including 29.10.01</u></b>		<b><u>Up to and including 29.10.01</u></b>	

**NO. 1179 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

Can Government give the total cost of organising all the events related to Gibraltar Day in London, including the travel costs, giving a breakdown for each of the events?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1180 to 1185 of 2001.



**NO. 1180 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

What was the cost of printing the Gibraltar Day colour booklet, how many were printed, where were they printed and when did this go out to tender?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 and 1181 to 1185 of 2001

**NO. 1181 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many British Government Ministers attended the Gibraltar Day Events held in London on Tuesday 23 October 2001, who were they and what events did they attend?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179, 1180, and 1182 to 1185 of 2001.

**NO. 1182 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many Members of Parliament attended the Gibraltar Day Events in London on Tuesday 23 October 2001, who were they and what events did they attend?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 to 1181 and 1183 to 1185 of 2001.

**NO. 1183 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many persons attended the reception and lunch hosted by the Minister of Tourism at the Grand Turk in St Katherine's Dock, London, as part of the Gibraltar Day and how many were from Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 to 1182, 1184, and 1185 of 2001.

**NO. 1184 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many persons attended the Chief Minister's dinner at Draper's Hall for Gibraltar Day this year, how many were from Gibraltar, and can Government supply a list of all those who went?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 to 1183 and 1185 of 2001.

**NO. 1185 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many persons attended the Chief Minister's Reception at Draper's Hall for Gibraltar Day this year, how many guests were from Gibraltar and can Government supply a list of all those who went?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 1178 of 2001**

The cost of organising all the events related to Gibraltar Day in London was as follows:

Draper's Hall Reception and Dinner	34,811.15
Grand Turk, St Katherine's Dock	6,531.96
Royal Gibraltar Regiment, Guildhall	1,500.00
London School of Economics	2,592.50
Gibraltar Day Brochure	8,328.00
Travel Costs	10,016.60
	<hr/>
	£63,780.21
	<hr/>

**Answer to Question No 1179 of 2001**

Of the colour booklet 9,200 copies were printed at a cost of £8,328. These were printed by Multiprint Lithographics & Co of London. This contract did not go out to tender because it was placed by the Gibraltar Government Office in London.

**Answer to Question No 1180 of 2001**

The following three British Government Ministers attended the Chief Minister's Reception and two attended the Dinner.

The Rt Hon Geoffrey Hoon

Secretary of State for Defence – Dinner and Reception

The Rt Hon Baroness Patricia Scotland of Astral QC

Parliamentary Under- Secretary of State, Chancellor's Department – Dinner and Reception

Mr Benjamin Bradshaw

Parliamentary Under-Secretary of State, Foreign Office – Reception

**Answer to Question No 1181 of 2001**

I am advised that 12 Members of Parliament attended the Chief Minister's Reception and eight attended the dinner.

**Answer to Question No 1182 of 2001**

I am advised that 107 persons attended the reception and lunch hosted by the Minister for Tourism at the Grand Turk, St Katherine's Dock of which 24 persons were from Gibraltar.

**Answer to Question No 1183 of 2001**

I am advised that 101 persons attended the Chief Minister's Dinner of which 14 were from Gibraltar.

**Answer to Question No 1184 of 2001**

I am advised that 415 persons attended the Chief Minister's Reception at Draper's Hall of which 27 guests were from Gibraltar.

The Government have taken the view that it is not in the public interest to publish the guest list because it gives others the possibility to counter lobby guests. However, I am happy to provide the hon Member with a copy of the guest list on a confidential basis if he will accept it.

**SUPPLEMENTARY TO QUESTION NOS 1178 TO 1185 OF 2001**

**HON DR J J GARCIA:**

I will accept the guest list on a confidential basis, there is one area for clarification and that is the £2,500 cost of the London School of Economics which we understand was a lecture which the Chief Minister gave, could he perhaps elaborate on that one?

**HON CHIEF MINISTER:**

Extraordinarily it appears that we had to pay for the hire of the hall and also for the reception that followed immediately afterwards.

**HON DR J J GARCIA:**

Could the Chief Minister also say whether the eight MP's who attended the dinner were part of the 12 MP's who attended the reception or are they eight different ones?

**HON CHIEF MINISTER:**

Yes the dinner guests are included.



**NO. 1186 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

How many licences issued under the Entertainments Ordinance were in force in Gibraltar as at 30<sup>th</sup> June 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1187 and 1188 of 2001.

**NO. 1187 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

Can Government say how many bars were licensed in Gibraltar as on 30<sup>th</sup> June 2001 providing a list of names and where they are located?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1186 and 1188 of 2001.

**NO. 1188 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

Can Government say how many discotheques were licensed in Gibraltar as on 30<sup>th</sup> June 2001, providing a list of names and where they are located?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There are no bar licences issued under Gibraltar Law. Discotheques as such were not licensed prior the 2<sup>nd</sup> August 2001. However, Tavern licences issued under the Licensing and Fees Ordinance and Entertainment Licences allowing licence holders to play music to a paying public are issued under the Entertainments Ordinance. As at 30<sup>th</sup> June 2001 there were 106 Entertainment Licences issued and 151 Tavern Licences. In relation to discotheques there were as at 30<sup>th</sup> June 2001, 13 establishments with Tavern Licences making provision for extended hours until 4 am which were also licensed under the Entertainments Ordinance. I now hand the hon Member the list containing the names and location of tavern licence holders.

**Answer to Question No 1188 of 2001**

List of Premises granted a Tavern Licence with Extended Hours by the Magistrates' Court acting as Licensing Authority as at 30<sup>th</sup> June 2001:-

1.	Hello California	-	Casemates House
2.	Pig and Whistle	-	Watgardens
3.	Kowloon Bar Restaurant	-	Watgardens
4.	Pizza Hut	-	ICC Building
5.	Captain's Cabin	-	John Mackintosh Square
6.	Viceroy of India	-	Horse Barrack Lane

7.	Cool Blues Café	-	Main Street
8.	The Mermaid	-	Catalan Bay
9.	The Killick	-	Europort
10.	La Mamela	-	Catalan Bay
11.	Bianca's	-	Marina Bay
12.	Safeway's	-	Westside Reclamation Area
13.	Beach Bar	-	Both Worlds
14.	Nelson's Bar	-	Both Worlds
15.	Waterfront	-	Queensway Quay
16.	Devil's Bar	-	Devil's Tower Road
17.	Copacabana	-	Main Street
18.	Buddies	-	Cannon Lane
19.	Stakis Casino Club	-	Europa Road
20.	Da Paolos	-	Marina Bay
21.	Goggles	-	Europa Point
22.	Picasso's	-	Main Street
23.	El Rincon	-	Watergardens
24.	Cannon Ball Pool Palace	-	West Place of Arms
25.	The Gibraltar Arms	-	Main Street
26.	Bacchus Wine Bistro	-	John Mackintosh Square
27.	Quarterdeck	-	Watergardens
28.	Roosters Takeaway	-	Rosia Road
29.	El Cortijo	-	Town Range
30.	Piccadilly Gardens	-	Rosia Gardens
31.	Calpe Hounds	-	Cornwalls Lane
32.	Bahia Restaurant	-	Queensway
33.	Bahia Restaurant	-	Pre Tiffany's
34.	Chicago	-	10 Cannon Lane
35.	Salsa Café Restaurant	-	4 Cornwall's Parade
36.	Hong Kong Chinese Restaurant	-	Market Lane
37.	International Casino Club	-	Europa Road
38.	Ye Olde Rock	-	John Mackintosh Square
39.	Sax II	-	International Commercial Centre
40.	Cares Discotheque	-	Boyd Street
41.	Trafalgar Tavern	-	Rosia Road
42.	Piazza Grill	-	Main Street
43.	Rotunda Sobar (The Factory)	-	Winston Churchill Avenue
44.	Rotunda Sobar (The Factory)	-	Winston Churchill Avenue
45.	Maharaja	-	Tuckey's Lane
46.	Tony's Restaurant	-	Main Street
47.	St Michael's Cabin	-	Cave Branch Road
48.	Royal Oak	-	Irish Town
49.	Corks Wine Bar	-	Irish town
50.	Leanse Koster Restaurant	-	Bomb House Lane
51.	Raffles Restaurant	-	Ragged Staff Wharf Quensway
52.	La Bayuca	-	Turnbull's Lane
53.	Simon's Restaurant	-	Cornwall's Lane
54.	The Buccaneer	-	Reclamation Road
55.	Schooners	-	Marina Bay
56.	Jumpers Wheel	-	Jumpers Bastion
57.	The Market Restaurant	-	Waterport
58.	The Barbary Ape Cafeteria	-	Boyd Street

59.	The Sea Wave	-	Catalan Bay
60.	The Anchor Bar	-	Watergardens
61.	Kerry's	-	Cornwall's Centre
62.	Bunter's	-	College Lane
63.	Charlie's Tavern	-	Admiral's Walk
64.	Milk and Honey	-	Main Street
65.	Claus on the Rock	-	Queensway
66.	Meson Jabugo	-	Marina Bay
67.	Paradiso	-	Queensway
68.	Jolly Parrot	-	Queensway
69.	McDonald's	-	Europort
70.	McAuto	-	Europort
71.	Yvey's	-	Casemates Square
72.	Radical Pizza	-	Watergardens
73.	El Gaucho	-	Turnbull's Lane
74.	Auto Beverages Ltd	-	Eaton Park
75.	Norma Jeans Roadside Diver-		John Mackintosh Square
76.	Anglo Hispano Co Ltd	-	Crutchett's Ramp
77.	Rover Holdings Ltd	-	Watergardens
78.	Café Roma	-	Cornwall's Parade
79.	The Paddock	-	Watergardens
80.	Al Andaluz	-	Cornwall's Lane
81.	Ministers	-	Main Street
82.	El Piccolo Mondo	-	Governor's Parade

**NO. 1189 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

Have the Government come to any conclusion on the question of licensing hours a review which was expected for this autumn?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Not yet.

**SUPPLEMENTARY TO QUESTION NO 1189 OF 2001**

**HON DR J J GARCIA:**

When do the Government expect to have reached their conclusions.

**HON CHIEF MINISTER:**

Well the review of Licensing Hours is a matter of Government policy and the Government will deploy their policy when they are ready to do so and that is not yet. We had given an indication that it would be autumn.

**NO. 1190 OF 2001**

**THE HON DR J J GARCIA**

**EXEMPT AND QUALIFYING COMPANIES**

Can the Government specify the nature of the interim relief being sought from the European Court of First Instance in relation to the EU Commission's investigation into state aid rules affecting qualifying and tax exempt companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1191 of 2001

**NO. 1191 OF 2001**

**THE HON DR J J GARCIA**

**EXEMPT AND QUALIFYING COMPANIES**

Can Government explain whether the fact that they believe they will have to suspend the legislation on tax exempt and qualifying companies if they fail to obtain a favourable ruling in the EU Court of First Instance means that entities currently operating under the above legislation would have to cease operations on its suspension?

**ANSWER**

**THE HON THE CHIEF MINISTER**

On an interim basis the Government seeks the suspension of the Commission's decision of 11<sup>th</sup> July 2001 and in particular an Order prohibiting the Commission from publishing its decision. The Government are advised that if they fail to obtain a favourable ruling in their interim application the Companies (Taxation & Concessions) Ordinance and the Qualifying Company Regulations will have to be suspended. This does not require that entities currently enjoying the provisions of those legislative measures should cease operation, but, upon suspension of the legislation, the entities would cease to enjoy the benefits of its provisions.

**SUPPLEMENTARY TO QUESTION NOS 1190 AND 1191 OF 2001**

**HON J J BOSSANO:**

Can the Government state what is entailed in suspending the legislation, would that mean that the matter would have to be brought to the House?

**HON CHIEF MINISTER:**

Yes absolutely, legislation would be required, I do not suppose primary legislation would be required to revoke the qualifying company thing because they are regulations but certainly principle legislation would be required to repeal the



Company's (Taxations and Concessions) Ordinance and lots of legislation would be required to implement possible alternative schemes.

**HON J J BOSSANO:**

I am not thinking at the moment of possible alternative schemes, given the fact that the word suspension has been used, I can understand that repealing legislation means the legislation no longer exists, but is it that the word suspension has been used as if it were interchangeable?

**HON CHIEF MINISTER:**

No, it is used correctly because that is what one would be required to do under Community Law given that the investigation by the country into whether these bits of legislation contravene or do not contravene, the state aid rules, has not yet taken place. The decision of the 11<sup>th</sup> July was a decision to commence the investigation. That investigation has not yet taken place so under Community Law the hon Members can qualify their own views in formulating the question by the use of such words as they believe they will have to do. The incontrovertible legal advice is that we would not need to do it, under Community Law, pending the conclusion of the investigation all we are required to do is to suspend the measure, not to eliminate it, simply to suspend it. It is a matter for the Government whether they suspend or repeal and it is probably a matter of practicality whether it is possible to suspend the measure whilst at the same time putting into effect an alternative measure. These are the realities of life, the law is either this or that, but one can not have this law suspended and then at the same time run this new one. We could leave the Ordinance on the statute book somehow without application we could decleanse it, I suppose, I do not know if that legislative provision exists but subject to the advice that we might receive I would have thought that if one had to suspend it but one needs something to replace it with because otherwise the Finance Centre can not function in the meantime, then it seems to me that one has to, more than just suspend it, one has got to replace it, now whether replacing it can be done on a suspended basis or whether it requires one actually to remove it from the Statute Book is I suppose for consideration but I would have thought it would need that, it would need removal.

**HON J J BOSSANO:**

In the original answer we have been told that what the Government were seeking was an order prohibiting publication of the decision as I understood it, he said, how does not publishing the decision that they took on the 11<sup>th</sup> July change things?

**HON CHIEF MINISTER:**

Although some of the damage that the Government were seeking to avoid has been done by extremely injudicious articles recently written in the Times the market damage, the uncertainty which is what damages the marketplace, would be caused not by the outcome of the investigation but by the mere fact that it was taking place and the community procedures require that if the Commission makes a decision under the article that they have chosen to make it they have to publish the decision, that means publishing the letter. That letter contains things which would cause significant anxiety in the marketplace, therefore doing all the harm that would be done in effect by an adverse investigation outcome even though the investigation has not yet taken place. The damage done in the marketplace by reading all these things makes no

difference to the damage that will be done ultimately. The conventional wisdom is that the damage would be such that we might as well change the law anyway.

**HON J J BOSSANO:**

Can this letter which the Commission is required to publish, unless the Court rules otherwise, is a letter written when, on the 11<sup>th</sup> July, and is the letter addressed to the Gibraltar Government or the UK?

**HON CHIEF MINISTER:**

I do not think they published the letter as such I think they published the content of the letter in effect in a notice in the Official Journal.

**HON J J BOSSANO:**

Given the fact that at the time that it was announced that there was going to be an investigation if we were one of the 11 Member States is it that the content of the letters to the other 10 had been published?

**HON CHIEF MINISTER:**

I think that they are being published in the ordinary course of business the Commission would only have got round to publishing them end of October beginning of November, so it is some of them may have already been published others may be about to be published.

**HON J J BOSSANO:**

So in fact it means that no one else has raised objections to the publication of the contents of their letters, only us?

**HON CHIEF MINISTER:**

I do not know if anybody else has raised objections, certainly we are the only ones who have all the legislation upon which the whole industry is based challenged. Everybody else has got this particular aid or particular bits of legislation, we are the only ones in respect of which what is under challenge is in a sense a pillar, a legislative pillar, of an entire industry.

**HON J J BOSSANO:**

Can Government say when the investigation is due to start and does it have any notion of how long it will be expected to last?

**HON CHIEF MINISTER:**

Well normally these things would take about 18 months but of course the Commission would not start it in this case whilst the matter is before the Court until the Court gives its decision. There is a procedure called Expedited Investigation which in fact the Court has asked whether the Commission has considered using the expedited procedure in this case but we will await the Court's ruling.

**HON J J BOSSANO:**

The interim relief is as I understand it not to prevent the investigation from taking place?

**HON CHIEF MINISTER:**

It is to prevent the investigation from taking place under the particular one of two possible procedural routes available to the Commission. The Commission could have proceeded under so called existing Aid Procedure or it could have proceeded under so called New Aid Procedure. One is more benign than the other under the existing aid procedure the measure can remain in place whilst investigation takes place and there is no risk of the Commission ordering recoverability of the aid under the New Aid Procedure there is both immediate suspensiveness and the theoretical risk of an order of recoverability of the aid. The Commission has chosen the second more aggressive option and the essence of the litigation is to seek the Courts ruling that in the circumstances of this case the proper procedure for the Commission to have chosen is the more benign existing aid procedure. So, it is not to prevent the investigation but to prevent it under these rules as opposed to under those rules.

**HON J J BOSSANO:**

Has the UK as the Member State to whom the letter is addressed not taken a view on that distinction that is being drawn by the Gibraltar Government?

**HON CHIEF MINISTER:**

We have repeatedly urged the UK to do so, they have a difficulty and that is that under the so called 'Primorolo' group under the EU Code of Conduct they are advocating, indeed they have identified Gibraltar's exempt and qualifying companies as a harmful tax measure and they were reluctant to be seen to be defending in a court a measure which they themselves were identifying as harmful and seeking to have eliminated under a different European forum of which they were the Chair, Mr Primorolo is the Paymaster General. We argued unsuccessfully that in fact supporting the Gibraltar Government in the interim application did not require the UK to defend the merits of the legislation since we were not arguing that there should be no investigation, we were simply arguing the choice of rules in which the investigation took place because one had much more serious consequences for Gibraltar than the other. The argument did not prevail and the United Kingdom did not join the action although they did in answer to a letter from the Court, give very helpful answers as to whether Gibraltar should be bringing this action itself.

**HON J J BOSSANO:**

In the statement made originally when the Government announced in July what was taking place I think they do a distinction between two actions in the main case and two actions for Interim Relief.

**HON CHIEF MINISTER:**

One for Exempt and one for Qualifying.

**HON J J BOSSANO:**

The action on the main case is that affected by the result on the Interim Relief?

**HON CHIEF MINISTER:**

Theoretically no but in practice yes, in other words if the Government win the Interim Relief there is still the investigation to take place and there are still arguments that arise on the main case which do not arise on the Interim case. For example is this aid at all, is this legislation capable of being aid, and if it is aid, is it objectionable aid under the rules. Neither of those two questions which are the substance arise on the Interim application which is concerned exclusively with choice of procedural route and consequence pending the investigation for the victim of the order in this case us. We would have to act anyway because we cannot leave the industry for 18 months or as long as it takes without a proper act.

**HON J J BOSSANO:**

The Government were expecting that a decision was likely to materialise at the end of September, do they have an indication when we are likely to know one way or the other?

**HON CHIEF MINISTER:**

The latest indication we had from the Court was that a ruling was expected in the first week of November, which is now. Unless it has landed on my desk this afternoon, we have not had the ruling.

**NO. 1192 OF 2001**

**THE HON DR J J GARCIA**

**DATA PROTECTION LEGISLATION**

At what stage is the Government's review of computer data protection and computer privacy legislation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government's work on Data Protection legislation is currently delayed by other priorities.

**SUPPLEMENTARY TO QUESTION NO 1192 OF 2001**

**HON DR J J GARCIA:**

Are the Government aware that certain European Union Directives that we have passed already like the Electronic Commerce Directive and the Electronic Signatures Directive envisage that the framework of data protection and privacy legislation already be in place before these directives are implemented?

**HON CHIEF MINISTER:**

Yes we are, the hon Member may remember when he last raised this with me in the House that I said to him that we have a draft ready and we have had it for some time but it is a draft of what is a very complex piece of legislation based on the English Draft and we were about to publish it when we read that the Federation of Small Businesses in England was complaining to the British Government that its transposition of the directive was unnecessarily copper bottomed at the expense of unnecessary burden on small businesses and when we heard that remark we sort of put it on hold to try and establish what we could eliminate from the transposition which was not required by the directive and which could protect what in Gibraltar are

practically all small businesses. If the Federation of Small Businesses in England is complaining about the effects on small businesses in England, those effects are likely to be felt in almost every company in Gibraltar because they are all small businesses. And it is that exercise which is complicated in the sense that one gets a piece of legislation, now it is fine, now identify the bits that are there voluntarily and if not strip them out, that had to give way to other priorities, so it is delayed as I said in my original answer by other priorities but for that reason, for the reason that we need to do this exercise to sanitise what is a draft based on the English Draft to eliminate the unnecessary burdens on small businesses.

**HON DR J J GARCIA:**

Can I ask the Chief Minister given the last answer, whether the Federation of Small Businesses in Gibraltar and the Chamber of Commerce have been consulted and also whether this Bill will also tackle the question of computer hacking?

**HON CHIEF MINISTER:**

I have asked the Federation of Small Businesses to contact the Federation of Small Businesses in the UK to try and get a statement from the Federation in the UK of what are its specific criticisms of the UK Legislation. I have read the hon Member in the press going on about this computer hacking, it is probably a year now since I read the draft of the Data Protection Legislation and I am not certain that it deals with Internet security issues, it is more to do with the obligation of companies that store data, personal data relating to individuals, the rights of access of individuals to that personal data whether it is held by the Government or by a small company, a right of access to dossiers on yourself or things like that, that is what the Data Protection Ordinance tends to deal with. I am not definitively saying that it has nothing to do with hacking but I must admit when I read it I was not left with any enduring impression that I can recollect, that it is to do with Internet Security which is what I understand the hon Member to be raising when he mentions words such as hacking.

**HON J J BOSSANO:**

Would it not be simpler to draw up the legislation based on the directive rather than sanitise the UK version which goes over the top?

**HON CHIEF MINISTER:**

It might well be, this is something that the Draftsmen will have to consider. It is a very complicated directive, why they started on the basis of the UK draft I do not know given that the UK legislation is complicated by the fact that the UK had Data Protection Legislation before the directive. My own view if I was doing the job is that it is probably easier to start afresh than to try and sanitise a "tainted" draft certainly when I next discuss these issues with the Draftsmen I will put it to them for consideration.

**NO. 1193 OF 2001****THE HON DR J J GARCIA****IMPORT DUTY**

What was the amount of import duty paid on building materials for each month of 2000 and 2001 to date on a monthly basis?

**ANSWER****THE HON THE CHIEF MINISTER**

The extensive factual and statistical information requested by the hon Member is set out in the schedule that I now hand to him.

**Answer to Question 1193 of 2001**

	<b>2000</b>	<b>2001</b>
	<b>£</b>	<b>£</b>
<b>January</b>	14,137	25,238
<b>February</b>	14,434	17,680
<b>March</b>	14,483	22,243
<b>April</b>	26,165	38,698
<b>May</b>	16,887	33,753
<b>June</b>	17,359	20,884
<b>July</b>	20,768	24,997
<b>August</b>	13,677	19,363
<b>September</b>	19,045	30,260
<b>October</b>	19,322	-
<b>November</b>	17,779	-
<b>December</b>	15,156	-

## **SUPPLEMENTARY TO QUESTION NO 1193 OF 2001**

**HON J J BOSSANO:**

When the original decision was taken to introduce import duty there was a distinction drawn between projects that were already in existence, are these now out of the system?

**HON CHIEF MINISTER:**

I cannot think of any project that was, the hon Member may remember that it was projects in respect of which contracts had been signed either with the contractor or with purchasers. I cannot think of any project that is not complete that was in that category in that phase at that stage. I cannot say for certain whether there may be the tail end of, I do not know whether for example the project there in Lathbury Barracks, called Sunset Close, started by then or had not started by then it would have to be some residual, most of it is out.

**HON J J BOSSANO:**

In the case of Government projects such as the I&D and so on, are the building materials not charged because they are going to the Government or does it still go through the system?

**HON CHIEF MINISTER:**

No the Government made a policy decision sometime ago that all imports for the Government would pay import duty as a means of making the import system more secure rather than risk goods entering the marketplace duty free on the basis that they were for Government and then not being so especially when added to the Government's policy of tenderers who hold supplier tenderers holding stock on consignment. So the position now is that the Government pay import duty on everything.

**HON J J BOSSANO:**

How long has that been in place we were not aware of it?

**HON CHIEF MINISTER:**

If the hon Member wants the exact date I would have to check it but I would say it is a year or perhaps a month or two longer than a year. Something of that order 12 to 15 months I would say.



**NO. 1194 OF 2001**

**THE HON DR J J GARCIA**

**INTERNET CAMERAS AT THE FRONTIER**

Can Government say whether the internet cameras at the frontier are operational?

**ANSWER**

**THE HON THE CHIEF MINISTER**

They are not operational.

**SUPPLEMENTARY TO QUESTION NO 1194 OF 2001**

**HON DR J J GARCIA:**

Can the Chief Minister say since when have the cameras not been operational?

**HON CHIEF MINISTER:**

The cameras remain physically in place at the frontier but were disconnected due to the refurbishment works at the Four Corners Custom building.

**HON DR J J GARCIA:**

Will the cameras be reconnected and put back on line once the works have been completed?

**HON CHIEF MINISTER:**

The Government would have to make a decision on that, the hon Member knows that there are two schools of thought about the usefulness or otherwise of the camera. There are those who think that they are useful as advertising to the world the queues that Spain generates at the border and there are those who think that for that very reason they are a very bad advertisement for Gibraltar because tourists before they set out for Gibraltar look at the Internet, see that there is a long queue and therefore decide not to come whereas if they come on speck, once they are here they join the queue they do not turn back, so there are representative organisations in Gibraltar that have consistently advised the Government or lobbied the Government, for their removal, particularly the hotels and people of that sort who think that actually it does Gibraltar more harm than good because all it is is like the frontier queue telephone with graphics attached.

**NO. 1195 OF 2001**

**THE HON DR J J GARCIA**

**FINANCIAL SERVICES**

What were the results of the talks held in London between the Gibraltar and British Governments at the end of July regarding Financial Services?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As announced in the Government's Press Release of 30<sup>th</sup> July 2001, discussions were held in London between the Gibraltar and UK Governments on financial services, specifically on State Aids, the Investor Compensation Scheme Directive and Investment Services Passporting. Nothing definitive was agreed on any of these issues and further discussion and correspondence continues. The State Aids issue has moved on since to the European Court of First Instance and further developments will have to await the outcome of the recent hearing.

**SUPPLEMENTARY TO QUESTION NO 1195 OF 2001**

**HON J J BOSSANO:**

On the State Aid issue had the Commission by that date decided to launch the investigation, is that correct?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

Did not the Government in that meeting look at the possibility of persuing the option of agreeing with UK what needed changing in order to make our companies legislation State Aid compatible, presumably that option has always been there?

**HON CHIEF MINISTER:**

The hon Member should by now be aware that the objective of the Treasury as represented by its Minister in the Primorolo Group is to see the Gibraltar Tax Exempt and Qualifying companies legislation immediately stand still and then rolled back within two years. That is what the Primorolo Group in the Code of Conduct Forum chaired by Mr Primorolo has identified, there are 66 other measures in Europe but these are the two that affect Gibraltar and also the Development Aid Ordinance which is caught by the code of conduct group but not by the OECD thing and that to sit down and discuss with Treasury officials how Gibraltar's Exempt and Qualified Status Regime might survive is really like inviting the inmates to decide what the rules of the asylum should be, not a course of action that recommended itself to the Government. At that meeting on the 30<sup>th</sup> July the thrust of the discussion of the State Aid was to try and persuade the UK Government of the need at least to buy the time for Gibraltar that success in the interim application would have meant in the sense that the system could have remained in place whilst the investigation took place as I explained to him yesterday evening. There is, as the hon Member will learn when we start debating, proposed alternative schemes, I think the hon Member will quickly realise that there is no way forward on the basis of tinkering with the Exempt Status and Qualifying Status Ordinance, because it fails to save a large enough chunk of the industry, in order to save that large enough chunk of the industry there will be loss, the whole of the industry is not saveable but the solution needs to be much more radical than that and it can not be delivered by discussing with anybody even between ourselves how the existing legislation might be sanitised so to speak. That option was reviewed by the Government at a very early date and we very quickly concluded that it actually for a number of reasons did not offer a way forward.

**HON J J BOSSANO:**

Is there not a list, from what I have read the little that has come out in public, it would appear that the guidelines issued by the Commission clearly indicates that not everything is necessarily contrary to state aid and I think that the statement made by the Government that was circulated I think it was in May to the industry pointed to certain kinds of companies which were non-trading not being caught by the State Aid Rules because the State Aid are in connection with the distortion of the single market as I understand it?

**HON CHIEF MINISTER:**

Yes and the hon Member may recall that before the 11<sup>th</sup> July the Government had been in discussion with the European Commission already. The European Commission instead of accepting any of those arguments launched the investigation of the 11<sup>th</sup> July. The decision of the 11<sup>th</sup> July does not purport to draw a distinction between bits of the legislation, it simply says that the whole legislation is in breach of State Aid so there is no forum now in which it would be possible legalistically speaking

even if it was in practical terms a viable option which I believe it is not, but even if it were in practice a viable option there is now no forum in which to continue the process the Government had been embarked under the Commission which is to see whether there was a viable extent, viable for us, of the objections to our legislation so that the rest of it could ring-fenced and that process was completely overtaken by the unilateral act on the 11<sup>th</sup> July on the part of the Committee driven by completely different agendas driven by a squabble inside the Code of Conduct Group a row between the Council and the Commission in which the Commission felt that the Council was not acting quickly enough. In other words that the Primorolo Group was not advancing quickly enough on its political agenda for the elimination of so called harmful tax measures and that the commission actually in that meeting said, "We have had enough and now we are going to fire the State Aids we are going to deploy the State Aid weapon encouraging you all into getting on with life," and it was in that context that they then issued the 11<sup>th</sup> July letter affecting not just Gibraltar but 13 others so we were really caught up, having been in this discussion with the Commission to see whether the document that we published in April not in May, the booklet revealed that there were discussions taking place, it was all overtaken but as hon Members know the discussions did not continue and since then we have been busy preparing the litigation and preparing as well as possible for the aftermath of the legislation. The hon Member at this stage anyway will have to just accept it from me and I think it will become clearer to him when we start a full debate on these measures. The option which the Government have been working on sanitises the legislation and therefore saving as much of it as possible is actually no longer viable, it is what we were working on at a time when we thought it was a possibility.

**NO. 1196 OF 2001**

**THE HON J J BOSSANO**

**SUPREME COURT RULES**

Can Government say what additional revenue they anticipate will be collected as a result of the vessels that have been arrested this year and in what heads of revenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the Supreme Court Rules a fee is payable upon the sale by the Court of a ship or cargo. The fee is £1 per £100 of the sale price, that is, 1 per cent. The amount payable will not therefore be known until the sale takes place and the amount of the sale price is known. These Court fees are credited to the Consolidated Fund and accounted for under Head 6.36 Supreme Court (Admiralty).

**SUPPLEMENTARY TO QUESTION NO 1196 OF 2001**

**HON J J BOSSANO:**

Is this the only revenue increase that is likely to be produced by the ships, they do not have in addition to pay costs that they are being incurred while they are here and Port fees for being tied up or anything like that?

**HON CHIEF MINISTER:**

In the context of recent press coverage he needs to be careful what he means by the word cost. When a ship is under arrest in this jurisdiction it is under the care and custody of the Admiralty Marshal who is an officer of the Court. The arresting party is obliged to fund the Marshal from the date of arrest to the date of sale with money, an advance. So the Admiralty Marshal has money with which to pay costs of arrest, those costs of the arrest could be berthing fees, tonnage dues, the cost of maintaining

ship keepers on board the vessels, the cost of providing food and other services to the crew whilst they remain on board prior to their repatriation, so, that money is not paid by the Government in any sense, once the ship is sold the Admiralty Marshal recovers as a first call on the proceeds of sale any money that she spends on the costs of the arrests and pays it back on the party that has funded her which is as I explained the arresting party. From a Government point of view our revenue is limited to ordinary Port Revenue berthing fees tonnage dues and things of that sort in respect I think of two flips, the others being in neither the Admiralty berth or in the Cammell Laird berths.

**HON J J BOSSANO:**

The amounts that are estimated in Head 6 subhead 48 Berthing Charges of £270,000 are likely to be exceeded, is that right?

**HON CHIEF MINISTER:**

Sorry what Heading?

**HON J J BOSSANO:**

The one on berthing charges it says Head 6,47 we have got an estimate for this year of £270,000.

**HON CHIEF MINISTER:**

Under the Port.

**HON J J BOSSANO**

Under the Port yes.

**HON CHIEF MINISTER:**

There are two ships in our berths I do not know if any of the little ones are in our berths or whether the little ones, I do not know if hon Members have seen in the Detached Mole there are three large ships and stuck in-between there are two smaller ships. Those that are in Government of Gibraltar berths will pay berthing fees to the Government and those that are on the MOD berths will do so to the MOD indeed that is one of the contentious points currently outstanding between the Government and the MOD, but yes I think that those ships are bound to contribute in significant measure especially if they stay here because very often even after they are sold by the court especially when they are bought by the bank as seems to be the case here they are left here. The bank has no where else to take them and certainly if they stayed here for a more extended period of time as happened with the Abu Dhabi ships then they really do begin to make a significant contribution and let me say not just to the Government in respect of berthing, the presence of these ships in Gibraltar makes a very significant contribution to the economy as a whole not just to the Government revenues in terms of the Court fees on sale but these ships have got agents, they

have got crews on board who need to be victualled and provided, this provides work for the Port launches for Port employees, for shipping agents, repairs need to be done and it generally generates a considerable amount of activity in the economy.

**HON J J BOSSANO:**

I appreciate that probably more than if they just visited us for one day but the original question was to see whether there was in fact an estimate that the Government had of how if this would affect the Government's estimates of revenue and expenditure, that is what the original question is seeking to have.

**HON CHIEF MINISTER:**

There are figures bandied about what the bank is going to bid for the ships but it is not information upon which the Government can make an estimate or that it would be proper to record in Hansard in this House, it is much easier just to abide by events and see what it materialises there is a request from the plaintiffs in this action that the Government should consider making some sort of deal to reduce the 1 per cent apparently they have negotiated such a reduction with the court appointed broker who also gets 1 per cent, a second 1 per cent and there is a request for the Government to acknowledge the exceptional value of this transaction and also the fact that it is a fleet arrest and to introduce a tariff of fees which reflects that this, let me just put this whole situation in perspective, I may be wrong by a few couple of million dollars but I think hitherto no ship has been sold in Gibraltar for more than 20 million dollars. If a ship is sold for 20 million dollars by the Court it is thought to be a very big transaction, the Abu Dhabi's went for 14, 15, or 16 million dollars each. Each of these ships is thought to be worth in the order of 180 million dollars so just one of these ships is 10 times bigger than any ship that the Admiralty Quarters has sold in Gibraltar until now and there is five of the big ones and two smaller ones so we are interested in attracting these fleet arrests if they are going to take place and we are certainly interested in creating a tariff structure that attracts this business to Gibraltar and therefore we are giving serious consideration to putting in place a reduced tariff for mega-transactions of this sort.

**HON J J BOSSANO:**

It would appear therefore from the last answer then that we took, we could be talking about a very substantial revision of the estimated figure that was put in at budget time upwards?

**HON CHIEF MINISTER:**

I do not know what figure he was pointing at as he asked the supplementary, this would not go into the berthing fees, the principal source of revenue increase would be in the Court Revenue under Court Fees Admiralty because that will dwarf any increase in revenue from berthing but the berthing may be a couple of hundred thousand pounds or hundred thousand pounds or something like that but the tonnage, the court poundage as this 1 per cent commission is called is if a ship went for 180 million dollars and we left it at 1 per cent we are talking about 1.8 million dollars per ship.



**NO. 1197 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR CHRONICLE – PUBLIC COMMITMENT**

In the light of the public commitment given to the Gibraltar Chronicle on its bicentenary in May what is the nature of the agreement entered into to provide financial assistance?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No agreement has yet been concluded in this respect.

**SUPPLEMENTARY TO QUESTION NO 1197 OF 2001**

**HON J J BOSSANO :**

Was the £35,000 that we had in answer to a previous question that was given for the study, was that part of the commitment of the Government of Gibraltar to provide assistance to the Chronicle?

**HON CHIEF MINISTER :**

It was the initiation, the facilitation of a process to see what could be done to the Chronicle to put it on a sound economic footing. Government are driven in the whole Chronicle issue by three considerations. Firstly, by the fact that the Chronicle is Gibraltar's only daily newspaper and is an important part of Gibraltar's media institutions and I think it is worthy of salvation. Secondly, that there are a significant number of jobs in the printing works which are worthy of being saved if they can be saved, and thirdly that the Government think that Gibraltar has a strategic interest in

retaining a comprehensive indigenous printing industry, in other words, that we should not find ourselves in a position where printing has to go away from Gibraltar to Spain because we cease to have a capacity, because it is not economic, we cannot really compete with printing in Spain which is on a different scale and therefore the economy scales are different and it can afford capital investment which our printing industry cannot afford. The Government do not lose sight that there is at least one other significant domestic printer whose interests need to be taken into consideration. The report that the Government provided a grant in order to enable the Chronicle to commission it was a report into investigating (a) into the financial viability of the Chronicle, (b) what might be done and what would need to be done to place it on a sound financial footing, because the Government's indication had been that if the Government did agree to provide financial assistance, which they had in principle agreed to do subject to being able to be done properly, had to restore the situation. In other words, the Chronicle could not become another institution that needed annual Government assistance. It would have to be a once and for all restoration to health of the company with the printing works and all of that needed changes of working practices, in investment of equipment, investment in premises, which is what that study that the question is about, and then the discussions went on from there obviously.

**HON J J BOSSANO :**

In answer to a supplementary on the previous Question I think the Chief Minister said that they had not had a copy of the full study, only parts of it?

**HON CHIEF MINISTER :**

I have only myself looked at bits of it whether the whole of it is sitting on a file at No 6 may be so, if I gave the impression yesterday that we had not had access to the whole, that may not be right, I would have to check it. We may have the whole report, yes.

**HON J J BOSSANO :**

I was just going to make the point that obviously if the Government have provided the money and if the Government are going to be basing their decision on the study, I would think they should have access to the whole of the study.

**HON CHIEF MINISTER :**

This report was prepared by BDO FIDECS and certainly I have seen the whole of the financial part of it and then there were other bits of it relating to working practices and things of that sort, the contents of which I have discussed but may not have read, but, yes the Government do have access to the whole report, either already have had access to the whole report or could get it if they have not already had it.

**HON J J BOSSANO :**

Given the fact that the decision has been taken in principle, how far away from reaching an agreement with the Chronicle are the Government and who does it have to be agreed with?

**HON CHIEF MINISTER :**

Well the hon Member knows that we have already been consulted by the Chronicle about what we could call the structural aspects of a reincarnated Chronicle. Not on the financial side but on what form it might take in terms of ownership structure. On the financial side and on the new working practices side to ensure that it would be viable going forward, the Government have been in detailed discussions with the Chronicle Management and there are figures of the amount of finance that would be required available and there are new working practices thrashed out in management of the employees of the Chronicle, which would have to be put into place and I understand that those have been agreed. The delay at the moment is in the Government wishing to make sure that what ever might be the justification for assisting the Chronicle that in doing so we do not perpetrate a commercial injustice on other printers who would then have to compete with this financially restored Chronicle printing works and for those purposes we are at the very early stages of initiating talks with the other printers as well, to see how all the objectives might be achieved. That is to save the Chronicle for the three reasons that I explained at the outset and also in a way that does not create an unlevel playing field to the other printing works and also in a way that does not breach European Union State Aid rules.

**HON J J BOSSANO :**

Given that one of those three objectives is in fact the preservation of jobs in the Chronicle, I take it then that the question of providing assistance will not be conditional on people being made redundant. There would be a contradiction in terms.

**HON CHIEF MINISTER :**

No. It is absolutely not conditional on that, it is conditional on a change of antiquated uneconomic and unrealistic working practices in the Chronicle, but it is not conditional on the shedding of any number of jobs.

**NO. 1198 OF 2001**

**THE HON J J BOSSANO**

**SPANISH PENSIONERS**

Can Government say at what stage is the complaint before the European Commission by Spanish Pensioners seeking revalued pensions since 1990?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Following the complaint made by Spanish pensioners, the European Commission wrote to the UK as Member State responsible. I understand that the UK replied on the 27<sup>th</sup> September 2001.

**SUPPLEMENTARY TO QUESTION NO 1198 OF 2001**

**HON J J BOSSANO:**

Are the Government aware that the Spanish Ministry of Foreign Affairs informed the Pensioners Association in La Linea in writing that the Spanish Ambassador in London had been told by the British Foreign Office that the matter was being investigated with a view to finding out from the Gibraltar Government why the pensions had been frozen in 1990?

**HON CHIEF MINISTER:**

Yes the Government did see those press reports and have made the appropriate and predictable representations to the British Government in response.

**HON J J BOSSANO:**

This was of course well before the reply of September 2001 so I take it that the reply from the UK to the commission would not be on the same lines?

**HON CHIEF MINISTER:**

No, the letter from the Commission was a letter seeking information rather than a letter seeking legal justification or anything. We take the view that if Community law entitles Spanish pensioners to an annual or in any other period of time uprate table pension that the UK should simply pay the uprate.

**HON J J BOSSANO:**

Absolutely.

**HON CHIEF MINISTER:**

That is the view that we take, it is not a view entirely shared by the United Kingdom Government who try constantly to move the battleground onto other ground.

**HON J J BOSSANO:**

Well it does not surprise me given the history of this. What then is the position since September 2001, the Commission has not yet responded to the United Kingdom.

**HON CHIEF MINISTER:**

Yes there is no formal proceedings, there has not even be, I do not think this letter constitutes a pre-infraction letter, it is just a letter seeking information so it is private correspondence at that stage it is not part of the formal litigation process under European Community Law so I suppose that that will carry on I do not want to say too much but the hon Member knows whereas we focus this as an increase if there is a claim as being an increase, an entitlement to up-rating pensions which is how the Spaniards articulate their claim and therefore a matter for responsibility for the UK. The UK tries to focus it as a community care issue and therefore points the finger at Gibraltar and that is where matters stand.

**HON J J BOSSANO:**

In terms of how the Spanish Pensioners focus on it which is in fact something that does not give us any problems is it not the case that the United Kingdom is supposed to have cleared with the Commission in 1996 certainly they were claiming to be in the process of doing it just before the elections in April 1996 clearing with the Commission that the then imminent infraction proceedings would not go ahead on the basis of restoring pensions is that not a matter of record?

**HON CHIEF MINISTER:**

That is true to that extent, to the extent that the complaint then was that the pension scheme had been eliminated, that claim was disposed of by restoring the pension scheme which occurred and indeed the Commission approved the legislation restoring the scheme including the provisions in it which did not provide for up-rating. This is a different complaint now, this is a complaint not like the first one which related to the elimination of the scheme, this complaint relates to the fact that it does not provide for up-rated pensions which the Spaniards claim are being paid to the Gibraltarians by other means so this complaint is focused on the up-rating issue as opposed to on the restoration of the scheme issue.

**NO. 1199 OF 2001**

**THE HON J J BOSSANO**

**FRONTIER FENCE**

When is work expected to commence on the frontier fence?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The commencement date cannot yet be indicated since the project design has not been finalised.

**SUPPLEMENTARY TO QUESTION NO 1199 OF 2001**

**HON J J BOSSANO:**

Is it likely to happen in the current financial year?

**HON CHIEF MINISTER:**

I do not know the issue really is that we are having some trouble finding a fence design, literally it is a design issue, that is aesthetically more attractive than the chicken-wire that we have at the moment but which is not a physical barrier to sight. Most of these modern fencing, for example, we have looked at the fence around Fortress Headquarters I do not know if anyone has noticed in passing which is a modern style fencing and the technical people are looking for appropriate designs. So far the ones that have been found have been rejected for one reason or another. Is it likely to happen in this financial year, I would certainly hope that we will start in this financial year, I think aesthetically at least the part of the fence that coincides with where we cross the frontier and where we queue to cross the frontier, really from the Four Corners gates to at least the commercial gate, that is aesthetically now an

eyesore and I would hope that at least that section can be replaced and work on that could start in this financial year.

**HON J J BOSSANO:**

Have Government established whether any part of that fence is MOD responsibility, is any of it on MOD land?

**HON CHIEF MINISTER:**

I do not know what the position historically/technically is they do not take that view of life now. They do not consider that it is part of their responsibility to replace it, clearly part of the fence is on MOD land, for example, the western extremity and possibly also the eastern extremity are on MOD land, the middle bit clearly is not on MOD land, so I think the answer to his question probably varies with different sections of the frontier fence. In either case they have certainly not shown any inclination to replace it themselves, this is something that the Government wish to do as part of the physical restoration in the refurbishment of Gibraltar project and the MOD is not going to cough up for that.



**NO. 1200 OF 2001**

**THE HON J J BOSSANO**

**REASONED OPINION AGAINST SPAIN**

Has the European Commission now issued a reasoned opinion against Spain over the border delays?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As far as I am aware, the European Commission has not issued a Reasoned Opinion against Spain on delays at the Gibraltar Frontier.

**SUPPLEMENTARY TO QUESTION NO 1200 OF 2001**

**HON J J BOSSANO:**

Is there an avenue opened to the Government to take action against the Commission for failing to take action as it appears to be for the telephone company in the failure to act over non-recognition of the country code?

**HON CHIEF MINISTER:**

The matter is being looked into in legal detail in Brussels now, we believe there may be a speculative procedure loophole, if there is we will use it.

**HON J J BOSSANO:**

The complaint to the Commission which ought to have produced this came from whom from the United Kingdom?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

Presumably the prospects of persuading the United Kingdom to take action are minimal?

**HON CHIEF MINISTER:**

I think that is a safe presumption although in Parliament they continue to say that they continue to press the Commission to pursue the complaint but the chances of getting the UK to litigate against the Commission on this as on any other issue relating to Gibraltar I would have thought is worst than minimal.

**NO. 1201 OF 2001**

**THE HON J J BOSSANO**

**PAPER ON GIBRALTAR'S DECOLONISATION**

On what date did the Government receive a copy of the paper on Gibraltar's decolonisation prepared by the former Chairman of the Committee of 24, Ambassador Peter Donigi of Papua New Guinea?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The paper prepared by Ambassador Donigi of Papua New Guinea entitled "Decolonisation and the 21<sup>st</sup> Century" and which refers, amongst other territories, to Gibraltar was received on 21 June 2001. It represents Ambassador Donigi's personal views.

**SUPPLEMENTARY TO QUESTION NO 1201 OF 2001**

**HON J J BOSSANO:**

Would the Government not agree that this ought to be studied by the Select Committee of the House that is looking at Constitutional Proposals with a view to our eventual delisting given Donigi's personal views, he is a man who has held important positions in the Committee of 24 and before we both appeared?

**HON CHIEF MINISTER:**

Yes the Government have no difficulty making a copy of it available to the Committee and to the hon Members. Originally it was sent in-confidence but I think that that is now not the case. It has now been quite widely circulated within the United Nations as I understand so by all means the bottom two lines of his views about Gibraltar are that (a) the Special Committee on decolonisation does not have to adjudicate on

issues of sovereignty it is concerned solely with decolonisation and therefore it is not concerned to entertain the Spanish Sovereignty claim. The other bottom line is that there ought to be organised a plebiscite in Gibraltar, 'does Gibraltar wish to remain a non-selfgoverning territory of the United Kingdom?' and if that question is answered in the affirmative then the Committee should simply delist Gibraltar as being of no further interest to it in the context of decolonisation. We might have a useful discussion in the Constitutional Committee as to how useful those conclusions actually are although I can tell the hon Member that they have not gone down well in Madrid.

**HON J J BOSSANO:**

Is this view that it is possible theoretically for a territory to obtain delisting on the basis that it wishes to remain non self-governing one that he considers.....

**HON CHIEF MINISTER:**

No, no I did not say a non self-governing

**HON J J BOSSANO:**

Yes.

**HON CHIEF MINISTER:**

No, I meant, a self-governing territory, the plebiscite should say that we wish to remain a self-governing territory.

**HON J J BOSSANO:**

In association with UK?

**HON CHIEF MINISTER:**

A self-governing territory, it does not go into detail of what that means in practice or how one achieves it, so did I say before non self-governing?

**HON J J BOSSANO:**

That is correct.

**HON CHIEF MINISTER:**

I beg your pardon.

**NO. 1202 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN ENFRANCHISEMENT**

Are Government in a position to say when and how the British Government intend to enfranchise Gibraltar for the next elections to the European Parliament?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I have been assured that work is under way in Whitehall in preparation for the enfranchisement of Gibraltar to the elections in the European Parliament. As yet, I have no details of what exactly is being drafted or considered and what is the likely time-scale. At the UK's request a meeting is being arranged shortly between UK and Gibraltar Government officials to discuss this matter. I would remind the House that in a statement made on the 13<sup>th</sup> March 2001 to the House of Commons Standing Committee on delegated legislation, Mr Mike O'Brien, Home Office Minister said that Gibraltar's enfranchisement required primary legislation which ".....we shall introduce in the proper manner before the next European Elections, which are due in 2004."

**SUPPLEMENTARY TO QUESTION NO 1202 OF 2001**

**HON J J BOSSANO:**

Perhaps the Government are aware that in 1995 the UK was telling everybody that it required primary legislation to get Gibraltar banking licences accepted and they were not telling the truth then and it was done eventually, very recently by regulation so I do not think one can take necessarily as a biblical truth what Home Office Ministers say, but in any case are we talking about unilateral action from the UK whether it is primary or secondary legislation?

**HON CHIEF MINISTER:**

This requires a degree of interpretation of Mr Hain's latest utterances in the House of Commons on the matter when he said that they hoped to do this with Spain's agreement. The position of the Government is very simple we have been saying to the British Government for the last five, six years, certainly since we have been in office and whilst the case was being conducted, whilst the Matthews case was being conducted the arguments were being formulated and projected that the UK was free to act unilaterally, in other words that the UK did not actually need to amend the Single European Act of 1976 which is the European Community Treaty that regulates the Eurovote, annexe (2) of which says in respect of the United Kingdom "this treaty will apply to the United Kingdom." The UK relies on that phrase to say "to the exclusion of Gibraltar" and therefore Gibraltar is not covered in the treaty, he knows the arguments, the acronym in UK has got to include a reference to Gibraltar for EU purpose in every other aspect of EU documentation of the treaty. Why should the acronym UK suddenly not include Gibraltar only in the interpretation of annexe (2) of the 1976 Act. There had been consistently resisting that interpretation and it was only when they lost the case and found that Spain was still proposing to be an obstacle to the amendment for the treaty that they then said we will act unilaterally as we had been saying that they were free to do for five years or six years. Therefore, the last I heard from the UK Government on this was that if by the summer of 2001 they had not obtained unanimous agreement to the amendment of the treaty and, of course, to amend that treaty does require the unanimity of all its signatories including Spain, so to amend the treaty does require Spain's consent but the United Kingdom's last dated position to me was that if they could not achieve that by this summer given that the end of this year was the cut off period really for, if they have not legislated by the end of this year they have run out of time to put the practical arrangements in place was what we were being told at that time that they would then act unilaterally. When Mr Hain says in answer to a question in the House of Commons as he did last week that he hopes to do it with Spain's agreement I can only assume that he means amending the treaty because it is the only thing for which he could conceivably require Spain's and the other 13 Member States agreement. He certainly does not need Spain's agreement and I sincerely hope he does not feel obliged to seek it to act unilaterally. To act unilaterally is simply a question of the UK amending its own national law to include Gibraltar in the voting arrangements and that certainly does not require Spain's agreement.

**HON J J BOSSANO:**

It could of course mean that if it upsets Spain for the United Kingdom to act unilaterally it is not something that they would want to do, it easily means that.

**HON CHIEF MINISTER:**

Well yes and it could mean that and that is what the Government think will be unacceptable and frankly it would be very serious for everybody not least the UK if the UK's willingness to free itself from the dock of a condemned human rights violator well less strong in its mind than the fear of upsetting Spain. There is only two ways that the UK can remove from its head the stigma of having been found to being a human rights violator in the case of Gibraltar and that is either to do it by changing the treaty which requires Spain's consent or to do it unilaterally which does not require Spain's consent, but if UK chooses to seek Spain's consent and does not obtain it we think it is objectionable that they should even seek it, but if they seek it and does not obtain it

it raises the question as to whether the UK prefers to remain in violation of human rights rather than upset Spain I do not think that that is the position, I have received no evidence, I have no suggestion that that is the position, the evidence that we have is to the contrary, several UK ministers have stated in Parliament on several occasions that the UK is committed to remedying this violation and to passing this legislation in time for the 2004 elections as Mr O'Brien who is the Minister responsible for voting in the United Kingdom has said "that is the option that we are running with at the moment."

**HON J J BOSSANO:**

Given that the time is running out for UK legislation, is there not a similar constraint on time in respect of changing the treaty, I would have thought changing the treaty would be an even longer process than changing domestic legislation?

**HON CHIEF MINISTER:**

At the time that we were discussing with the UK we were being told that Spain objected that some countries needed to take this to a referendum and all sorts of things, whether all those problems have suddenly disappeared I do not know. I still suspect that it is much more likely that the UK will have to pursue unilaterally.

**HON J J BOSSANO:**

The meeting that is planned to take place at UK's request is it that the Government at this stage do not know whether that is on the basis of the United Kingdom legislation being changed as opposed to getting the agreement to change the treaty?

**HON CHIEF MINISTER:**

As far as we are concerned the meeting that is being requested was to discuss the detail of the enfranchisement, election rules, how we would fit in, the mechanics, the nitty gritty of voting and there was almost a presumption at that stage between us that the UK was working on the unilateral route and indeed that might still be the position because all we have to suggest the contrary is this stowaway line by Mr Hain in the House last week where he says "With Spain's agreement" which leads us to believe that they might now be back on to the amendment of the treaty since we can not conceive that they would seek Spain's agreement to the unilateral enfranchisement, but of course the hon Members high levels of cynicism may be entirely justified.

**HON J J BOSSANO:**

Is there a date for this meeting?

**HON CHIEF MINISTER:**

The Chief Secretary who would know has just slipped out of the House I will let the hon Member know later.

**NO. 1203 OF 2001**

**THE HON J J BOSSANO**

**BRUSSELS NEGOTIATIONS**

Have the Government sought clarification from HMG in respect of the statement by the Minister for Foreign Affairs of the Kingdom of Spain that it had been clearly established between the two sides that advances in co-operation and on sovereignty would take place in parallel in the re-launched Brussels negotiations and be reversible conditional on the results obtained?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not Government policy to comment in this House on unconfirmed press reports. I can however tell the hon Member that all the statements of its policy made to me by HMG are to the effect that HMG does not accept that progress on co-operation should require, still less be parallel, to progress by Spain on sovereignty. The Gibraltar Government have already said publicly that such linkage would necessarily result in no progress on co-operation and therefore very early failure of any talks.

**SUPPLEMENTARY TO QUESTION NO 1203 OF 2001**

**HON J J BOSSANO:**

I am not asking the Chief Minister to comment on press reports what I am saying is, has he taken up the matter of the statement made by Señor Piqué himself with the British Government with a view to getting them to correct it publicly, does the Government not agree that if Señor Piqué says on his return to Spain we have got a very clear understanding between myself and Mr Straw and this is the case, and Mr Straw remains silent then whatever private assurances he may have the rest of the world has only got one version of reality?



**HON CHIEF MINISTER:**

Yes, this brings us constantly to the very convenient response that the United Kingdom does not engage in megaphone diplomacy. We have frequently asked the United Kingdom to effectively counteract Spanish statements because unlike most other international issues Spanish statements through Spanish press reports are constantly being consumed in Gibraltar and they are not ignored by public opinion in Gibraltar. We have only enjoyed very limited success on the odd issue here and there from the UK a contradictory or challenging response. I think the approach that they prefer which we have told them is entirely ineffectual is the one recommended most recently by Mr Hain in the House of Commons when he invited us all to ignore all the utterances of Spanish politicians and the Spanish press. It is not a realistic approach to life and we have certainly constantly making that part to the British Government. As specifically on the question of the linkage between sovereignty and progress and co-operation the British Government are under no illusion about what that would mean for Gibraltarian participation in talks or the prospects of success of talks and it is precisely I do not want to raise with the hon Member now the differences that divide us generally in relation to the Brussels process but from our perspective it is precisely to protect Gibraltar from syndromes of that sort that we insist on having an equal say in terms of the need for veto that nothing can be agreed unless we agree so that precisely we do not find ourselves in a position where Spain with the UK or without the UK's acquiescence can in effect deploy this policy. Our position is we are willing to take part in dialogues as long as it is safe but if Spain tries to link sovereignty with any other progress on any other issue we have got to be in a position to arrest that linkage, to arrest that dynamic and let Spain get up from the table in a huff and walk away from dialogue because she is not getting satisfaction of her unilateral linkage policy and I do not expect the hon Member to agree with that because I know he disagrees with the strategy generally but that is one of the reasons the Government attach so much importance to the veto point.

**HON J J BOSSANO:**

I do not want to go either into areas where we may finish up disagreeing with each other, the important thing at the moment is to protect Gibraltar from Spain. In respect of this specific quote which was in fact, there is no question at all about the fact that Mr Piqué himself said this, this is very clear it is not speculation by third parties and I think that what was known was in fact that he actually emphasised that the co-operation was reversible if the inroads into sovereignty did not materialise and that this was Spain's safeguard obtained from Jack Straw at the meeting in London on the 25<sup>th</sup> July. Is this not sufficiently important, just this limited area of the many things that they say, but at least this one which seems to be from the formulation of the Spanish Foreign Secretary a corner stone of what is new in the re-launched Brussels negotiations which was not there before in the sense that Spain has always from the day they signed, and indeed from the day they signed in 1980 the Lisbon Agreement which failed precisely on that count, always argued that the two aspects were supposed to proceed in tandem but this is the first time they have actually come up with this notion that they have got a clear commitment from the United Kingdom Secretary of State from Jack Straw himself that it is reversible.

**HON CHIEF MINISTER:**

I do not think he has said that.

**HON J J BOSSANO:**

Yes he has said that.

**HON CHIEF MINISTER:**

No he has said what the hon Member, I am prepared to acknowledge that he has said he has linked the two things, he has said it frequently that for Spain's parallel progress on sovereignty has got to be in parallel or co-operation in parallel on sovereignty. He has also said that it is reversible what he has not said is that he has obtained that as an agreement for a concession from the British Government. Indeed it would be outrageous if that were true because the British Government first of all has not said that to the Gibraltar Government and continue to assert to the Gibraltar Government that the British Government's policy that there is no linkage between sovereignty and co-operation, but certainly I have seen nowhere reported in the press because had that been the case I would certainly have raised it with the Foreign Secretary there has been no press report to the effect that Britain has conceded this or that Mr Straw has agreed to this linkage. The Gibraltar Government on seeing these reports not for the first time, Señor Piqué has been saying these things now for about six months has made it perfectly clear that there is no scope for progress along that particular road. All that remains for us again trying to avoid areas of disagreement between us, all that remains for Gibraltar represented by the Government of the day is to ensure that that can safely be undertaken, in other words assuming the worst, assuming that is the agenda, assuming that everything that the Leader of the Opposition has said is the agenda which we have no reason to suppose that it is, assuming that it is that Gibraltar has inbuilt into its participation all the necessary safeguards to ensure safety for Gibraltar if it turns out to be the case.

**HON J J BOSSANO:**

He knows that we will not agree so I will not dwell on that but can I just say I am afraid I do not have the text, I thought I had but I will make it available to the Chief Minister will he then consider taking up the matter because it is absolutely clear it was in a question to Señor Piqué from a journalist as to the element of risk involved in participating in the re-launched Brussels Process which might get nowhere as previous attempts had done from Spain's perspective, that he said that there was a clear understanding between himself and his UK counterpart that the safeguard, that exposure to the risk was in the fact that the two aspects were in parallel and that it was reversible and it is the first time I have come across with this question of reversibility and the introduction of the concept that the fact that it can be unwound means as it were that Spain will not be in a position of giving us goodies which we then consume but then do not pay for in which case they can then be withdrawn. Certainly I would agree that that would be a very serious basis and either the United Kingdom ought to make clear to Señor Piqué that he has misunderstood the United Kingdom's position in which case the talks might never get going which might be good news or the UK will have to be flushed out in which case perhaps the Chief Minister will question the wisdom of going if that is indeed the case, in which case it would also be good news.

## **HON CHIEF MINISTER:**

Well he knows that we have different views of what is constructive for Gibraltar going forward in this respect, he appears to think that having no talks is good news we do not share that view of life we think that having safe talks on a proper basis is good news and it is because we have such different philosophies to life in this respect that we have the different policies that we have, that he now has given that he has not always had them. As to what would be the case if the UK were flushed out to use his words if the UK were flushed out and was not willing to deny what the hon Member says he still believes he has read in the press and is going to make available to me, namely that Mr Straw has agreed to this new corner stone, all it would do is strengthen the Government in their resolve which is already unshakeably strong by the way, that there is no question in participating in any dialogue. The hon Member appears obsessed with the Brussels Agreement for us the Brussels Agreement is not the issue, to us the issue is our conditions to the dialogue apply to any process of dialogue because these dangers, in all of these dangers the hon Member is concerned about exist in any process of dialogue not just in the Brussels Agreement and therefore the terms of dialogue have got to be got right in our estimation whether it is Brussels or non-Brussels. All it would do if we could not flush or if we did flush out the UK in the adverse sense that the hon Member suggests is it would re-enforce us in our conviction that Gibraltar could not safely take part in dialogue unless we enjoyed an effective veto so that if that was the unspoken and now flushed out agenda it could not prosper but would have the effect of making Spain break down the dialogue rather than Gibraltar and we think there is virtue in that.

**NO. 1204 OF 2001**

**THE HON J J BOSSANO**

**CORRESPONDENCE WITH THE PRESIDENT – EUROPEAN COMMISSION**

Can Government say when they wrote to the President of the European Commission Romano Prodi to complain about the uneven treatment of Gibraltar by the Commissioner who is pursuing State Aid rules in Gibraltar's case and yet has failed to take any action after six years of complaints from Gibraltar at Spain's refusal to recognise our 350 international dialling country code?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I wrote to the President of the European Commission on 1<sup>st</sup> October 2001.

**SUPPLEMENTARY TO QUESTION NO 1204 OF 2001**

**HON J J BOSSANO:**

I take it that it is still too soon to have produced a reply?

**HON CHIEF MINISTER:**

He can take it as he pleases I can certainly tell him that no reply has been received yet but the hon Member's supplementary assumes that it will receive a reply.

**HON J J BOSSANO:**

Yes and the Chief Minister's reply to the supplementary is that he does not necessarily assume that he will get one then I take it?

**HON CHIEF MINISTER:**

The letter certainly deserves a reply both for its content and for its provenance but it would not be the first letter that we address to the Commission that does not receive a reply.

**NO. 1205 OF 2001**

**THE HON J J BOSSANO**

**EU – WASTE FRAMEWORK DIRECTIVE**

At what stage is the action taken by the European Commission against UK for their alleged failure to comply with the Waste Framework directive in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I should perhaps clarify that the infraction is not simply about Gibraltar. The Commission is also proceeding against the UK in respect of alleged deficiencies in its domestic legal order. As at the 30<sup>th</sup> October the position is that HMG is finalising their proposed response to the Commission's 'reasoned opinion' in consultation with the Government of Gibraltar.

**SUPPLEMENTARY TO QUESTION NO 1205 OF 2001**

**HON J J BOSSANO:**

The actual implementation of this directive requires more than legislation, I think it actually requires infrastructure to be put in place, is that it?

**HON CHIEF MINISTER:**

I think the legislation might even already be in place this is an infraction for non-implementation.

**HON J J BOSSANO:**

Not from non-implementation of the directive but from not actually doing what the legislation says we should be doing I take it?

**HON CHIEF MINISTER:**

If one transposes directives into legislation one implements them on the ground that is in European jargon the distinction, this directive is not being complied with is another jargon that they use they sometimes draw the distinction that way between compliance. I believe that this legislation has been in place for sometime what there is not in Gibraltar is an urban wastewater treatment plant.

**HON J J BOSSANO:**

Is the nature of our system, the fact that it is saline, which does not appear to be the case in other countries, is that something that has an effect on how we can deal with the requirements of the directive and is it something that has been discussed at all with the Commission?

**HON CHIEF MINISTER:**

It does not have an effect if by that he means does it somehow make the conditions less applicable to us, no, it does have an effect but a complicating one in that there is very little technology around for the construction of urban wastewater treatment systems, plant, that can tolerate saline fluid transiting through it. One of the reasons there has been delay in getting this project off the ground is the need to find the appropriate technology to implement because of our saline because of the high salinity ratio of our urban wastewater which is not only flushed with brackish water but indeed there are backwash issues of seawater. So this is a long and expensive project it is something that is being intensely worked on just the choice of site for such an installation in Gibraltar is a major issue given physical dimensions of it and then the technology to put in the site because of the salinity is itself a major issue and the third major issue of course is the sheer cost of building this.

**NO. 1206 OF 2001**

**THE HON J J BOSSANO**

**BRUSSELS AGREEMENT**

Can Government inform the House what was discussed at the meeting with the Foreign Secretary on 9<sup>th</sup> October 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As explained in the Government's press statement which was issued shortly after the meeting with the Foreign Secretary, most of the discussion centred on the possibility of the Gibraltar Government's participation in talks under the Brussels Agreement and the Government's requirements therefore. It was agreed to engage in detailed discussions during the following weeks with a view to addressing the Gibraltar Government's terms for participation. The Foreign Secretary reiterated that there was no question of any change in sovereignty against the wishes of the people of Gibraltar and expressed the firm belief that a way could be found to normalise relations with Spain through dialogue.

**SUPPLEMENTARY TO QUESTION NO 1206 OF 2001**

**HON J J BOSSANO:**

And that took an hour and a half?

**HON CHIEF MINISTER:**

There were one or two other issues raised, some financial services issues and some OECD issues, state aids were discussed but the bulk of the discussion I would say slightly over an hour or about an hour were on this issue yes.



**HON J J BOSSANO:**

Given that we all know about the Preamble to the Constitution and so forth but given that in Mr Hain's interview of the 17<sup>th</sup> September and in subsequent statements there has been this business of the results of what emerges out of the negotiating process being put to the people nearer the referendum, how can that be reconciled with the process not being about changes to the status of the sovereignty of Gibraltar, I mean what else is there to a referendum?

**HON CHIEF MINISTER:**

I think the UK fully envisages that there would be discussion on options for ways forward I do not think anybody makes a secret of that what I think is less reconcilable is how the UK thinks that it is going to make progress in 12 or 18 months on what Spain expects to be progress for her on sovereignty given that the United Kingdom is committed to put the outcome in a referendum to the people of Gibraltar who are bound to turn it down. That really is the circle that is more difficult to square as we have constantly been telling the UK and both UK and Spain publicly and if that is the calculation then it is a misconceived one, a thoroughly misconceived one. Unless Spain has really changed, for which we can see no evidence and unless Spain has really lowered her sights and her aspirations and her ambitions in respect of Gibraltar for what we see no evidence and we might be pleasantly surprised when the discussions start, but certainly there is no evidence of that yet, unless either of those is the case then there is no prospect of anyone coming up with the way forward for the Gibraltar issue which will be acceptable in referendum for the people of Gibraltar or before that acceptable to the Government of Gibraltar in that process of discussion.

**HON J J BOSSANO:**

A way forward is inoffensive terminology for meaning a new status for Gibraltar or Gibraltar's decolonisation or something that would alter the status of Gibraltar, how do Government reconcile that happening in the re-launched Brussels process when that is what we are supposed to be doing in the Select Committee of the House?

**HON CHIEF MINISTER:**

That is because the Government do not share the simplistic analysis of life which the hon Member persistently and consistently makes. I know that it is the hon Members view which he repeats frequently that discussions with Spain are inconsistent with what he regards as the process of decolonisation by the modernisation of our Constitutional links with the UK or in short the Constitutional Committee process. The Government do not share that view. The Government have made it perfectly clear that they have no objection to Spain broaching issues of sovereignty, that they have no objections to Spain making as many proposals to the people of Gibraltar as Spain wishes provided that it is clearly understood that the people of Gibraltar in exercise of their right to self-determination are entitled to decide their own future, that nothing can be agreed above the heads of the people of Gibraltar and that their can be absolutely no change in sovereignty contrary to the wishes of the people of Gibraltar, and we have absolutely no difficulty within those parameters in sitting down with Spain and exploring to see whether there are possible ways forward acceptable to the people of Gibraltar. He and I may well have clear views about what are the prospects of anything emerging that will pass that test of acceptability to the people of Gibraltar but

that is not Gibraltar's problem, that is Spain's problem. That is not a reason for Gibraltar not to engage in dialogue and we do not think that a process of dialogue in which Spain is free to make proposals which we are free to reject, is in any sense inconsistent with a power on progress of amending our Constitution. The more burning question which I would expect the hon Member to be more concerned about is whether there is any real prospect that the United Kingdom will give us meaningful Constitutional modernisation at the same time as it has engaged in this impetus with Spain, that is the issue which we will discover when we get to the end of our exercise and start talking turkey with the United Kingdom.

**HON J J BOSSANO:**

It seems to me that the burning question as the Chief Minister puts it is entirely in our own hands. The sooner we conclude our deliberations in the Select Committee and bring the matter to the House and challenge the United Kingdom with our consensus view the sooner we will find out although I have no doubt that he must have been given indicators as to the prospects of the receptivity going back to the prediction of Spain going ballistic by Mr Cook, but the point about the re-launch of the Brussels process is, of course, precisely in the text signed in 1984 that it states clearly that Spain will be discussing the issues of sovereignty with the United Kingdom and with the representative of Gibraltar that forms part of the United Kingdom delegation, that was there in what was signed in 1984 and we objected to it then. The Chief Minister may consider I am simplistic well perhaps I am as simplistic as the majority of the people of Gibraltar who seem to have a very simplistic idea that they want to have nothing to do with Spain, now, if the majority do not want to have anything to do with Spain in terms of ceding anything at all whatsoever, well then what can be negotiated which might be acceptable in the judgement presumably of the Chief Minister, because I do not think that anybody else's judgement will count. If there was a process in which Spain put proposals for Gibraltar's future and in which he participated what would matter would not be what Mr Straw thought the people of Gibraltar would accept, or what Señor Piqué thought, it would be what he thought. If he thought it would not be acceptable and he said it was not acceptable there and then, presumably it would never go any further it would only come to the people of Gibraltar surely in that context if he thought he had a chance of being acceptable to a majority. Does he not realise that that formulation of the importance attached to the presence of Gibraltar seems to at least be coherent and makes sense from the perspective of what they are trying to achieve which is not neighbourly relations it is something more serious than that.

**HON CHIEF MINISTER:**

The hon Member speaks as if it were not his policy of commitment to open agenda dialogue. The hon Member went to the last election and to the one before professing a commitment to taking part in open agenda dialogue. I am prepared to debate on another occasion, as I did with him on television recently, I am prepared to debate with the hon Member his particular view that dialogue under the Brussels process is in his view bad and in my view on certain conditions okay, but I am not prepared to debate with him the issue of whether Gibraltar should take part in dialogue full stop until he asserts publicly that the policy of the Opposition is now that there should be no dialogue between Gibraltar and Spain, let us unclear the lines, there is a different debate on the one hand about whether Gibraltar should have any dialogue with Spain and a very different debate because it raises different issues about whether that dialogue should be inside or not inside the Brussels process, I cannot allow the hon

Member indefinitely to carry on clouding the distinction between those two positions. If the hon Member wishes now to assert that the Opposition's policy is that it should not take part in any process of dialogue under Spain, neither open agenda nor closed agenda, nor inside Brussels nor outside Brussels, contrary to everything that they have told the people of Gibraltar before because of this new impetus and because of the judgement and because Spain only wants sovereignty and because all the things that he is now deploying, I think that the starting position is that he has to say that and then he can debate not Brussels but dialogue. At the moment I have been engaged with him in a debate under what I hope is not the misapprehension that he is pro dialogue but anti dialogue under the Brussels process so that what I have been engaging him on is on issues that arise only under Brussels as opposed to issues that arise under any process of dialogue because then what we are discussing is dialogue generally not the ins and outs of Brussels in particular. The hon Member should know that we now have on dialogue the very same policy that he had between 1988 and 1994 when for reasons that he and I have never discussed and which he has never explained he changed track, fine, he changed his mind. I have known that he has always been anti participation in dialogue under the Brussels process in particular, we address those arguments, we listen to what people say about Brussels and then we formulate policies which are designed to give comfort in respect of those specific concerns about the Brussels process in particular which we believe the Government's terms for participation say. If his view is no dialogue with Spain under the Brussels process because I made a hobby horse of this in 1984 and I am dammed if I am going to get off my horse now, the Government are not only willing to but indeed are duty bound to have that debate with him and we have that debate with him but then we address issues that are raised exclusively by Brussels, for example, the alleged linkage to the United Nations resolutions on the Brussels process. That is an issue that arises from Brussels talks but does not arise from other talks so the Government addresses head on the arguments of those who say no to Brussels because of the UN resolution linkage. That is a debate about Brussels.

#### **HON J J BOSSANO:**

I think the problem with responding to the Chief Minister is that he is incapable of having a debate on any issue objectively without using adjectives to disqualify anybody that holds views different from him. So, if I have got a particular analysis he calls my analysis simplistic. I may think his analysis is deliberately misleading but I do not say he has a misleading analysis because he chooses to use the word dialogue because dialogue frightens people less than negotiations, but if the Chief Minister wants to know what my position is, of course, he has just remembered in the latter part of the lengthy contribution he has made that we have debated the position. We debated it in a motion in this House when he accused me seven years ago of not wanting any formal dialogue with Spain when in fact there was a motion in the House which was carried by Government majority which said that we should not participate in dialogue with Spain if they did not recognise our right to self-determination and if they were placing restrictions on us. It was a motion that was brought by Mr Cumming and amended by Government majority removing all the words after "This House." I am sure the Chief Minister remembers, and then he came out saying that meant that I was closing the door totally to dialogue with Spain. Well then if he says I am not consistent and he says I am doing that now then presumably I have been consistent at least for seven years which is more than we can say for him because he is not consistent for more than five minutes.

**HON CHIEF MINISTER:**

No because he then goes to an election saying open agenda, dialogue.....

**MR SPEAKER:**

Order, Order.

**HON J J BOSSANO:**

Since the Chief Minister has said that he wants to know whether we draw a distinction between talking to the Spaniards in an open agenda then the answer is yes we do and we think that there are dangers in a process which led to the opening of the frontier in 1985 in exchange for the United Kingdom accepting what they had been rejecting in 1973 where the Spanish Government as the Chief Minister knows has since 1973 been saying that this is a doctrine of the UN never once refuted and therefore what we have is a parallel of the question that I was originally raising with the Chief Minister which is if Señor Piqué says I have got a commitment from Jack Straw that what we are going to do in Brussels is to proceed in parallel and a commitment, the point that I made then is the same point that I made when I had spoken beside him in the United Nations this year. But when the United Nations hear that version from Spain and no reply from the United Kingdom from 1973 till the year 2001 one might forgive the International community for thinking that Spain is telling the truth but if people read the statements of Piqué and Jack Straw because he does not want to engage in megaphone diplomacy does not refute it then what stands as a matter of public record is that that is what is intended in the relaunch and if the relaunch is intended to produce a formula which can be put to the people in 15 months it seems to be incredible that they should not have a secret plan, not have something that they already know they are going to put and expect that that can be produced in 15 months. Now, I would think that the nature of the description of what is intended to take place recently by both the United Kingdom and Spain tends to confirm more than anything that has happened since 1984 what the intentions of the process is and therefore whereas we might not be as enthusiastic as the Chief Minister about sitting down to talk to Spain we see none of the dangers if there is as he originally from the Opposition supported when it was suggested at the time of Douglas Hurd a new forum which is not Brussels, which is not linked to Gibraltar's decolonisation, which does not require the resolution of all the differences where the Chief Minister is there independent of the United Kingdom and independent of Spain which is what he originally supported when we were not against the idea ourselves and it was suggested by the United Kingdom, and Spain almost bought it by they did not, and that is a different scenario but of course the Chief Minister can confirm to the House that what Mr Hain said on the 17<sup>th</sup> September in the Chronicle that he agreed with the Hon Mr Caruana that there was no alternative, that there was no option to the Brussels negotiating process, of course if he believes that then frankly to want to know whether our line would be different if an alternative exists which does not exist is a hypothetical situation which no doubt he would be telling me he can not answer if I was asking him the question. It is hypothetical according to all the information available publicly the British Government, the Spanish Government and the Government of Gibraltar are all in agreement on one thing that it is either Brussels or no dialogue. Now, if it is Brussels or no dialogue then the option for us is no dialogue obviously.

## HON CHIEF MINISTER:

It is clear then that the argument is not about dialogue but whether it should be in or outside the Brussels process, the Opposition according to what the hon Member has just said is perfectly content to engage Spain in dialogue and then when the hon Member says that he is consistent he should understand that he has just demonstrated the opposite because the motion to which he referred in the House by references to Mr Cumming and everybody else was no dialogue with Spain. [Interruption]. The Hon Mr Perez should know that he cannot prevent me from speaking just by trying to shout at the same time, the resolution to which the hon Member referred and which was passed by a majority of his Government which we voted against because we thought it was sheer insincerity, the motion, yes the motion was no dialogue with Spain unless Spain first recognises the right to self-determination, in the certain knowledge that that was an absolute non-starter and that was dishonesty. To profess to have a commitment to dialogue but to lay down preconditions which require the other side to capitulate 100 per cent before they even get to the negotiating table in any honest man's language is "I do not want dialogue with Spain" but having said in that resolution no dialogue unless Spain first accepts the right to self-determination, his position in the subsequent election and this morning is not that, and therefore he is not consistent. His position now is so long as it is outside Brussels on an open agenda. Well look, on an open agenda dialogue Spain does not have to accept that he has the right to self-determination first and therefore his position now is not no dialogue unless Spain first accepts my right to self-determination which was his position the day he passed that motion, his position now is dialogue with Spain yes, provided that it is on an open agenda even if there is no recognition of the right to self-determination and when he accepts, when he professes an alleged willingness to dialogue with Spain on an open agenda basis presumably he understands that open agenda means open agenda for both sides and that if it is open agenda for both sides and he knows that Spain is only, in his own language, Spain is only interested in sovereignty then when he professes as he has done in his election manifesto and as he has done this morning that he is willing to engage Spain in a process of open agenda dialogue he must presumably understand that that includes sovereignty because open agenda means open for him and open for Spain as well and he knows that Spain is only interested in sovereignty. So when he professes a willingness to open agenda dialogue he is also professing a willingness to engage in a process of dialogue in which Spain is able to raise the question of sovereignty, otherwise he is being insincere again because presumably he does not mean open but only for us. As far as Spain is concerned it is closed, they cannot raise the dreaded 'S' word and therefore, it all boils down to this. Yes because he can longer get away with what he did in the House for eight long years which is to say one thing one day, another thing another day, shift his ground and then accuse everybody else of being the chameleon when the biggest chameleon ever in the history of politics in Gibraltar has been him. The hon Members giggle prematurely at their imminent peril as this debate on dialogue, if the Government's condition should happen to be met, if this debate on dialogue continues then of course everyone's view has to be fully exposed to public scrutiny. Given that the hon Member is willing to take part with dialogue with Spain under an open agenda and without Spain having accepted the right to self-determination which is also our position, all that remains between us is whether that dialogue should or should not be under the Brussels process and therefore which is frankly what I thought the hon Member's position was, until I heard him say some of the things he has said earlier this morning, and therefore the issues between us are, is dialogue safe or not? Is dialogue under Brussels safe? Which is what the Government attach importance to, or is dialogue under Brussels against Gibraltar's interests for some other reason which is what he says, and that is where we disagree so by all means let us continue with our debate about whether the

Government should or should not participate in dialogue under the Brussels agreement and let us not confuse that argument by raising arguments that arise equally in that alternative process of dialogue in which the hon Member claims he is willing to participate.....

**HON J J BOSSANO:**

Which does not exist.....

**HON CHIEF MINISTER:**

.....but the hon Member has said that he is willing to participate in dialogue under an open agenda and without Spain first having accepted the right to self-determination and therefore, the hon Member should not in an argument to try and persuade the Government not to take part in talks under the Brussels process because he does not like the Brussels process, he should not deploy arguments which arise equally under the Brussels process as in any other alternative process of dialogue because that is just a confusion of the issues that arise, and that is the Government's approach to participation in these talks. The Government are not persuaded, have never been persuaded, by the hon Member's arguments which we believe to be a matter of personal political obsession on his part. The Government are guided only by whether talks are on terms which are in Gibraltar's interests, which are safe for Gibraltar, which protects us in all circumstances from the machinations of other parties, which protects us from any change to our sovereignty or our status contrary to our wishes, and the structure of which is not per se incompatible or inconsistent with our right to self-determination. That is the Government's policy, that will continue to be the Government's policy, if our terms are met we will go, and if our terms are not met we will not go. That has been our position since the 16<sup>th</sup> May 1996 in terms of whether we have gone or not gone to talks in 1996 and 1997 and that will continue to be the case and as far as we are concerned this argument whether Brussels yes or Brussels no, has been fought in the past already, the hon Member appears to overlook the fact, he is of course free to continue with his arguments and we engage him in the argument we do not take the view –“ well you know we have won the last two elections therefore we do not even engage in arguments we think are closed,” we continue to engage that is why I participate with him in debates on television on Brussels yes and Brussels no arguments, but the fact of the matter is that the hon Member attempts at all costs to try and create a situation in which the Government decide whether they go to Brussels or not according to his view of Brussels as opposed to according to our view of Brussels and our terms for a decision is bound to fail.

Whether the Gibraltar Government take part in talks under the Brussels process is in neither his hands or in his argumentative lips nor in my hands nor in my argumentative lips. It is actually in the hands of the British Government. If they deliver the Gibraltar Government's clearly spelt out terms for participation we will participate, if they do not, we will continue not to participate. Why? Because if they deliver our terms, in our judgement and we have been elected to exercise our judgement, in our well sign posted and accepted twice by the electorate judgement that would render the Brussels process safe for Gibraltar, and if they are not met it will not render the Brussels process safe for Gibraltar and therefore we would not go and that is what it depends on and he and I can continue and will continue no doubt to discuss it, I know what his views are I respect him for the views that he holds I think he is mistaken, I do not share his views and we on our part have set out our stall over 10 years to the

electorate, it has been accepted by the electorate, it has been clearly spelt out by us, it is clearly understood, the hon Member will understand that we deploy our policy and not his. The hon Member understands that, which does not to say that we disregard his arguments let me tell him, we listen to the arguments of all those who caution against participation and talks under the Brussels Agreement and then in measure that we think that there is virtue or a point in those arguments against participation we incorporate those virtues, we see what we think is right about those arguments in our own position in terms of the conditions that we impose for participation. That is how the Government have arrived at the position that it has under the Brussels Agreement today. We start with our own position and then we listen to what other people with a different view have to say on the matter, we take on board as much as is required to be taken on board without throwing the baby out with the bath-water and without prejudicing what we think is necessary for the safety of Gibraltar. The hon Member I know does not agree with that view of life, is never going to agree with that view of life, but I am sure that he is long enough in the tooth politically to know that Governments govern according to their views and not according to the views of Oppositions.

**NO. 1207 OF 2001**

**THE HON J J BOSSANO**

**TECHNICAL TALKS BETWEEN UK/SPAIN**

Have Government been informed of the content of the technical talks between UK and Spain which reportedly took place in London on Monday 22 October?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No.

**SUPPLEMENTARY TO QUESTION NO 1207 OF 2001**

**HON J J BOSSANO:**

Have the Government asked for information?

**HON CHIEF MINISTER:**

No, the view that the Government take is that the business of the coordinators of talks under the Brussels process is not for discussion at this stage unless the Government agree to participate in talks under the Brussels Agreement, otherwise in this particular period of time we would just find ourselves embroiled in the process without actually being participants in it and the Government have thought that that is tactically not right.



**NO. 1208 OF 2001**

**THE HON J J BOSSANO**

**OECD TAX INITIATIVES**

When did the last meeting between the Gibraltar Government and officials of the OECD take place?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question Nos 1172 and 1173 of 2001**

The Government expects to provide the OECD a letter of commitment prior to the deadline for doing so subject to ensuring that there is a level playing field for all finance centres with which we are in competition. Spain continues with its last minute objection to Gibraltar dealing directly with the OECD on this matter even though we have been doing so for the last three years. Spain also objects to Gibraltar's categorisation as a tax haven because this suggests that we are separate from the UK. Under the OECD report members with offending tax regimes are categorised as having 'preferential tax regimes' rather than as being 'tax havens'. The differences in nomenclature is so as not to offend the sensitivities of the members of the OECD. Spain therefore argues that by having been categorised as a tax haven, the OECD has in effect adjudicated that Gibraltar is separate from the United Kingdom because had we been treated as part of the United Kingdom, so here is Spain sort of arguing the Leader the Opposition's integrationist policies of the past, we are sort of categorised as a 'preferential tax regime'. So there are two different objections, one is that they should deal with us in meetings and accept commitment letters directly from us and a separate objection is that we are categorised as a 'tax haven' as opposed to a place with 'preferential tax regime' because one means that we are part of the UK and the other 'tax haven' means that we are separate from the UK.

### **Answer to Question No 1208**

The last meeting between the Gibraltar Government and officials of the OECD took place on 3<sup>rd</sup> May 2001 when Mr Torsen Fensby and Mrs Katrina Becker-Wittur (OECD officials) met with me, with the Minister for Trade, Industry and Telecommunications and officials to discuss the text of the commitment letter. There have been subsequent telephone conversations between Government of Gibraltar and OECD officials but no meetings.

### **SUPPLEMENTARY TO QUESTION NOS 1172, 1173 AND 1208 OF 2001**

**HON DR J J GARCIA:**

Can the Government say whether the United Kingdom is still of the view that this is a matter, the letter of commitment et cetera, is a matter purely for Gibraltar.

**HON CHIEF MINISTER:**

Yes the United Kingdom is very firmly of that view. In fairness to them they have been of that view throughout, the difficulty has been making sure that they do not depart from that view under the usual last minute pressure but I am glad to say that they appear not to be doing so.

**HON J J BOSSANO:**

Can I ask in relation to Question No 1208 of 2001, was the meeting in May in Gibraltar or it was not?

**HON CHIEF MINISTER:**

When I said in my original answer last minute objection by Spain, literally last minute objection, we had been to Paris twice to meet with the OECD there, they had been here twice, certainly once in May I think they have been here before that, there have been numerous meetings between officials and this has been with all the overseas territories not just Gibraltar.

**HON J J BOSSANO:**

Did the Spanish objection materialise after the May meeting?

**HON CHIEF MINISTER:**

Yes the Spanish objection materialised at the time that the OECD Council came to approve literally at the 11<sup>th</sup> hour. There is a July 2001 update report which amongst other things was going to include the abandonment of the ring-fencing criteria under American pressure and that has not been able to be published because Spain vetoed

its adoption and under OECD rules one requires consensus decisions by all its members, so in effect Spain has vetoed the publication of that report until Gibraltar is dealt with in the manner that pleases it and that is where things stand.

**HON J J BOSSANO:**

When did that happen, was that in June then?

**HON CHIEF MINISTER:**

No in July.

**HON J J BOSSANO:**

July.

**HON CHIEF MINISTER:**

Yes it actually happened at the OECD council Meeting which had been convened to adopt the report and decide on its publication. It could not have been later in the day.

**HON J J BOSSANO:**

If in fact at the main meeting the nature of the commitment letter was arrived at what is stopping the Government of Gibraltar from sending it and putting the ball in the court of the OECD?

**HON CHIEF MINISTER:**

Nothing whatsoever and that is what will happen. At the moment the problem is not that they would not accept our commitment letter, at the moment the problem is that we can not meet with them to continue to negotiate its terms but at the last minute there is nothing to stop us giving it in the terms that we know Jersey has given it and had it accepted, or the Isle of Man has given it already and had it accepted. So, at the end of the day the impasse now is not about Gibraltar's commitment letter, the impasse is about the publication of this wretched July report and about the OECD therefore moving forward because at the moment everything is stuck. The OECD which in July interrupted bi-lateral meetings with all the territories ostensibly because it was the summer holidays has only just started rescheduling them and we have not yet succeeded in persuading them to reschedule when we ask.

**HON J J BOSSANO:**

Is it the case then that if the OECD is unable to proceed in the case of Gibraltar they will not be seeking to put us on any black list or sanctions?

**HON CHIEF MINISTER:**

I do not know it will be beyond the pail if the OECD received a letter from us and nevertheless put us on the list I do not think it would come to that. The position that the Government have adopted is that the Gibraltar Government will not agree to any discriminatory treatment of Gibraltar, anything that is in the report that affects, applies to all overseas territories and to all Crown dependencies fine, but that there is to be no singling out of Gibraltar as to language in the report or for methodology of physical treatment in terms of meeting directly or not meeting directly without a UK chaperone. Whatever happens for everybody has got to happen for us. That is our position and I am glad to say that at least for now the UK is fully supporting that and I have no reason to expect despite the recent analogous situation that that would change in this instance.

**NO. 1209 OF 2001**

**THE HON J J BOSSANO**

**EU – FREE MOVEMENT OF GOODS**

At what stage are the five test cases commenced by the European Commission against UK for the failure to implement EU legislation in Gibraltar relating to the free movement of goods?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Commission has already filed its case before the European Court of Justice and HMG have already submitted their defence. The Spanish Government have sought leave to intervene – which has been granted.

They too have also submitted their intervention to the European Court of Justice. The Advocate General has still not delivered his opinion.

**SUPPLEMENTARY TO QUESTION NO 1209 OF 2001**

**HON J J BOSSANO:**

Do Government know whether the Spanish case is supportive of the view that this applies to us, the free movement provisions of goods applies to us or the opposite?

**HON CHIEF MINISTER:**

We have asked for sight of a copy of the Spanish intervention, all the other papers have been produced to us. Our understanding nevertheless is that Spain argues that they should all apply to Gibraltar?

**HON J J BOSSANO:**

That they should?

**HON CHIEF MINISTER:**

Yes that they should.

**HON J J BOSSANO:**

Would the application of the provisions of the free movements of goods have implications for our terms of membership in terms of us being outside the Customs Union, was there not a link between the two things?

**HON CHIEF MINISTER:**

No it would not have a consequence to the fact that we were outside the Customs Union and precisely what is not to be broken is the link that has always historically been thought to have existed as to what the consequence of that non-inclusion is. In the past it has always been assumed and declared, not just by the United Kingdom, but indeed by the Commission itself, that one consequence of the fact that Gibraltar was outside the Common Customs Union was that it was therefore not part of the single market in goods, and because it was not part of the single market in goods no measure adopted under the articles of the treaty relating to the single market in goods with that legal base could apply either. What is now under threat, what is now being re-tested by the Commission is not the proposition whether Gibraltar is in or outside of the Customs Union which is incontrovertible because it is unambiguously provided for in the United Kingdom's treaty of accession, what is being re-tested by the Commission is whether it is accepted that Gibraltar is not part of the Customs Union whether that means as a consequence that it is not part of the single market in goods and therefore whether all measures taken under the single markets do not apply, for example, labelling, packaging directives, things of that sort, so it is the consequences of exclusion from the Customs Union that are being re-tested.

**HON J J BOSSANO:**

Would it apply also to fiscal measures which have an impact on the free movement of goods, that is to say on the freedom of the Government of Gibraltar or this House to levy import duty. Is that not considered incompatible with the free movement of goods?

**HON CHIEF MINISTER:**

Well it is precisely issues and arguments of that sort amongst others that the UK is relying on to demonstrate that the current position is the correct one that it would be unworkable to have Gibraltar outside of the Customs Union but inside the Single Market in Goods the issue that the hon Member has alighted on is just one of numerous anomalies that would arise if the correct position were that we are outside the Customs Union but inside the Single Market in Goods. How can you be inside a Single Market in Goods where goods are freely circulating if there is a customs tariff

barrier between one and the rest of that market. It is a nonsense, complete nonsense and it is arguments of this sort that has led the United Kingdom to resist the Commission's test. The Commission is testing rather than, it is testing through test cases in which it asserts that the historical view is wrong and that the correct view is a different one to the historical view.

**HON J J BOSSANO:**

Within what timescale is it probable that the test case then will reach a conclusion and we will have a decision on it?

**HON CHIEF MINISTER:**

I do not have here any indication of what that might be, I think that question has been put to the UK and there may be a note on the file about what their view is but I think a year, it is not anymore imminent than that.

**NO. 1210 OF 2001**

**THE HON J J BOSSANO**

**MR RICHARD BALFE MEP**

Were the Government aware of the views of Richard Balfe MEP before inviting him here for National Day this year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government had not met with Mr Richard Balfe MEP before his visit to Gibraltar on National Day.

**SUPPLEMENTARY TO QUESTION NO 1210 OF 2001**

**HON J J BOSSANO:**

Presumably they did not need to meet him to find out what his views were, I am talking about the views that he expressed in an interview which appeared in the Chronicle subsequently which did not seem particularly sympathetic to us?

**HON CHIEF MINISTER:**

Those views were subsequent but I ought to say the Labour delegation for that visit was selected by Labour, MEP's were not individually invited by the Government but having said that, which is I suppose the answer to his question, in a sense there is a greater interest in inviting MP's and MEP's that are wayward in some of their views to Gibraltar than in inviting the ones that are friends. I just want the hon Member to understand that the Government do not share what is implicit in his question and that is that even if we had known what his views were on two particular items which emerge subsequently in an interview in the Chronicle we would not have regarded



that as a reason for not inviting him on the contrary, we would have regarded that as a reason for inviting him and therefore have the opportunity to disavow him of his views. As to whether his views are generally unfriendly I think that there is not a lot of evidence in this article that he is unfriendly to Gibraltar, I think he has views on two issues that he has obviously taken from the latest Foreign Office briefing or his latest chat with Mr Hain or something. I must say that I am happy with the policy of the Labour Government towards Gibraltar, he then says "in my opinion the denial of your basic European Rights" and I suppose this is the only real thing that he says with which we might take issue in my opinion "the denial of your basic European Rights is exactly why a settlement of the Gibraltar problem is needed, I also think that the Spanish Government should have a say in any revision of the Constitution." Those are the two sentences in the entire page which is otherwise helpful and supportive but if those are the views that he really has on those two points then they are views which are not shared by Gibraltar and we must work further on him in disavowing the mob rather than abandoning him to the opposite camp.

**NO. 1211 OF 2001**

**THE HON J J BOSSANO**

**CIVIL CONTINGENCY COMMITTEE**

What are the contingency plans in the event of a chemical or biological terrorist attack?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Contingency planning against any form of potential terrorist attacks is handled at two levels. First, there is a Security Co-ordination Group which comprises representatives of the Governor's Office, the Gibraltar Government and the Ministry of Defence. This Group was established in 1996 and deals with all aspects relating to internal security. Secondly, following the September 11<sup>th</sup> terrorist incidents in the US, a Civil Contingency Committee was set up by the Government under the Chairmanship of the Chief Secretary in order to co-ordinate the planning and operational activities of all Government departments. Operational procedures are in place to react to any form of chemical attack. These have already been applied during the recent Anthrax scares which we experienced in Gibraltar. Similar arrangements would be activated in the event of a biological attack although in the event of such an attack additional measures would be required. These relate mainly to the need to provide appropriate medical treatment, including possibly vaccination.

**SUPPLEMENTARY TO QUESTION NO 1211 OF 2001**

**HON J J BOSSANO:**

In terms of the actual physical resources has there been identified a need for extra provisions following the events of the 11<sup>th</sup> September because presumably like the rest of the world something might have appeared so remote before that was not something that required to be calculated as a possibility is no longer seen in that light?

## **HON CHIEF MINISTER:**

Yes it is not possible for any Government in any country in the world let alone one with limited resources to make provision against every conceivable form of attack, just biological attacks could take the form of many, many different types of bacterium and things of that sort. Government's reaction and response to the events of the 11<sup>th</sup> September have been at several different levels, there has been a very significant stepping up of physical what one could call sentinel security presence, at the airport, frontier, cruise terminal and at the ferry terminal. In other words a major increase in security presence at points of entry into Gibraltar in an attempt to improve the prospects of intercepting any possible perpetrator of terrorist attacks in Gibraltar. There has been a considerable increase in security procedures at the airport itself in order to protect Gibraltar departing aircraft from becoming the victim of September 11<sup>th</sup> type terrorist intervention, every piece of hold baggage and hand baggage is now individually screened and that happens in very few airports around the world.

There has been this mobilisation that I have given in the answer of the creation of a second Government Security Co-ordination Committee which co-ordinates Customs, Gibraltar Security and Immigration Limited, Police, the Health Authority, the Environmental Health Authorities and generally ensures that resources are identified and that the financial resources to procure them on an urgent basis are available. The Government have taken steps to ensure that there are in Gibraltar sufficient stocks of the antibiotics required to treat Anthrax but the next threat may come from something else. We are also trying quietly to make provision for other things which are speculatively mooted in the press without sort of calling anybody to panic, for example, there is all this talk about a potential source of threat being smallpox, well the Government are trying to acquire, difficult at this stage in the international market but the Government are trying to acquire sufficient smallpox vaccinations to vaccinate the entire population should that be necessary. So there is a significant procurement effort taking place to acquire whatever can be acquired in the current climate to be as ready as possible for as many as possible of the threats that can be identified even though they may be remote, Gibraltar is small enough to be able to do things that other countries which are larger cannot do and the Government's policy is to be as ready as possible whatever the cost might be. I am just being reminded that the security enhancements have extended not just to points of entry but indeed to key installations in Gibraltar, power stations, water supply and telephone installations are all now subject to enhanced round the clock security to ensure that they are not, particularly the water supply issue should not be the subject of any external tampering which may constitute a threat to public health. So, in our own way as a small community we are responding sensibly and prudently but without assuming that Gibraltar is going to be the target of a terrorist attack by doing all that can be reasonably and prudently be done to prepare for the eventuality that it might be and then also deploying security resources to do the most that we can to prevent it from happening in the first place.

## **HON J J BOSSANO:**

In terms of the requirements that have been identified as a result of this exercise has this involved the need to increase the provisions in the estimates of expenditure in any area?

**HON CHIEF MINISTER:**

I think there will be a need for supplementary appropriation at some stage in the year for example organisations like Security and Immigration Limited and the Police are operating at much higher rates of overtime and the additional security presence is being produced by an unexpanded number of people and that generates additional costs as the hon Member knows, there will be expenditure, has indeed already been some expenditure on procuring of equipment, biological suits for the emergency workers, additional luggage inspections, luggage x-ray facilities for the cruise terminal, the ferry terminal and things of that sort, CCTV machines in those areas where I said yesterday we had agreed to install them, things of that sort will generate a degree of additional expenditure which is unlikely to be absorbable through savings in any existing heads.

**NO. 1212 OF 2001**

**THE HON J J BOSSANO**

**SHORT TERM BENEFITS FUND**

Can Government say what transfers, if any, have been made to the Consolidated Fund from the Short Term Benefits Fund since the law was changed to enable this to be done?

**ANSWER**

**THE HON THE CHIEF MINISTER**

None.

**SUPPLEMENTARY TO QUESTION NO 1212 OF 2001**

**HON J J BOSSANO:**

Is it envisaged that any such transfers will take place in the current financial year?

**HON CHIEF MINISTER:**

It is envisaged when we get round to the next restructuring of finances to do transfers, I cannot say whether it is envisaged this financial year or next. There is no great priority but at some stage there will be a relocation of funds from this fund.

**NO. 1213 OF 2001**

**THE HON J J BOSSANO**

**ABSTRACT OF STATISTICS**

Given that the last published Abstract of Statistics related to 1997 have Government decided to discontinue publication of this Abstract?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government Statistician has simply failed to produce the Annual Abstract of Statistics. I cannot offer the hon Member an acceptable explanation but I have instructed the Chief Secretary to conduct a formal enquiry into this unacceptable administrative failure.

**SUPPLEMENTARY TO QUESTION NO 1213 OF 2001**

**HON J J BOSSANO:**

That means it will be continued to be produced?

**HON CHIEF MINISTER:**

Yes indeed.

**NO. 1214 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

Can Government now state what was the redemption yield at which the £3 million and £7 million of Gibraltar Loan 11.875 per cent were purchased from Community Care Ltd on 1<sup>st</sup> November 1999 and 1 February 2001 respectively?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1237 and 1238 of 2001.

**NO. 1215 OF 2001****THE HON J J BOSSANO****I & D FUND - EXPENDITURE**

What is the estimated expenditure from the Improvement and Development Fund to the end of September 2001 by Head of Expenditure?

**ANSWER****THE HON THE CHIEF MINISTER**

The tentative expenditure of the Improvement and Development Fund from 1<sup>st</sup> April 2001 up to 30<sup>th</sup> September 2001 by Head of Expenditure, to the nearest thousand, is as follows:-

<b>HEAD</b>	<b>HEAD DESCRIPTION</b>	<b>AMOUNT £,000</b>
101	Housing	581
102	Educational & Cultural Facilities	1,417
103	Tourism & Transport	2,576
104	Infrastructure & General Capital Works	2,560
105	Electricity	224
106	Industry & Development	1,283
	<b>Total Improvement &amp; Development Fund</b>	<b>8,641</b>



## **SUPPLEMENTARY TO QUESTION NO 1215 OF 2001**

**HON J J BOSSANO:**

Given that the estimated expenditure was £25.1 million do the Government consider the expenditure of £8.6 million in the first six months to indicate that there will be an underspending in the I and D Fund?

**HON CHIEF MINISTER:**

I think there will be an underspending but not pro rata this for the next six months. I think that we will spend more than £17.5 million but I do not think that it will get to £25 million.

**HON J J BOSSANO:**

Is there a particular reason for the Housing underspending where the gap seems to be the biggest?

**HON CHIEF MINISTER:**

There are projects now in the pipeline at tender stage involving quite significant expenditure so that expenditure will increase significantly between now and the year end.

**NO. 1216 OF 2001**

**THE HON J J BOSSANO**

**CONSOLIDATED FUND – EXPENDITURE**

What is the estimated expenditure from the Consolidated Fund to the end of September 2001 by Head of Expenditure?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

**Answer to Question No 1216 of 2001**

The expenditure of the Consolidated Fund from 1<sup>st</sup> April 2001 up to 30 September 2001, by head of Expenditure, to the nearest thousand, is as follows:

CONSOLIDATED FUND		
HEAD	HEAD DESCRIPTION	AMOUNT £,000
1A	Education and Culture	8,018
1B	Training	175
1C	Health	7,355
2	Employment and Consumer Affairs	217
3A	Housing – Administration	292
3B	Housing – Buildings and Works	3,210
4A	Environment	2,831
4B	Technical Services	5,788
4C	Electricity	6,598
4D	Fire Service	1,245
4E	Post Office	782

4F	Highways and Sewers	419
4G	Sport, Leisure and Youth Affairs	414
4H	Broadcasting	596
5A	Social Security	6,768
5B	Social Services	3,553
5C	Prison	428
6A	Tourism	1,433
6B	Transport – Airport	121
6C	Transport –Traffic	505
6D	Transport – Port	715
6E	Transport – Shipping Registry	169
7	Trade, Industry and Telecommunications	1,211
8A	Secretariat	2,632
8B	Personnel	230
8C	Civil Status and Registration Office	226
8D	Gibraltar Regulatory Authority	380
9A	Financial and Development Secretary	78
9B	Treasury	1,730
9C	Customs	1,483
9D	Income Tax	457
10	Law Officers	177
11	Police	4,256
12A	Supreme Court	283
12B	Magistrates' and Coroners Court	135
13	House of Assembly	360
14	Audit Office	174
15	Supplementary Provision	0
16	Contributions From Consolidated Fund – Reserve	3
<b>Total Consolidated Fund</b>		<b>65,447</b>

<b>CONSOLIDATED FUND CHARGES</b>		
<b>HEAD</b>	<b>HEAD DESCRIPTION</b>	<b>AMOUNT £,000</b>
1	Statutory Offices	232
2	Judicature	213
3	Pensions	5,689
4	Employer's Contributions	1,332
5	Public Debt Charges	3,940
6	Public Services Ombudsman	74
<b>Total Consolidated Fund</b>		<b>11,480</b>

<b>SUMMARY</b>		
<b>HEAD</b>	<b>HEAD DESCRIPTION</b>	<b>AMOUNT £,000</b>
	Consolidated Fund	65,447
	Consolidated Fund Charges	11,480
	<b>Total Expenditure</b>	<b>76,927</b>

**NO. 1217 OF 2001**

**THE HON J J BOSSANO**

**CONSOLIDATED FUND**

Can Government state if there is any change in the forecast balance of the Consolidated Fund as at 1<sup>st</sup> April 2001 this year compared to the figure of £24.95 million?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The balance of the consolidated Fund as at 1<sup>st</sup> April 2001 was £26 million compared to the forecast of £24.95 million.

**SUPPLEMENTARY TO QUESTION NO 1217 OF 2001**

**HON J J BOSSANO:**

Can Government say whether in fact the extra £1 million is the result of higher revenue in any of the forecast outturns or lower expenditure than the forecast out turn?

**HON CHIEF MINISTER:**

I regret that I do not have any supplementary information, that was a pretty predictable supplementary and the information should have been provided to me, it has not, can I provide the information to the hon Member separately? I apologise to him.

~~~~~

I can give the hon Member information on some of the questions. He asked why the Consolidated Fund Balance was £1 million higher, the answer is recurrent revenue was up by £900,000 and recurrent expenditure was down by £0.1 million, so it is £1 million there.

**NO. 1218 OF 2001**

**THE HON J J BOSSANO**

**GOVERNMENT DEBENTURES**

What is the value of 4 per cent Monthly Income Debentures and 5 per cent Pensioners Monthly Income Debentures issued by the Gibraltar Savings Bank?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The value of Monthly Income Debentures as at 29<sup>th</sup> October 2001 stood at £18,525,400, and the value of Pensioner's Monthly Income Debentures as at 29<sup>th</sup> October 2001 stood at £14,426,900.

**SUPPLEMENTARY TO QUESTION NO 1218 OF 2001**

**HON J J BOSSANO:**

In respect of the Pensioner's Monthly Debentures I believe the previous fixed term pensioner bonds were of the order of £30 million, is it that when they came up for redemption not many people reinvested in the new monthly debentures?

**HON CHIEF MINISTER:**

Well I do not know what the figures of monies left invested in that one are but certainly to the extent that monies came up for reinvestment this is the amount that has reached this replacement instrument. I am not sure if the 7 per cent bond is now closed, it is closed for new entrances but it is still there for those that have them, I do not think that they have all been redeemed. I will give them the answer in just a few moments.

**HON J J BOSSANO:**

Presumably when these bonds come up for redemption people are invited to reinvest in the Government I take it, when the Savings Bank notifies people that it is up I would imagine that they are encouraged that they can if they wish reinvest in whatever is available at the time?

**HON CHIEF MINISTER:**

Yes the 5 per cent is not very different compared to current interest rates to what 7 per cent was to what interest rates then were. There is a very good service offered particularly to pensioners by the Treasury Unit dealing with the Government Savings and I have no doubt that they bring the alternative products to the attention of investors.

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The Pensioner Debentures refer to, the £29.9 million held in the 7 per cent fixed Pensioner Debenture which is closed for new money but of course until, I think it is 5 year, until it is redeemed one is in there. It closes for new business but one keeps whatever one has got until it is renewed, so there is actually a staggering £48.4 million currently in total with Pensioner Debentures. We must have the wealthiest pensioner population of the Western World.

**NO. 1219 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now declared a taxable profit (a) above £35,000 and (b) below £35,000 for the tax year ending June 2001 and what is the total amount of tax assessed and tax paid in each category and can they further state in each category how many were qualifying companies and what were the amounts assessed and paid by such companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1220 and 1221 of 2001.



**NO. 1220 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now declared a taxable profit (a) above £35,000 and (b) below £35,000 for the tax year ending June 2000 and what is the total amount of tax assessed and tax paid in each category and can they further state in each category how many were qualifying companies and what were the amounts assessed and paid by such companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1219 and 1221 of 2001.

**NO. 1221 OF 2001****THE HON J J BOSSANO****INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now declared a taxable profit (a) above £35,000 and (b) below £35,000 for the tax year ending June 1999 and what is the total amount of tax assessed and tax paid in each category and can they further state in each category how many were qualifying companies and what were the amounts assessed and paid by such companies?

**ANSWER****THE HON THE CHIEF MINISTER**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I hand to him.

**Answer to Question No 1221 of 2001**

<b>COMPANIES OTHER THAN QUALIFYING COMPANIES</b>			
	<b>Question No 1221 of 2001</b>	<b>Question No 1220 of 2001</b>	<b>Question No 1219 of 2001</b>
	<b>Year of Assessment</b>		
	<b>1999/2000</b>	<b>2000/2001</b>	<b>2001/2002</b>
<b>Under £35,000</b>			
<b>No of Companies assessed</b>	<b>154</b>	<b>176</b>	<b>43</b>
<b>Total Assessed (ie total tax payable)</b>	<b>£0.32M</b>	<b>£0.39M</b>	<b>£0.11M</b>
<b>Total paid under</b>	<b>£0.3M</b>	<b>£0.34m</b>	<b>£0.01M</b>

	1999/2000	2000/2001	2001/2002
<b><u>Over £35,000</u></b>			
<b>No of Companies assessed</b>	40	45	9
<b>Total assessed (ie total tax payable)</b>	£6.4M	£5.53M	£1.70M
<b>Total paid over</b>	£5.9M	£5.42M	£0.03M
<b>QUALIFYING COMPANIES</b>			
	<b>Year of Assessment</b>		
	1999/2000	2000/2001	2001/2002
<b><u>Under £35,000</u></b>			
<b>No of Companies assessed</b>	2	NIL	NIL
<b>Total assessed (ie total tax payable)</b>	£2K	NIL	NIL
<b>Total paid</b>	£2K	NIL	NIL
<b><u>Over £35,000</u></b>			
<b>No of Companies assessed</b>	7	1	NIL
<b>Total assessed (ie total tax payable)</b>	£0.9M	£0.02M	NIL
<b>Total paid</b>	£0.4M	£0.02M	NIL

**SUPPLEMENTARY TO QUESTION NOS 1219, 1220 AND 1221 OF 2001**

**HON J J BOSSANO:**

In respect of 1999/2000 there appears to be an abnormally low number of companies, is there an explanation?

**HON CHIEF MINISTER:**

Those are the figures, not unusually low, it is 21 less.

**HON J J BOSSANO:**

For the year 1999/2000 under £35,000 the answer I am being given is that 154 companies have been assessed. In answer to Question No 804 of 2001 I was told that the number was 1,064, is this 154 on top of the 1064?

**HON CHIEF MINISTER:**

No I think that the explanation to that is that previous answers included estimated assessments issued by the Commissioner. This information now is on the basis of the profits declared which is how the question is formulated.

**HON J J BOSSANO:**

No the question was formulated in the same.....

**HON CHIEF MINISTER:**

Well it might have been but I am told that in this area of statistics the answers provided to previous House of Assembly Question Nos 610 of 2000, 440 of 2001, and 804 of 2001 include estimated assessments raised in the absence of accounts. The information now provided is exactly what the question seeks, that is, profits declared by the companies on accounts available to the Income Tax Office at the time of preparation of this answer.

**HON J J BOSSANO:**

So therefore these statistics cannot be compared with any of the previous answers that have been provided to the question formulated in exactly the same way before.

**HON CHIEF MINISTER:**

I can get him that information.

**HON J J BOSSANO:**

Can the Chief Minister explain how it is that £300,000 have been paid according to this and the figure was £600,000 before, is it then that people have paid on what they have been assessed without having made a return?

**HON CHIEF MINISTER:**

A lot of people do that, I cannot assure him that that is the reason for the comparison that he makes but certainly there are companies that pay on an assessment if they think that it is more favourable to them than otherwise.

**HON J J BOSSANO:**

I see.

**HON CHIEF MINISTER:**

That happens, I am not saying that that is the only explanation for the comparison that he has made.

**HON J J BOSSANO:**

I would draw the attention of the Government to the fact that in formulating this question and all the previous ones and the basis of companies declaring a taxable profit, it was on the assumption that they would pay on the basis of what they had declared not that they would be paying an assessment without question. So clearly I would be grateful if I would be provided the information on the same interpretation that was put to the question the last time so that I can see what the change is.

**NO. 1222 OF 2001****THE HON J J BOSSANO****INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now been assessed for company tax for the tax years 1995/96, 1996/97, 1997/98, 1998/99, 1999/2000, 2000/2001, the total amount of tax assessed and the amounts paid to date?

**ANSWER****THE HON THE CHIEF MINISTER**

I hand the hon Member a schedule giving the information that he has requested.

	<b>1995/96</b>	<b>1996/97</b>	<b>1997/98</b>	<b>1998/99</b>	<b>1999/2000</b>	<b>2000/2001</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>Assessed</b>	15.7	15.2	17.1	22.8	82.9	16.1
<b>Discharged</b>	5.1	4.1	5.8	9.1	68.6	4.6
	10.6	11.1	11.3	13.7	14.3	11.5
<b>Paid</b>	9.5	10.2	10.1	12.5	11.7	8.3
<b>Outstanding</b>	<b>1.1</b>	<b>0.9</b>	<b>1.2</b>	<b>1.2</b>	<b>2.6</b>	<b>3.2</b>
<b>No of Tax payers</b>	1363	1338	1367	1414	1443	1297

## **SUPPLEMENTARY TO QUESTION NO 1222 OF 2001**

**HON J J BOSSANO:**

Their seems to be a lower number of companies for 1995/96 and 1996/97 than the last time the question was answered?

**HON CHIEF MINISTER:**

Yes there are indeed, in previous replies to this question the data in respect of companies assessed contained an element of double counting hence the reduced total of the number of companies assessed in some of the years reported on. I have not unfortunately got details of which years are affected by alleged double counting but if he is particularly interested for comparison purposes I can try and get those details for him and I suppose he will notice in due course the inordinate figure for 1999/2000 of assessed and discharged, I am surprised that he did not immediately notice it, the explanation for that, figures of £82.9 million and £68.6 million, the explanation for that is that imputing errors were made which once made can only under the new computer system can only be corrected and cancelled by a corresponding contra entry, so apparently they cannot just wipe, if they make an input error they have got to make a corresponding contra entry to cancel it and of course that results in both sides of the column being artificially high. The result is that the hon Member has the real nett figure, £14.3 million, but does not have the two real constituent figures of assessed and discharged.

**HON J J BOSSANO:**

In Question No 450 of 2001 the 1995/96 number of companies assessed was given as 1,430 as opposed to 1,363, what exactly does double counting mean, the actual amount of tax do not seem to change all that much so it does not affect that part of the column?

**HON CHIEF MINISTER:**

I am told that the double counting affects the number of companies, the number of companies that went up to make the total of cash assessed.

**HON J J BOSSANO:**

Did somebody count 100 companies twice?

**HON CHIEF MINISTER:**

There must be companies in different categories and they were recounted in both categories.

**NO. 1223 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - CORPORATION TAX**

Can Government state what was the amount collected in Corporation Tax in each month since March 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 1223 of 2001**

The Corporation Tax collected in each month since March 2001 (nett of refunds) was as follows:

<b>Month (2001)</b>	<b>£M</b>
<b>March</b>	1.9
<b>April</b>	1.6
<b>May</b>	0.5
<b>June</b>	3.4
<b>July</b>	1.3
<b>August</b>	1.6
<b>September</b>	0.3

These figures are subject to Treasury Books reconciliation.



**NO. 1224 OF 2001**

**THE HON J J BOSSANO**

**1997/1998 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 1997/98 Employers Declaration PAYE Certificates and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1225 to 1227 of 2001.

**NO. 1225 OF 2001**

**THE HON J J BOSSANO**

**1998/1999 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**

Answered together with Question Nos 1224,1226, and 1227 of 2001.

**NO. 1226 OF 2001**

**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**

Answered together with Question Nos 1224,1225, and 1227 of 2001.

**NO. 1227 OF 2001**

**THE HON J J BOSSANO**

**2000/2001 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 2000/2001 Employers Declaration and PAYE Certificates and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 1224 of 2001**

One hundred and twenty employers, reporting on an estimated 141 employees have not lodged their 1997/98 Employers Declaration and PAYE Certificate, at the close of business on the 29<sup>th</sup> October 2001.

**Answer to Question No 1225 of 2001**

One hundred and thirty seven employers reporting on a total of approximately 164 taxpayers have not lodged their 1998/99 Employers Declaration and PAYE Certificates at the close of business on the 29<sup>th</sup> October 2001.

**Answer to Question No 1226 of 2001**

As at 29<sup>th</sup> October 2001 , 210 employers under which approximately a total of 474 employees are registered have not yet returned the 1999/2000 Employers Declaration and PAYE Certificate.

**Answer to Question No 1227 of 2001**

As at 29<sup>th</sup> October 2001, 433 employers under which approximately a total of 4206 employees registered have not returned the 2000/2001 Employer's Declaration and PAYE Certificate.

## **SUPPLEMENTARY TO QUESTION NOS 1224, 1225, 1226, AND 1227 OF 2001**

**HON J J BOSSANO:**

In respect of 2000/2001 are the Government included in the 443?

**HON CHIEF MINISTER:**

It does include approximately 2,840 Government employees and pensioners, details of whom have not yet been returned by the relevant departments.

**HON J J BOSSANO:**

What action is being taken in respect of those who are longest in default in making the return, those going back to 1997/1998?

**HON CHIEF MINISTER:**

This issue of PAYE arrears, there are two types, those that are disclosed on returned cards and indeed those that are incalculable because they are the subject of non-returned cards, both the subject of comment he may have seen already in the Principal Auditors Report to the Accounts and certainly the Government will be discussing with the Commissioner of Income Tax how the Government can help him in making a meaningful impact on this problem which I think needs to be addressed together with other sorts of Government arrears which are also extensively reviewed by the Principal Auditor. The whole question of arrears and the whole question of the aggressiveness of the follow-up across a broad front of Government Revenue I think now needs to be taken much more seriously than it has been in the past by successive Governments including this one.

**HON J J BOSSANO:**

Is some action taken after a certain time or not, I can understand the cards that should have been in by July or August this year are one thing and the ones that should have been there four years ago I would have thought would produce a different reaction from the Government Department.

**HON CHIEF MINISTER:**

In respect of disclosed arrears, that is to say in respect of arrears, some people send in the card but not the cheque, so those are identifiable arrears, I think that those at some stage are passed to the Central Arrears Unit. In respect of undisclosed arrears my understanding is that there is no real follow-up at the moment and that it is only when a company is the subject matter of a labour inspector that perhaps these things are included and other action taken, My understanding is that there is no particular follow-up action beyond of just being sent reminders in the post.

**NO. 1228 OF 2001**

**THE HON J J BOSSANO**

**2000/2001 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

Of the employers who have now returned the 2000/2001 Employers Declaration and PAYE Certificates how many have not yet paid the full amount of tax deducted and what is the amount outstanding?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at the 30<sup>th</sup> October 2001, from a total of 1494 employers who had returned the 2000/2001 Employers Declaration and PAYE Certificate, there is PAYE outstanding on 289 returns totalling £4.37 million.

**SUPPLEMENTARY TO QUESTION NO 1228 OF 2001**

**HON J J BOSSANO:**

I am not very clear of the answer, the amount of tax outstanding is in respect of how many employees?

**HON CHIEF MINISTER:**

I have not mentioned the number of employees, 1494 employers have returned the Declaration and PAYE for that year, there is PAYE outstanding on 289 of those returns amounting to £4.37 million.

**NO. 1229 OF 2001**

**THE HON J J BOSSANO**

**2000/2001 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have now returned the 2000/2001 Employers Declaration and PAYE Certificates, what is the total number of employees and the total amount of tax deducted?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at 30<sup>th</sup> October 2001, a total of 1494 employers have lodged their 2000/2001 Employers Declaration and PAYE Certificate.

The total amount of PAYE tax deducted is £39 million. The PAYE Deduction Cards are currently being processed and it is not possible to provide the number of Deduction Cards returned.

**NO. 1230 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - PAYE**

Can Government state how much was collected in PAYE each month since March 2001.?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1231 to 1233 of 2001.



**NO. 1231 OF 2001**

**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 employment and the number of employees in each area as follows:

- (a) MOD
- (b) Gibraltar Government
- (c) Government Owned and Joint Ventures
- (d) Private Sector Employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1230, 1232, and 1233 of 2001.

**NO 1232 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

Can Government state what was the amount of PAYE payable in the tax year 2000/2001 by area of employment and the number of employees in each area as follows:

- (e) MOD
- (f) Gibraltar Government
- (g) Government Owned and Joint venture companies
- (h) Private Sector Employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1230, 1231, and 1233 of 2001.

**NO. 1233 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

Can Government state what was the amount collected in PAYE in the Financial Year 2000/2001 by area of employment as follows:

- (a) MOD
- (b) Gibraltar Government
- (c) Government Owned and Joint Ventures
- (d) Private Sector Employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The extensive factual and statistical information requested by the hon Member is set out in the written Schedule that I hand to him.

**Answer to Question No 1230 of 2001**

The figures (net of refunds) and subject to possible adjustments when reconciled with the Treasury Books are as follows:

	£M
March 2001	4.6
April 2001	4.7
May 2001	4.4
June 2001	4.4
July 2001	6.4
August 2001	4.4
September 2001	3.5

### **Answer to Question No 1231 of 2001**

The information sought is as follows:

	£M	Approximate No of employees
(a) Ministry of Defence	3.8	2700
(b) Government of Gibraltar	15.2	5000
(c) Government owned and Joint Venture companies	2.3	650
(d) Private Sector	25.2	16000
	<hr/>	<hr/>
	46.5	24350
	<hr/>	<hr/>

### **Answer to Question No 1232**

Given that a total of 433 employers, including some big Government departments have not returned the Employers PAYE Declaration and Certificate for the tax year 2000/2001 the figures that I now make available to the Hon Questioner are based on estimates made by the Income Tax Office.

	£M	Approximate No of employees
(a) Ministry of Defence	3.9	2700
(b) Government of Gibraltar	15.2	5000
(d) Government owned and Joint Venture companies	2.5	700
(d) Private Sector	29.4	16000
	<hr/>	<hr/>
	51.0	24400
	<hr/>	<hr/>

### **Answer to Question No 1233**

The total amount of PAYE collected in the financial year 2000/2001 was £49.9 million analysed as follows:

	£M
(a) MOD	3.8
(b) Government of Gibraltar	19.0
(c) Government owned and Joint Venture companies	2.4
(d) Private Sector Employment	24.7
	<hr/>
	49.9
	<hr/>

**1234 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - SELF-EMPLOYED PERSONS**

Can Government state for the tax years 1995/96, 1996/97, 1997/98, 1998/99, 1999/2000 and 2000/2001 what is now the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and the number of taxpayers involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am informed that it has not been possible, in the time available, to prepare a reply to this Question. I am advised by the Commissioner of Income Tax that the data is being collated through the new software in use at the department since April 2001. The information sought will be provided to the hon Member as soon as it becomes available which is expected to be in 10 to 14 days.

**NO. 1235 OF 2001**

**THE HON J J BOSSANO**

**ELDERLY CARE AGENCY**

In which area of employment are the employees of the Elderly Care Agency shown in the information provided on PAYE payable by tax year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Elderly Care Agency is now classified , for this purpose, as Government of Gibraltar.

**SUPPLEMENTARY TO QUESTION NO 1235 OF 2001**

**HON J J BOSSANO:**

Is that true of the Gibraltar Development Corporation as well?

**HON CHIEF MINISTER:**

Yes that was previously under Government owned/Joint Venture now it is under Government of Gibraltar. The categories now being used are Government of Gibraltar, Private Sector, Ministry of Defence and Government Owned/Joint Venture Companies. Those are the categories and there has been this re-classification of the Gibraltar Development Corporation and the Elderly Care Agency both of which were previously under, well the Gibraltar Development Corporation was previously under Government Owned/Joint Venture and is now under Government of Gibraltar, the

Elderly Care Agency was previously under Private Sector and is now under Government of Gibraltar.

**HON J J BOSSANO:**

Can Government say in which year the change took place so that we can take note of it when looking at the statistics that have been provided?

**HON CHIEF MINISTER:**

I think it is this year but I will check it and confirm it to the hon Member.

**NO. 1236 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

What has been the rate of interest paid to Gibraltar Community Care Ltd on its deposits with the Gibraltar Savings Bank since 1<sup>st</sup> November 1999?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not appropriate for Government to divulge details of transactions between the Savings Bank and one particular depositing customer.

**SUPPLEMENTARY TO QUESTION NO 1236 OF 2001**

**HON J J BOSSANO:**

He has divulged it before when I asked about where the money was deposited when the Savings Bank purchased the 11.875 per cent loan stock he told me that it was an oncall investment account and I asked in a supplementary whether the rate of interest was the one being paid to the Government and he told me that he thought so but that he would check hence the reason for my question, I thought that he might have checked between April and November and be in a position to give me an answer not that he would be refusing to give me an answer after having checked.

**HON CHIEF MINISTER:**

I am willing to give the answer to the hon Member privately.



**NO. 1237 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

Have any further amounts of the Gibraltar Loan 11.875 per cent 2005 been purchased from Community Care Ltd by the Gibraltar Savings Bank since the 1<sup>st</sup> February 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1214 and 1238 of 2001.

**NO. 1238 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

Can Government say what was the nominal amount of Gibraltar Loan 11.875 per cent 2005 sold to Gibraltar Community Care Ltd by the Gibraltar Savings Bank, at what price was it sold and on what date and what was the redemption yield at the time of sale?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 1214 of 2001**

The redemption yields at the time of purchase of the £3 million and £7million Government of Gibraltar 11.875 per cent Loan Stock 2005 by the Gibraltar Savings Bank from Gibraltar Community Care Ltd on 1<sup>st</sup> November 1999 and 1<sup>st</sup> February 2001 were 7.485 per cent and 6.292 per cent respectively.

**Answer to Question No 1237 of 2001**

No further amounts of the Government of Gibraltar Loan Stock 11.875 per cent 2005 have been purchased from Gibraltar Community Care Ltd by the Gibraltar Savings Bank since February 2001.

**Answer to Question No 1238 of 2001**

The nominal amount of Government of Gibraltar 11.875 per cent Stock 2005 sold on the 1<sup>st</sup> December 1996 to Gibraltar Community Care Ltd by the Gibraltar Savings Bank was £46,438,000 at a price of £126.50 and the redemption yield at the time of the sale was 7.555 per cent. The market value was £58,744,070 with accrued interest of £453,247.60 making the total sale £59,197,317.60.

**NO. 1239 OF 2001**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Have Government now received the preliminary findings from Professor Fletcher on the Input/Output Study?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I gave this house an outline of the preliminary findings of the Input/Output Study during the Budget Session in June this year. I indicated then that the study was expected to be completed sometime in the autumn and explained that there had been some delay arising mainly from the recomputation of import data and from the loss of communications with the data processing company in India which was affected by an earthquake at the time. I regret to say that the Input/Output Study remains accident-prone and completion has been further delayed. Professor Fletcher, who is leading the study, suffered a severe shoulder injury earlier this month requiring surgery and post-operative convalescence. This means that the final results of the Study will not be available until the end of the year.

**SUPPLEMENTARY TO QUESTION NO 1239 OF 2001**

**HON J J BOSSANO:**

But have the preliminary findings not been available at all then? If the final result of the study is going to be available at the end of the year, which is what seven weeks away, have they had nothing at all?

**FINANCIAL AND DEVELOPMENT SECRETARY (Ag):**

The information that we have to hand are actually the preliminary findings of June/July, no further detailed work has been produced because there has been considerable difficulty in trying to validate the input data and this is actually being done month by month at the University itself. Until that is done I think Professor Fletcher was very reluctant to produce the tables although I may add that in connection with the State Aids case he did manage to produce some additional information on the possible impact of the changes in the Finance Centre arising for possible suspension which I think proved to be very, very useful in the pleadings before the Courts.

**HON J J BOSSANO:**

Will the final findings be in the form of the report that will then be available for debate or will that take sometime longer?

**FINANCIAL AND DEVELOPMENT SECRETARY (Ag):**

I think once the Government receive the report and have considered the findings then obviously they will consider whether or not to make it public or whether to release it in some other form.

**HON J J BOSSANO:**

I think that we have been told in the past that we will have an opportunity to debate it once the thing is completed when I have asked questions previously, obviously we have an interest in the technical part of it as well. We are interested in the technical part to see how they get from 'A' to 'B' so presumably unless it happens to be sensitive information that we do not want other people to get to know.....

**HON CHIEF MINISTER:**

I think that when the Government get the report we will be well placed, the Government would not have any great interest in withholding any part of the report from the public domain unless it is just for the reason that he has just mentioned which we could also discuss privately.

NO. 1240 OF 2001

THE HON J J BOSSANO

**IMPORTS**

What was the value of goods imported by land and sea, other than petroleum products, since March 2001?

ANSWER

THE HON THE CHIEF MINISTER

Answer to Question No 1240 of 2001

	£ (Thousands)	
	Land	Sea
April	19,440	2,535
May	23,767	8,330
June	21,014	7,471
July	15,063	5,109
August	12,890	1,104
September	17,561	2,594
Total	109,735	27,143

**NO. 1241 OF 2001**

**THE HON J J BOSSANO**

**SUPREME COURT OF GIBRALTAR – JUDGEMENTS**

Since the answer to Question No 811 of 2001 in April has there been any instance of a Supreme Court judgement being accepted for enforcement in Spain?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This is the sort of request the Government would expect to deal through the Post-Box. I can confirm that to date the Government have received no request for the transmission to Spain of a Supreme Court judgement.

**NO. 1242 OF 2001**

**THE HON J J BOSSANO**

**HMS TIRELESS**

Have Government now obtained confirmation from HMG that the Anglo-Spanish Committee that was monitoring the HMS Tireless has now been dissolved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1243 and 1244 of 2001.

**NO. 1243 OF 2001**

**THE HON J J BOSSANO**

**HMS TIRELESS**

Have Government now taken a decision on whether to ask HMG to contribute to the costs incurred in relation to the repairs to HMS Tireless?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1242 and 1244 of 2001



**NO. 1244 OF 2001**

**THE HON J J BOSSANO**

**HMS TIRELESS**

Have Government sought assurances from UK that they will not try to repair any nuclear submarines in Gibraltar again?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Since HMS Tireless is no longer in Gibraltar, the Gibraltar Government have no interest in the existence or otherwise of an Anglo-Spanish Committee to monitor it. Government have not yet taken a decision on whether to ask HMG to contribute to the costs incurred by Government in relation to HMS Tireless. Discussions continue with the MOD in relation to assurances about future repairs.

**SUPPLEMENTARY TO QUESTION NOS 1242, 1243 AND 1244 OF 2001**

**HON J J BOSSANO:**

When I raised the matter in April the Chief Minister said it would be very serious if the Committee was not being dissolved and gave the impression that he would find out to satisfy himself that it was being dissolved, I cannot understand why he has suddenly lost interest in something that was considered to be very serious if it did not happen.

**HON CHIEF MINISTER:**

It would be very serious if this was an Anglo-Spanish Committee to monitor the goings on at the Naval Base, but this is not a committee about that, this was a committee specific to the HMS Tireless situation and Tireless is now gone away, I assume actually that the answer to the hon Member is yes that it has been disbanded, but if, for some reason there is still an Anglo-Spanish Committee, first of all I doubt very much that the British Government are willing to share that sort of information with the Spanish Government but it is no longer a Gibraltar issue as it would be and as the hon Member's question would be more than justified if this was some sort of committee in

relation to, like Señor Piqué was trying to obtain, relating generally to the goings on at the border. The Government's understanding is in fact that the committee was not of that type but this was specifically specific to Tireless and that it is now defunct. It does not serve an on-going monitoring role, if it did, if it was in that category, then of course very different issues would arise of the sort that are presently being bandied around on the Spanish side on the current debate. I do not know if the hon Member is referring to April.....

**HON J J BOSSANO:**

This year.

**HON CHIEF MINISTER:**

In April this year? Yes, I am sorry, could the hon Member give me the question number?

**HON J J BOSSANO:**

Yes it is Question No 819 of 2001 in April and I am putting the question as a follow-up to the last one.

**HON CHIEF MINISTER:**

When I answered that question in April HMS Tireless was still in Gibraltar.

**HON J J BOSSANO:**

If I can remind the Chief Minister of the answer, he made no reference here to there being a difference because the Tireless was on a point of leaving and it would not matter if it left, what he said was that it would be a natural expectation because he said, the answer that I received was that the Committee had met 13 times and that given that the committee was constituted for that purpose, the Government would expect it to be dissolved, I did not ask whether it was going to be dissolved, the information was volunteered, my question was, how many times has it met and on what dates? I was told it has met 13 times and then the information was volunteered that the Government's expectation was that it should be dissolved. Having been told in April that that was the Government's expectation I am asking in November whether the expectation has been fulfilled because I would have expected then to pursue that expectation and in fact .....

**HON CHIEF MINISTER:**

The answer is yes, it has been dissolved.

**HON J J BOSSANO:**

It has been dissolved, well fine then that is the answer to the original question.

**NO. 1245 OF 2001**

**THE HON J J BOSSANO**

**COUNCIL OF EUROPE CIVIL LAW COMMISSION ON CORRUPTION**

Has the Council of Europe Civil Law Convention on corruption of 4<sup>th</sup> November 1999 been extended to Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1246 of 2001

**ORAL**

**NO. 1246 OF 2001**

**THE HON J J BOSSANO**

**COUNCIL OF EUROPE CRIMINAL LAW CONVENTION ON CORRUPTION**

Has the Council of Europe Criminal Law Convention on corruption of 27<sup>th</sup> January 1999 been extended to Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Neither the Council of Europe Civil Law Convention on corruption nor the Council of Europe Criminal Law Convention have yet been extended to Gibraltar. Both Conventions contain clauses allowing for their unilateral extension by a Member State of the Council of Europe to its territories.

**SUPPLEMENTARY TO QUESTION NOS 1245 & 1246 OF 2001**

**HON J J BOSSANO:**

Have Government been consulted by the United Kingdom as to whether we want it extended which is the normal procedure?

**HON CHIEF MINISTER:**

It is the normal procedure at some stage not necessarily at the stage when conventions contain generic, general extension, unilateral territorial extension clauses, it is not always the case that we are consulted about the inclusion at that stage. At some stage the UK gets round to saying, "I have signed this treaty I can extend it to you do you want me to?" The answer is however no, we have discovered the existence of these conventions rather like the hon Member did by reading the

Chronicle on a particular day and we ourselves raised it at that particular time with the UK to find out what the situation was. In fact, the UK has signed but not yet ratified the conventions.

**HON J J BOSSANO:**

Given that the Government discovered it the same way that I did which presumably is attributable to Señor Aznar, who made certain public statements about Spain's non ratification of this because of concerns over Gibraltar, did the Government get any indication from the United Kingdom of a Spanish dimension to these two conventions when they raised the matter with the UK?

**HON CHIEF MINISTER:**

Yes Spain has not yet signed and stated that it will not sign the conventions until it is satisfied with its position on sovereignty of Gibraltar is safeguarded. Spain is adopting that position so in a sense she is, the convention exists, the language is closed the question now is whether she signs it and ratifies it or not. Whether the United Kingdom will help Spain out of its predicament in which it appears to have put itself by not having objected to the text earlier by refusing to extend its application to Gibraltar except on terms has yet not arisen.

**HON J J BOSSANO:**

Is there a particular advantage or disadvantage to us in wanting to have the conventions extended, independent of the Spanish issue if that was not there?

**HON CHIEF MINISTER:**

We are now studying the actual text of the convention, there is no specific benefit, Gibraltar has its own corruption laws in Ordinances already but of course there is an image issue about not subscribing to the European standard on anti-corruption proceedings which is capable of being seen by those who do not know the reasons for any difficulty that we might have in being included, might be misinterpreted by them as suggesting that somehow we want to be free to be corrupt, so I think there is an imagery issue here and I think that the Government will wish to be included in both of these conventions.

**HON J J BOSSANO:**

Is it possible to be provided with copies of these conventions?

**HON CHIEF MINISTER:**

Yes.

**ORAL**

**NO. 1247 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

When in 1999 did the Government bring to the notice of the UK the need to ensure Gibraltar's inclusion in the European Open Skies Proposal?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1248 of 2001.

**NO. 1248 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

What proposals and which date have been put by HMG to the Government to include Gibraltar in the European Open Skies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government were first alerted in November 1999 to the EU Single Skies proposal in the context of the EU's proposed accession to the revised Eurocontrol Convention. On the 22<sup>nd</sup> November 1999 the Government notified the UK Government of the importance of Gibraltar's inclusion in the proposed measures. The UK Government replied on the 8<sup>th</sup> December 1999 stating that it had made clear its position during EU negotiations that it would not accept a clause suspending the application of the EC's accession to Gibraltar. This encapsulated both the EC's accession to Eurocontrol and the related Single Skies measures. Throughout 2000 a number of compromise formulae of wording were suggested, none of which proved acceptable to Spain. In June this year, the EU Presidency intervened. The Presidency proposal was not accepted by the UK Government which insisted on Gibraltar's inclusion. Further negotiations ensued during which time the Government continued to seek information on developments and reassert their position and the rest as they say is history.

**SUPPLEMENTARY TO QUESTION NOS 1247 AND 1248 OF 2001**

**HON J J BOSSANO:**

This comprised formulas that were not acceptable to Spain were these compromised formulas arrived at by discussion between the UK and the Government of Gibraltar?

**HON CHIEF MINISTER:**

They were bounced off us, yes, they were put to us, “could you live with this?” and often we would say “no we cannot leave with that but we could live with this and....” That sort of process did take place on two or three occasions perhaps during the year.

**HON J J BOSSANO:**

And these proposals were to include us, not to exclude us?

**HON CHIEF MINISTER:**

Well of course, the Government’s opening position from which we made it clear that we would not depart was that we were not willing to negotiate language of exclusion. In other words there was no acceptable language of exclusion, it was not a question of making the blow less hard, we were willing to negotiate non-prejudicial language of inclusion but we were not willing to negotiate language of exclusion.

**HON J J BOSSANO:**

Apart from the two or three formulas for including Gibraltar were the United Kingdom at any stage suggesting to the Government of Gibraltar a suspension clause other than the one that finally made it which was the one that Spain presumably has been asking for from the beginning?

**HON CHIEF MINISTER:**

No.



**ORAL**

**NO. 1249 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

Can Government say whether, following the exclusion of Gibraltar from the Single European Skies, the UK is no longer opposed to the systematic inclusion of 1987 Suspension Clause to all aviation measures?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government cannot speak for the British Government, although no change of policy on HMG's part has been communicated to the Gibraltar Government. However, facts speak for themselves. Gibraltar has been suspended both from the proposed Single Skies measures and the proposed Aviation Security Regulations. If HMG has agreed to Gibraltar's suspension even from Aviation Security Regulations it is difficult to imagine what aviation measure it would not agree to suspend us from.

**NO. 1250 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

Have the Government now established whether they are able to take legal action to challenge the suspension of Gibraltar from the European Open Skies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are awaiting receipt of the legal opinion that they have sought from eminent European lawyers as to possible legal actions against various parties in various fora arising out of the intended suspension of Gibraltar from EU Single Skies measures.

**SUPPLEMENTARY TO QUESTION NO 1250 OF 2001**

**HON J J BOSSANO:**

When do Government expect to get that opinion, how soon?

**HON CHIEF MINISTER:**

I cannot give the hon Member an indication, soon, a week, two weeks, three weeks, four weeks, that sort of time.

**HON J J BOSSANO:**

That sort of time scale, can I ask in terms of intended exclusion does that mean then that there is not yet a text which has the presumably 1987 clause saying this will not apply in Gibraltar until the airport agreement is implemented?

**HON CHIEF MINISTER:**

Yes, we have not yet seen any such text but the text would be, included in each measure from which we are excluded because what we are being excluded from now is the measures, but we have not yet seen any text in its final form with the Gibraltar suspension language in it.

**HON J J BOSSANO:**

And the United Kingdom has not then informed the Government of Gibraltar of exactly what the phrasing will be?

**HON CHIEF MINISTER:**

I think it has been indicated to us that it is the usual formula but we have not yet been formally informed nor seen it in print nor been informed in writing.

**HON J J BOSSANO:**

I am in fact trying to establish whether what the Spaniards have claimed at one stage, which is that it is the Gibraltar airport as opposed to Gibraltar, that is being suspended from the application of that measure, is it something that the Government are aware of?

**HON CHIEF MINISTER:**

No not yet, I will look into that.

**HON J J BOSSANO:**

Presumably the way the possible challenge is tackled will need to take that into account whether we are talking, in terms of what the relevant Minister of the Spanish Government has said that it was the airport because of the isthmus issue but not Gibraltar as a whole.

**HON CHIEF MINISTER:**

Yes, my understanding of the possible grounds for legal challenge is that it would not affect them, the UK's obsession with the word suspension as opposed to exclusion however is relevant to the legalities of the situation but we believe that it is relevant in a way which is not sufficiently helpful to those that would seek our exclusion or our suspension. In other words, it is possible in certain circumstances to temporarily suspend the application of EU Law to certain parts of the community but we believe not in the circumstances which are being used for the purposes of the Single Skies exclusion are not such circumstances.

**HON J J BOSSANO:**

If indeed the actual phrase that eventually appears in the measures is a repetition of what was done for the first time in 1987, the implications are that there is no other than by challenging it there is no way to be reinserted presumably other than by giving effect to the measures negotiated in 1987 is that right?

**HON CHIEF MINISTER:**

That is our understanding of the position, yes.

**ORAL**

**NO. 1251 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

On what terms, other than the future implementation of the terms of the 1987 Airport Agreement, has HMG suggested to the Government that the suspension of Gibraltar from the European Open Skies might apply and on which dates were such terms put to the Government for their consideration?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No other terms have been put to the Government.

**ORAL**

**NO. 1252 OF 2001**

**THE HON J J BOSSANO**

**AIRPORT AGREEMENT**

Is it still the UK Government's position that the arrangement provided for under the 1987 Airport Agreement cannot and will not be put into effect and that they are not seeking that Gibraltar should implement these arrangements?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This issue has not been broached with HMG since the position described in the question was stated and I therefore assume that it remains HMG's position. Certainly HMG has not requested the Government to implement the arrangements necessary to implement the 1987 Agreement, nor would Government do so.

**SUPPLEMENTARY TO QUESTION NO 1252 OF 2001**

**HON J J BOSSANO:**

Given that position and in the light of the last supplementary to Question No 1250 is this the way back in?

**HON CHIEF MINISTER:**

To the extent that the only way back in is implementing the 1987 Airport Agreement and to the extent that Gibraltar is unwilling to do so then that is correct.

**NO. 1253 OF 2001**

**THE HON J J BOSSANO**

**ANGLO-SPANISH COMMITTEE**

Is it still the position of the Government that "Anglo-Spanish Committees are not an appropriate mechanism through which to conduct mutually beneficial co-operation between Spain and Gibraltar?"

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes.

**SUPPLEMENTARY TO QUESTION NO 1253 OF 2001**

**HON J J BOSSANO:**

Have the Government got any information as to whether it is intended to set up such committees in the forthcoming round of Brussels negotiations?

**HON CHIEF MINISTER:**

Well tentative information from two sources, the Spanish Foreign Ministry, Minister and officials are trying to make reference to these committees in the Spanish Press and then in the run-up to the July Brussels meeting when we were shown what the Foreign Secretary was intending to say to Mr Piqué it did contain material in this respect upon which we expressed our views to the British Government then and my understanding is that it was as a result not said.

**HON J J BOSSANO:**

Not said, fair enough. Is there a parallel between this and the kind of structure that was originally set up in 1995 when the frontier opened?

**HON CHIEF MINISTER:**

I think there are obviously people who would like it to be so and I think there are even people, not in Gibraltar hopefully, who would like to be so to a deeper, broader, wider, more comprehensive extent and we are firmly opposed to two aspects of it, first of all we believe that any committees that are established to which we are not actually one can say opposed, should be genuinely technical and genuinely in relation to matters of co-operation between Spain and Gibraltar, as opposed to, being a device through which Spain gets a say or role in the internal affairs of Gibraltar. So I suppose if by way of co-operation Gibraltar and Spain are considering a different regime at the border, the Government have no difficulty to a committee being established dealing with that that is clearly about co-operation between Gibraltar and Spain. The Spanish Foreign Minister has spoken about financial services and military which are not structures to technically import into co-operation between Gibraltar and Spain but are in effect a cross border body of the law of the Irish variety designed to give Spain a stake in our internal affairs. That is absolutely out of the question and any committee that is established of the acceptable variety within the parameters of the distinction that I have just drawn, could not be Anglo-Spanish because that suggests bi-lateralism between the United Kingdom and Spain. They would have to reflect Gibraltar's full participation in the same sense as we are requiring in the talks themselves, in other words there would have to be the veto, the separate voice, nor could it even be called Anglo-Spanish because that nomenclature is inevitably bi-lateral.

**HON J J BOSSANO:**

Well the Chief Minister can keep on trying to persuade me and I will keep on trying to persuade him and presumably in the fullness of time either one will persuade the other or we will all finish emigrating one of the two.



ORAL

**NO. 1254 OF 2001**

**THE HON J J BOSSANO**

**BRUSSELS AGREEMENT**

Were Government consulted by the British Government over their intention to re-launch the Brussels process and if so when?

**ANSWER**

**THE HON THE CHIEF MINISTER**

If the hon Member means by consult before the decision was taken the answer is no.

**SUPPLEMENTARY TO QUESTION NO 1254 OF 2001**

**HON J J BOSSANO:**

I did mean before the decision was taken so in fact they were then informed after the event?

**HON CHIEF MINISTER:**

Yes, during the late afternoon of Monday 16<sup>th</sup> July I received a telephone call from a Senior Official at the Foreign Office to inform me that at a bilateral meeting in the margins of a European Counsel meeting in Brussels that very afternoon Mr Straw and Mr Piqué had just agreed to hold a round of talks under the Brussels process on Thursday 26<sup>th</sup> July. The hope was then expressed that I might participate.

**HON J J BOSSANO:**

Well I am glad that on that occasion I was more successful in my hopes than the Foreign Office in theirs.

**HON CHIEF MINISTER:**

Our non-participation had nothing to do with the hon Members persuasiveness, it was simply that our conditions were not met.

**HON J J BOSSANO:**

Fair enough, as long as he stays away I do not really want to hear what the reasons are. Can I just say, have the Government been informed of what allegedly took place at the level of Señor Aznar and Tony Blair prior to this date?

**HON CHIEF MINISTER:**

No.

**HON J J BOSSANO:**

There seems to be a clear indication that prior to the decision being communicated to the Chief Minister on the basis that an agreement had been reached by the two Foreign Ministers, an agreement in principal to re-launch had been taken by Señor Aznar and Blair. Have the Government sought confirmation whether this is the case or not?

**HON CHIEF MINISTER:**

It is entirely academic when we were informed. When it had been decided to hold the meeting on the 26<sup>th</sup> July the reasons for that became secondary. Certainly we were told, that the impetus came from the top.

**HON J J BOSSANO:**

Would the Government not agree that at least one aspect of the new factor and the new impetus which has been missing since the thing was signed in 1984 and which Spain considers to be evidence of an existence of a political will in London which was not there before appears to be the fact that it is at the level of the Prime Minister that a desire for a speedy resolution of this question seems to have been expressed.

**HON CHIEF MINISTER:**

Yes I think that is a fair analysis but I do not think it is justified on the part of the Spaniards. It is after all the same Prime Minister that then restates the absolute assurance to the people of Gibraltar on the question of sovereignty. There is that much in what Mr Hain says that I think is correct and that is Spain's utterances and

the utterances of the Spanish media and the Spanish assessments have got to be read in the light of other things that are said. Whatever may be the Prime Minister's desire that there should be impetus or change that his friendship with Señor Aznar and the obvious increasing alliance between their two countries should not be interfered with, whatever may be that desire, whatever may be the steps taken to try and make that happen it is all subject to the overarching assurance from which the Labour Government assures me they will not depart on the question of sovereignty, so, it is all down to persuading the hon Member and me. I just do not see how the Spaniards can purport to draw comfort from that but I can see that the Spaniards will draw an enormous amount of comfort if they had persuaded the British Government to renege on the Preamble or to remove the Preamble but they have not done so. The contrary is true the British Government continue to repeat the Preamble and therefore I do not see how the Spaniards obtain the level of satisfaction, the level of sense of achievement which, I accept what the hon Member has said, appears to be evident from some of the statements that have been reported, either what Britain is saying to us about the reliability of the assurance is not true or what Britain is saying to Spain is different to what they are saying to us, or the Spaniards are misunderstanding what Britain is saying to them. It can only be one of those three things. If the so called impetus depends for its success first persuading the Government and then persuading the majority of the people of Gibraltar, in order for us to have a better future and not to continue to be denied our EU rights we need to do the sort of sovereignty deals that the Spanish press appears to be mooting. No one that has observed Gibraltar politics and that observes Gibraltar politics could consider that there is the remotest prospect of the people of Gibraltar making a decision along those lines, and if that remains the objective within 18 months or any longer period. Then it seems to me that it is doomed to fail.

**HON J J BOSSANO:**

I would agree that it is doomed to fail because we are fully committed in ensuring its failure and therefore advocating its failure but would the Government have agreed?

**HON CHIEF MINISTER:**

The hon Member seems to advocate this failure and perhaps he might have more support and my support in doing so but whether we can ensure the failure of it is another matter.

**HON J J BOSSANO:**

I think we can, I am confident we can but would the Chief Minister not agree that part of the optimism evident in Spanish circles which was not there before could well be because in fact there is a new element in the British position which is of course they say they will respect the Preamble to the Constitution and of course they said that the package that emerges from the negotiations would not be imposed on us, and of course they say we will have the final say by invoking the guarantees in the Preamble to the Constitution but what they have never said before is that the choice that we make will be in a context where we will be rewarded if we vote one way and punished if we vote the other and that has not been there.

**HON CHIEF MINISTER:**

I am not sure that is new.

**HON J J BOSSANO:**

No, that is not new?

**HON CHIEF MINISTER:**

Well, it is new, I think it is now articulated clearly.....

**HON J J BOSSANO:**

Publicly.....

**HON CHIEF MINISTER:**

Yes, but in fact it has been our position since the 1960's that we have had to pay a price for our collective decision to resist the Spanish sovereignty claim and that the United Kingdom has not fought the battles as we would have liked them to fight to remove the unfair restrictions and the unfair denial of our rights, so what is new? Is that not where we have been for the last 10 years and longer and I think therefore that what is new is only the fact that it is now being articulated rather than just done without being articulated and I suppose if one wanted to be even more detailed in that analysis one could argue that it is not even new that it is being articulated. There is an interpretation, not a particularly strained one, there is an interpretation of the Hattersley Memorandum that really meant that, is it not? When Mr Hattersley said, pointed us to Spain as being where our future lay and then the British Government behaved as it did for the next 30 years, what was he articulating, or was he being more subtle? He was just saying in a sense the same thing as Mr Hain said a fortnight ago except that Mr Hain did not leave it to interpretation at least left it less to interpretation than Mr Hattersley did so. Certainly there is an impetus and where there is an impetus there is an increase in anxiety levels, but actually, provided the assurance on sovereignty remains firm and reliable I am not sure that it means very much because if the threat means that we are going to be left behind in Europe meaning that London is not going to fight Spain or litigate against the Commission to ensure that we are not excluded from this or that, surely that is where we have been for a number of years. I just do not see the demureness as significant as the hon Member.

**HON J J BOSSANO:**

It is probably true that many of us suspected that that was the position which the British Government were pursuing but which they always denied. I certainly think that by manifestly expressing it as they are doing now, if we compare as the Chief Minister has done with Hattersley well look there is one very clear distinction, Hattersley said, "you must keep the status quo and await developments in Spain", and those who saw negative aspects in that interpreted that to mean await developments in Spain in order to join Spain and those who wanted to take a more optimistic view interpreted it to mean "await developments in Spain and you will see Spain changing." Well neither

of us has changed since Hattersley said so 25 years ago, neither Spain nor ourselves but the alternative was that Hattersley said we keep the status quo, we are now being told that the status quo is unsustainable whatever that may mean.

**HON CHIEF MINISTER:**

Whatever that may mean yes, whatever that may mean on the context of the assurance of sovereignty because if anything, if the status quo is unsustainable but we are able to sustain it by exercising a vote in a referendum then it is not unsustainable. All that remains for us to discover is what is the price of continuing to sustain the status quo but it is not unsustainable.

**HON J J BOSSANO:**

Would the Chief Minister not agree that if now the United Kingdom is finding it unsustainable where as before we found it certainly not unsustainable but certainly imposing constraints on our rights we ought to be able to enjoy the same as everybody else in Europe which were legitimate and which the United Kingdom was not being sufficiently robust in defending and we are now in a situation where they are saying it is unsustainable.

**HON CHIEF MINISTER:**

I think the price is more of the same, more of what we have been finding unacceptable in the last few years.