

**GIBRALTAR**

**HOUSE OF ASSEMBLY**



**QUESTIONS AND ANSWERS**

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

**No. 1 to No. 465**

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## QUESTIONS & ANSWERS

12<sup>th</sup> February 2001

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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

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

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	<u>£1,200,000</u>
	<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>					
Transfers 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
	<u>£1,000,477</u>	<u>£889,437</u>	<u>£914,700</u>	<u>£1,055,459</u>	<u>£1,417,781</u>
<u>Less</u>					
Pension Payments	(£864,957)	(£878,146)	(£865,496)	(£841,369)	(£975,289)
Closing Balance	<u>£135,520</u>	<u>£11,291</u>	<u>£49,204</u>	<u>£214,090</u>	<u>£442,492</u>
<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
	<u>£981,405</u>	<u>£1,560,551</u>	<u>£1,031,238</u>	<u>£849,913</u>	<u>£1,733,665</u>
<u>Less</u>					
Pension Payments	(£520,854)	(£979,313)	(£521,325)	(£146,248)	(£1,470,998)
Closing Balance	<u>£460,551</u>	<u>£581,238</u>	<u>£509,913</u>	<u>£703,665</u>	<u>£262,667</u>
<b><u>Fund Account -</u></b>					
<b><u>Closing Balance</u></b>	<u>£596,071</u>	<u>£592,529</u>	<u>£559,117</u>	<u>£917,755</u>	<u>£705,159</u>

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.



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 ones 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 advise 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.

ORAL

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				
Blding & 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**

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

### RENEWAL

NATIONALITY	TRADE	NUMBERS
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**

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

**RENEWAL**

<b>NATIONALITY</b>	<b>TRADE</b>	<b>NUMBERS</b>
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**

<b>NATIONALITY</b>	<b>TRADE</b>	<b>NUMBERS</b>
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**

<b>NATIONALITY</b>	<b>TRADE</b>	<b>NUMBERS</b>
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....

Contd Q31/2001

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

<b>NATIONALITY</b>	<b>TRADE</b>	<b>NUMBERS</b>
Argentinian	Managerial	1
Swiss	Managerial	1
Columbian	Professional	1
Sri Lankan	Professional	1
	<b>TOTAL</b>	<b>4</b>

**RENEWAL**

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

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.



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.

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	
	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.

ORAL

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.



ORAL

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

NO. 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.

ORAL

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.

ORAL

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.

ORAL

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.

ORAL

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.

ORAL

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 2001THE 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?

ANSWERTHE 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 rebuilt 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.

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 2001THE 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?

ANSWERTHE 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 2001THE 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?

ANSWERTHE 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.

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.

ORAL

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 Gibralflorea (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.



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.

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.

ORAL

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 advice 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.



ORAL

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.

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.

NO. 198 OF 2001THE 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?

ANSWERTHE 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 2001THE HON DR J GARCIA

## FITUR

Can Government give the total cost and a breakdown of the cost of attending FITUR this year?

ANSWERTHE 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	£20,817.52
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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 2001THE 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?

ANSWERTHE 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	£117,309.10
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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.

NÓ. 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.

ORAL

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.

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.

Answer to Question 224 of 2001

LICENSED DEALERS

2000

	<u>QUANTITY</u>	<u>£(MILLION)</u>
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

	<u>QUANTITY</u>	<u>£(THOUSAND)</u>
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.

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.

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.

ORAL

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

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.

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.

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.



ORAL

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

<b>PERIOD</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>WEEK</b>	25/7/99	22/8/99	19/9/99	17/10/99	14/11/99	12/12/99
<b>SCRIPTS</b>	5185	4319	5374	5079	5579	5290
<b>ITEMS</b>	10090	8277	10757	10670	11285	10241
<b>COST £</b>	112365.20	77977.20	100068.69	106691.50	104429.30	102228.74

2000/2001

<b>PERIOD</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9</b>	<b>10</b>
<b>WEEK</b>	23/7/00	20/8/00	17/9/00	15/10/00	12/11/00	10/12/00
<b>SCRIPTS</b>	5219	5298	5595	5805	5464	4760
<b>ITEMS</b>	9388	9450	10159	10502	10018	8800
<b>COSTS £</b>	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 2001THE 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?

ANSWERTHE 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.

ORAL

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

THE 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.



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 2001THE 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?

ANSWERTHE 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 2001THE 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?

ANSWERTHE 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 (comeal grafts). No neurosurgery is carried out in Gibraltar, nor is corneal grafting. No case of nCJD 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 advise 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 and 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 of 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 advise 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

<b>NURSES AS AT 31-12-99</b>		<b>NURSES AS AT 31-12-00</b>	
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>	
<b>Prescribed Drugs and Pharmaceuticals:</b>	
10 GPMS Prescriptions	4,600,000
11 Drugs and Pharmaceuticals	780,000
	<b>5,380,000</b>
<b>Equipment and Related Expenses:</b>	
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
<b>Laundry and Cleaning</b>	
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
	<b>23,666,500</b>
	<i>carried forward</i>

**GIBRALTAR HEALTH AUTHORITY (cont)**  
**Contd Answer to Question 320/2001**

	FORECAST OUTTURN 2000/2001
	£
<i>brought forward</i>	23,666,500
<b>Payments</b> (cont)	
<b>Recurrent Expenditure:</b> (cont)	
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
<i>Compensation Claims</i>	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 2001THE 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 2001THE 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 2001THE 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?

ANSWERTHE 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 2001THE 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?

ANSWERTHE 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 2001THE 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 2001THE 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.

ORAL

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	Gibraltarian
		1	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 exist 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.

ORAL

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.

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.

Answer to Question No.420 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 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)		

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.

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.



NO. 425 OF 2001THE 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?

ANSWERTHE HON THE CHIEF MINISTER

The 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
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**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 2001THE 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?

ANSWERTHE 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 2001THE 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?

ANSWERTHE 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.

ORAL

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.