

**GIBRALTAR**

**HOUSE OF ASSEMBLY**



**QUESTIONS AND ANSWERS**

**5<sup>th</sup> November 2001**

**No. 824 to No. 1254**

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## QUESTIONS & ANSWERS

5<sup>th</sup> November 2001

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**NO. 824 OF 2001****THE HON J L BALDACHINO****OPEN/CLOSED LONG-TERM BENEFITS FUND**

Can Government state what transfers have been made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund giving the amounts and the month of each transfer since April 2001?

**ANSWER****THE HON THE MINISTER FOR SOCIAL AFFAIRS**

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

**Answer to Question 824 of 2001**

The transfers made from the Open Long-Term Benefits Fund to the Closed Long-Term Benefits Fund by month since April 2001 are as follows:-

	£
April 2001	910,000
May 2001	800,000
June 2001	1,350,000
July 2001	800,000
August 2001	560,000
September 2001	1,310,000
	<hr/>
<b>Total</b>	<b>£ 5,730,000</b>
	<hr/>

**SUPPLEMENTARY TO QUESTION NO 824 OF 2001**

**HON J L BALDACHINO :**

In August 2001 the figures appear to be lower, is there an explanation for that?

**HON MRS Y DEL AGUA:**

No explanation that I am aware of.

**HON J L BALDACHINO:**

If the hon Member has not got the information, can she find out and let me know?

**HON MRS Y DEL AGUA :**

Yes.

**HON CHIEF MINISTER :**

The answer is, although the hon Member will check it, that pensioners do not all come on a monthly basis. The hon Member will notice that there are two months in the quarter with a slightly lower figure, which is then higher in the third, at the quarter end month. As this money is transferred, only as it is required on a cash flow basis, as pensions are drawn from the Closed Long-Term Benefits Fund, then it just generates a need for more money to be sent on those particular months. I think that is the explanation that some pensioners come on a quarterly basis to collect their pensions. We will check that out to confirm that that is the case.

NO. 825 OF 2001THE HON J L BALDACHINO**HEAD 5-B SOCIAL SERVICES**

Can Government state how much has been spent to date from Head 5-B Social Services, subhead 5 (c) contingencies, giving a breakdown?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

A total of £12,772.94 has been spent to date from Head 5-B Social Services, subhead 5(c) Contingencies. The breakdown is as follows:-

<u>EQUIPMENT</u>	<u>AMOUNT</u>
Mobility Aids	£ 5,406.19
Manual handling equipment And independent living aids	£ 7,366.75
	_____
<b>Total</b>	<b>£12,772.94</b>
	_____

SUPPLEMENTARY TO QUESTION NO 825 OF 2001

**HON J L BALDACHINO :**

Has any body been refused, that has applied for anything under this Head?

**HON MRS Y DEL AGUA :**

Not that I am aware of.

**NO. 826 OF 2001**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE**

Can Government state the number of persons receiving Social Assistance each month from April to the end of October 2001 giving a breakdown by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**HON MRS Y DEL AGUA :**

The information requested by the hon Member is set out in the written schedule that I now hand him.

<b>2001</b>	<b>Males</b>	<b>Females</b>	<b>Total</b>	<b>18/25</b>	<b>26/35</b>	<b>36/45</b>	<b>46/60</b>
<b>April</b>	124	162	286	54	85	82	65
<b>May</b>	121	163	284	52	90	74	68
<b>June</b>	118	164	282	47	86	83	66
<b>July</b>	109	162	271	44	84	83	60
<b>August</b>	106	168	274	45	92	82	55
<b>September</b>	102	167	269	44	88	82	55
<b>October</b>	102	183	285	47	92	89	57

**NO. 827 OF 2001**

**THE HON J L BALDACHINO**

**CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the balance of the Closed Long-Term Benefits Fund for each month of April, May, June, July, August, September and October 2001 showing the amount from UK and local funds and the expenditure to former Spanish workers and to pensioners from local funds?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

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

**Answer to Question No 827 of 2001**

The balance of the Closed Long-Term Benefits Fund from 1<sup>st</sup> January 2001 to 30<sup>th</sup> September 2001 (the figures for October 2001 are as yet not available) for each month showing the amount from UK and local funds and the expenditure to former Spanish workers and to pensioners from local funds is as follows:-



	<b>30-Apr-01</b>	<b>31-May-01</b>	<b>30-Jun-01</b>	<b>31-Jul-01</b>	<b>31-Aug-01</b>	<b>30-Sep-01</b>
	£	£	£	£	£	£
<b>Fund Account- Opening Balance</b>	<b>575,419</b>	<b>468,684</b>	<b>680,561</b>	<b>811,032</b>	<b>743,265</b>	<b>427,550</b>
<b>“Local Account”</b>						
Opening Balance	197,681	87,413	156,238	451,277	361,229	53,468
<b>Add</b>						
Transfers from the Open Long-Term Benefits Fund	910,000	800,000	1,350,000	800,000	560,000	1,310,000
Other Receipts	3,414	3,688	6,963	5,326	2,734	4,147
<b>Less</b>						
Pension Payments	11,111,095 (1,023,682)	891,101 (734,863)	1,513,201 (1,061,924)	1,256,603 (895,374)	923,963 (870,495)	1,367,615 903,969
<b>Closing Balance</b>	<b>87,413</b>	<b>156,238</b>	<b>451,277</b>	<b>361,229</b>	<b>53,468</b>	<b>463,646</b>
<b>“Spanish Account”</b>						
Opening Balance	377,738	381,271	524,323	359,755	382,036	374,082
<b>Add</b>						
Receipts from DFID	450,000	360,000	1,060,000	430,000	370,000	970,000
<b>Less</b>						
Pension Payments	827,738 (446,467)	741,271 (216,948)	1,584,323 (1,224,568)	789,755 (407,719)	752,036 (377,954)	1,344,082 (1,047,488)
<b>Closing Balance</b>	<b>381,271</b>	<b>524,323</b>	<b>359,755</b>	<b>382,036</b>	<b>374,082</b>	<b>296,594</b>
<b>Fund Account – Closing Balance</b>	<b>468,684</b>	<b>680,561</b>	<b>811,032</b>	<b>743,265</b>	<b>427,550</b>	<b>760,240</b>

**NO. 828 OF 2001**

**THE HON J L BALDACHINO**

**CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the number of pensioners being paid with entitlement to payment for each month of April, May, June, July, August, September and October 2001 from the Closed Long-Term Benefits Fund giving a breakdown of pre-1969 Spanish Pensioners and locally funded pensioners showing the number of Gibraltarians/UK nationals, Moroccans, and other nationalities?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The information requested by the hon Member is set out in the written schedule that I now hand to him.

Answer to Question No 828 of 2001

	<b>April 01</b>	<b>May 01</b>	<b>June 01</b>	<b>July 01</b>	<b>Aug 01</b>	<b>Sept 01</b>	<b>Oct 01</b>
Pre-1969 Spanish pensioners	7267	7252	7230	7221	7207	7197	7174
British Pensioners (Gib UK Nat)	4735	4696	4684	4699	4691	4690	4698
Moroccan Pensioners	1214	1180	1180	1205	1215	1220	1227
Other Nationalities	348	332	333	333	333	335	338
<b>Total</b>	<b>13564</b>	<b>13460</b>	<b>13427</b>	<b>13458</b>	<b>13446</b>	<b>13442</b>	<b>13437</b>

**NO. 829 OF 2001**

**THE HON J L BALDACHINO**

**SENIOR CITIZENS' ASSOCIATION**

Have Government received representations from the Pensioners Association for Senior Citizens to be exempted from the payment of the annual television licence fee?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

I am not aware of any association known as the Pensioners Association. The hon Member may be referring to the Gibraltar Senior Citizens Association. A representation, to which the hon Member's question refers, was included in a list of items for an agenda for a meeting sent to the Chief Minister on 6<sup>th</sup> October 2000.

**SUPPLEMENTARY TO QUESTION NO 829 OF 2001**

**HON J L BALDACHINO :**

I presume a decision will be taken in that meeting , is that correct?

**HON CHIEF MINISTER :**

No, a decision has not been taken. Although the matter remains on review, the hon Member knows that the Government receive many requests from associations and the Gibraltar Senior Citizens Association is no exemption. It is not possible to agree to all of them, some of them have got practical difficulties beyond the financial advantage that will be delivered to the beneficiaries. This is not one of the requests that has yet been exceeded to and the Government have made no commitments to agree to it at any stage which is not to say that it will not be agreed to at some stage but it has not been agreed to yet.

**NO. 830 OF 2001**

**THE HON J L BALDACHINO**

**DISABILITY ALLOWANCE**

Will Government consider extending the disability allowance payments to all severely disabled persons and not limit it only to mentally disabled persons?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Disability Allowance payments are not limited only to mentally disabled persons.

**SUPPLEMENTARY TO QUESTION NO 830 OF 2001**

**HON J C PEREZ :**

Is it not the case that this is so by statutory right, that the other disabled persons can only get those benefits on the discretion of the Head of Department like the hon Lady told me at the last meeting of the House when I questioned her on this specific matter?

**HON MRS Y DEL AGUA :**

Yes, the Director does have discretion but the distinction is not made between mentally and physically disabled persons, but between those born with the disability and those who have become disabled later on in life.

**HON J C PEREZ :**

Is the hon Lady saying then that no one has a statutory right to those benefits and that disabled persons are also granted those benefits at the discretion of the Director? What I understood the last time was that mentally disabled persons had it by statutory right and that other disabled persons was at the discretion of the Director.

**HON MRS Y DEL AGUA :**

I do not know where the hon Member got that information from but it certainly did not come from my department.

**HON J C PEREZ :**

Yes but.....

**MR SPEAKER:**

Next Question

**HON J C PEREZ :**

But can the Minister clarify what the position is?

**MR SPEAKER:**

No you have been given an answer.

**HON J C PEREZ :**

No we have not got the answer.

**MR SPEAKER:**

You have got the answer she wants to give you.

**HON J C PEREZ:**

No, she might want to give me another answer, she might want to explain that the...

**MR SPEAKER:**

Order, next question, unless the Leader of the Opposition wants to ask a supplementary to which he is entitled.

**HON J J BOSSANO:**

I would like you to quote the Standing Order to which you are referring.

**MR SPEAKER:**

I am not going to quote any Standing Order that is my decision.

**HON J J BOSSANO :**

But I have to tell you that I consider that you are acting in a way, which hinders the Opposition from carrying out their role in this House

**MR SPEAKER:**

It does not, you can at any time bring a motion. Next question.



**NO. 831 OF 2001**

**THE HON J L BALDACHINO**

**BISHOP HEALY HOME**

Can Government confirm how many children are currently being cared for in the Bishop Healy Home giving a breakdown by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 832 and 833 of 2001.

**NO. 832 OF 2001**

**THE HON J L BALDACHINO**

**BISHOP HEALY HOME**

Can Government state when the decision was taken to move the Children's residence service from the Bishop Healy Home to a refurbished Government flat?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 831 and 833 of 2001.

**NO. 833 OF 2001**

**THE HON J L BALDACHINO**

**BISHOP HEALY HOME**

What plans do Government have for the property housing the Bishop Healy Home, once the Children's Residence services is moved?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question No 831 of 2001**

There are currently 20 children and young people resident at the Bishop Healy Home. The attached table, which I now hand over, shows the breakdown by age and sex.

**Answer to Question No 832 of 2001**

Government took a decision to replace the children's residential service with smaller more appropriate accommodation in December 2000.

**Answer to Question 833 of 2001**

Bishop Healy House will be adapted to provide a unit for people who present challenging learning disabilities and behaviour and who require significant staff support and supervision.

**Answer to Question No 831**

**BISHOP HEALY HOUSE – BREAKDOWN BY AGE**

<b><u>AGE</u></b>	<b><u>MALE</u></b>	<b><u>FEMALE</u></b>
0-4	2	1
5-9	4	3
10-14	3	5
15-18	1	1
<b><u>TOTALS</u></b>	<b><u>10</u></b>	<b><u>10</u></b>

**NO. 834 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state how many of the posts held by persons contracted by Milbury outside Gibraltar have now been localised?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Out of the five qualified posts held by persons contracted by Milbury outside Gibraltar, one of them has been released for local recruitment.

**SUPPLEMENTARY TO QUESTION NO 834 OF 2001**

**HON J L BALDACHINO :**

When was it released?

**HON MRS Y DEL AGUA :**

It was released about one week ago approximately.

**HON J L BALDACHINO :**

If this was the agreement originally signed with Milbury, why has it taken Milbury such a long time to find people and teach people for those posts which was part and parcel of the contract that was given out to Milbury? Why has it taken so long and why has the post not been localised before?

**HON MRS Y DEL AGUA :**

It is not a question of teaching or taking so long to teach a person, it is just a unilateral decision that has been taken between Government and Milbury. We think this is the appropriate time to release one of those posts and that is what we have done.

**HON J L BALDACHINO :**

But it was part and parcel and it was up to Milbury under the agreement that they signed originally for Milbury to bring local people up to the standard that was required for those posts. I suppose that Milbury had that requirement under the agreement that they signed with them, why has it not been done before?

**HON MRS Y DEL AGUA :**

I think it might be appropriate and I had intention of mentioning it on another question, that the Milbury contract has been extended for a further year which means that the contract would have come to an end, in November this year, it has been extended for a further year and this has been the first post that has been released of the five that will be released eventually.

**NO. 835 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state what extra services were provided by Milbury in the Financial year 1998/1999 when they received extra funding from the Government of £53,000?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 836 and 837 of 2001.



**NO. 836 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state what extra services were provided by Milbury in the Financial Year 1999/2000 when they received extra funding from the Government of £64,820?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 835 and 837 of 2001.

**NO. 837 OF 2001**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state what extra services were provided by Milbury in the Financial year 2000/2001 when they received extra funding from the Government of £89,000?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question No 835 of 2001**

Milbury care Services Ltd provided in the financial year 1998/1999 the following extra services for which they received extra funding from Government of £53,000:-

- ◆ Reimbursement of Cadet Training for Dr Giraldi Home
- ◆ Replacement of Cook at the Bishop Healy Home
- ◆ The provision of an extra senior Social Worker for Child Care
- ◆ Additional Respite Care for Dr Giraldi
- ◆ Provision of a Stay and Play Scheme.

**Answer to Question 836 of 2001**

Milbury Care Services Ltd provided in the Financial year 1999/2000 the following extra services for which they received extra funding from Government of £64,820:-

- ◆ Day Care for Dr Giraldi
- ◆ Support Worker pay increase
- ◆ Home Service Support
- ◆ Inflation
- ◆ Lime Kiln Steps Project

**Answer to Question 837 of 2001**

Milbury Care Services Ltd provided in the Financial Year 2000/2001 the following extra services for which they received extra funding from Government of £89,000:-

- ◆ The unitisation of Dr Giraldi
- ◆ Extra staff cover for Bishop Healy Home
- ◆ Additional staff for St Bernadette's

**SUPPLEMENTARY TO QUESTION NOS 835, 836, AND 837 OF 2001**

**HON J L BALDACHINO :**

Have all the provisions that the Minister has just stated being provided by Milbury, there is non that Milbury has still not provided for, is that it?

**HON MRS Y DEL AGUA :**

They have all been provided.

**HON J L BALDACHINO :**

What is the project at Lime Kiln Steps?

**HON MRS Y DEL AGUA :**

Lime Kiln Steps is a Specialist Residential Service for two difficult teenagers that we have in care at the moment.

**HON J L BALDACHINO :**

The Lime Kilm Steps project for the two difficult, teenagers, is that in a private flat or is it that the flat belongs to the Government?

**HON MRS Y DEL AGUA :**

It is a flat which has been lent by the Housing department to the Social Services on a temporary basis.

**NO. 838 OF 2001****THE HON J L BALDACHINO****DR GIRALDI HOME**

Can Government state how many individuals applied for respite facilities at Dr Giraldi Home and how many were accommodated giving a breakdown for each of the months of April, May, June, July, August, September, and October 2001?

**ANSWER****THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The table gives the information requested concerning the breakdown of figures for the use of the respite facilities of Dr Giraldi Home from April –September 2001. The figure for October 2001 is not yet available.

	<b>Respite Hours</b>			<b>Sitting Hours</b>	
	<b>Application</b>	<b>Met</b>	<b>Hours Used</b>	<b>Numbers</b>	<b>Hours Used</b>
<b>April</b>	7	7	744	14	1146
<b>May</b>	10	9	639	15	1075
<b>June</b>	10	8	717	15	1117
<b>July</b>	7	7	959	13	723
<b>August</b>	10	8	862	12	545
<b>September</b>	10	9	872	14	695

## SUPPLEMENTARY TO QUESTION NO 838 OF 2001

**HON J L BALDACHINO :**

An application was received but was not able to be accommodated is there an explanation for that, was it because there were no facilities available or because of something else?

**HON MRS Y DEL AGUA :**

The hon Member might be aware, respite includes staying overnight and obviously the reason for not being able to accommodate these people is because the four beds that are available were taken up at that precise moment in time.

**HON J L BALDACHINO :**

I presume that the reason for that is that there were other people also applying at the same time for the duration of that period, and, how was the decision then taken that somebody was not allocated that time of somebody else, does the hon Member know the criteria about that?

**HON MRS Y DEL AGUA :**

I am not aware of the criteria used or the administrative arrangements made by Milbury but I am aware as I said before if they were not given that time, I cannot say that in practice all the respite applications were met because if they were not provided respite in the particular time the person was asking for they were provided respite either the following weekend or during the week.

**HON J L BALDACHINO :**

It is clear that not all the respite hours were met because if there were, say for example in one area there were 10 applications and only eight were met so it means that not everybody that applied for respite did get respite in that time.

**HON CHIEF MINISTER :**

Yes, that is clear, as is the answer the Minister has given the hon Member which is that when there are more applications for a particular facility on a particular day than there are resources available they cannot all be met at the time. It is like going to a hotel and being told that "it is full but you can come tomorrow, sir," and that is what happens with overnight respite because we are limited to a number of beds.

**HON J L BALDACHINO :**

I gather that much that is why I ask which criteria is used for somebody's application to be turned down and for the benefit of others. There must be a criteria under those circumstances.

**HON MRS Y DEL AGUA:**

It may be first come first served, it may be that they take into consideration the needs of the person that has applied for respite. I am not certain as I have said before the criteria that is used.

**NO. 839 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state the number of employers who have returned the Social Insurance schedules for the second and third quarters and the number of employees covered by such returns respectively?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 840, 841, and 842 of 2001



**NO. 840 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state the number of employers issued with Social Insurance Contribution schedules in the first quarter and the number who have returned the schedules to-date and the number of employees covered by the schedules returned?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 839, 841, and 842 of 2001

**NO. 841 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many social insurance schedules have been issued to employers and the number of employers, in respect of employees for the second, third and fourth quarter to-date of the current year?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 839, 840, and 842 of 2001

**NO. 842 OF 2001**

**THE HON J J BOSSANO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many social insurance schedules for self-employed persons have been issued in respect of the second, third and fourth quarter to-date, of the current year?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question 839 of 2001**

In the second and third quarter of 2001, 884 and 580 employers respectively have returned the social insurance schedules covering 11,160 and 9,763 employees respectively.

**Answer to Question 840 of 2001**

In the first quarter of 2001, 1692 employers have been issued with schedules, 896 employers have returned the social insurance schedules covering 12,288 employees.

**Answer to Question 841 of 2001**

In the second, third and fourth quarter of 2001, 1545, 1452 and 1480 employers respectively have been issued with social insurance schedules covering 18,419, 16,452 and 16,811 social insurance schedules respectively.

**Answer to Question No 842 of 2001**

In the second, third and fourth quarter of 2001, 925, 849 and 853 self-employed persons have been issued with social insurance schedules.

**SUPPLEMENTARY TO QUESTION NOS 839 TO 842 OF 2001**

**HON J J BOSSANO :**

I believe in the original start of the schedules, in the first quarter there were 20,000 employees covered. In fact the figures that have been given subsequently are below that. Is that based on the non-returns?

**HON MRS Y DEL AGUA :**

It is based on non-returns and on the fact that some employers notified that they did not have those employees working with them any longer.

**HON J J BOSSANO:**

When the employer is notified in respect of the social insurance, is this then reflected in action being taken in respect of the registration of those employees in the ETB as still being in employment with open contracts or not?

**HON MRS Y DEL AGUA :**

I am afraid I do not have the answer to that question, I can find out for the hon Member.

**HON J J BOSSANO:**

In respect of the persons that leave employment within the quarterly period, is the employer required to do anything to notify the termination from a social insurance point of view or is he expected to do that at the end of the quarter?

**HON CHIEF MINISTER :**

No, there is no requirement to notify termination to social insurance on a quarterly basis. It is simply reflected in the non-return of the subsequent quarters return or its partial return if somebody leaves during the quarter.

**HON J J BOSSANO:**

So the answer is that in fact he is not required to do it within the quarter it is only by the failure to appear at the end.

**HON CHIEF MINISTER:**

There are termination notification requirements to the employment service under the employment regulations. The hon Member has asked as I have understood him whether there are similar termination notification requirements to the social insurance

department. The answer is, there is not. One simply submits ones return when it is next due.

**HON J J BOSSANO :**

But in fact is it not the case that when the social insurance cards system was in operation, employers were required to hand in the card stamped up to the date of termination in order to facilitate the persons right to unemployment benefit. How is that dealt with in the present system?

**HON CHIEF MINISTER :**

Employers may well do it, one thing is that they will do it and another thing is whether they have got a requirement and certainly as used to be the case, it was always the employee that used to end up chasing the employer to do the paperwork so that the employee could access some statutory benefit rights and I suspect it is still working in that manner.

**HON J J BOSSANO :**

What had to be produced then was evidence that the man's insurance had been paid in order to be able to entitle him to the benefit. Now what I am asking is how is that done in the present system, because in the old system the cards had to be stamped up-to-date and if somebody wanted to claim unemployment benefit and the employer had not returned the stamped card, then he was expected to deliver it. How is that done in the present system where there is a quarterly schedule?

**HON CHIEF MINISTER:**

I wish to check that this is the complete answer but of course payments are now due monthly so the employer even though he only sends in his return quarterly, the payments are monthly, I suppose it is possible to still have to demonstrate what the hon Member is asking in respect of the current months so to speak but one of the great advantages of this system is of course that employers have to stay much more up-to-date currently on their payments, but I will double check what the full answer to that question is, in other words whether there is some mechanism whereby the employer has to do everything co-extensively in time with the termination to assist the outgoing employee in claim of whatever benefit he wants.

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**HON CHIEF MINISTER:**

Can I clarify something that I said in error this morning to the hon Leader of the Opposition. There is in fact in the new regulations the obligations to notify termination to the Social Security Department. New Regulation 8 (1) says, "An employer shall on the termination of the employment forthwith return the contribution schedule together with the remittance for the contribution payable to the Director or such other persons.

**NO. 843 OF 2001**

**THE HON J L BALDACHINO**

**MOROCCAN NATIONALS EMPLOYED**

Can Government state of the Moroccan nationals employed in the 1<sup>st</sup> and 2<sup>nd</sup> quarter of 2001, how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question Nos 844 and 846 of 2001.

**NO. 844 OF 2001**

**THE HON J L BALDACHINO**

**BRITISH NATIONALS EMPLOYED**

Can Government state of the 271 British Nationals employed in the 2<sup>nd</sup> quarter and of the 307 employed in the 3<sup>rd</sup> quarter how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question Nos 843 and 846 of 2001.

**NO. 845 OF 2001**

**THE HON J L BALDACHINO**

**GIBRALTARIANS EMPLOYED**

Can Government state of the Gibraltarians employed in the 2<sup>nd</sup> and 3<sup>rd</sup> quarter of 2001 how many were registered with the Employment Agency giving a breakdown for each month by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 845 of 2001**

| <b>April 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------------|--------------|-------------|---------------|--------------|
|                   | Under 18     | 4           | 1             | 5            |
|                   | 18-24        | 13          | 10            | 23           |
|                   | Over 25      | 10          | 10            | 20           |
|                   | <b>Total</b> | <b>27</b>   | <b>21</b>     | <b>48</b>    |

| <b>May</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------|--------------|-------------|---------------|--------------|
|            | Under 18     | 1           | 3             | 4            |
|            | 18-24        | 10          | 5             | 15           |
|            | Over 25      | 13          | 14            | 27           |
|            | <b>Total</b> | <b>24</b>   | <b>22</b>     | <b>46</b>    |



| June | Age          | Male      | Female    | Total     |
|------|--------------|-----------|-----------|-----------|
|      | Under 18     | 4         | 3         | 7         |
|      | 18-24        | 15        | 2         | 17        |
|      | Over 25      | 17        | 14        | 31        |
|      | <b>Total</b> | <b>36</b> | <b>19</b> | <b>55</b> |

| July | Age          | Male      | Female    | Total     |
|------|--------------|-----------|-----------|-----------|
|      | Under 18     | 5         | 3         | 8         |
|      | 18-24        | 12        | 11        | 23        |
|      | Over 25      | 13        | 7         | 20        |
|      | <b>Total</b> | <b>30</b> | <b>21</b> | <b>51</b> |

| August | Age          | Male      | Female    | Total     |
|--------|--------------|-----------|-----------|-----------|
|        | Under 18     | 2         | 0         | 2         |
|        | 18-24        | 13        | 8         | 21        |
|        | Over 25      | 10        | 7         | 17        |
|        | <b>Total</b> | <b>25</b> | <b>15</b> | <b>40</b> |

| September | Age          | Male      | Female    | Total     |
|-----------|--------------|-----------|-----------|-----------|
|           | Under 18     | 3         | 2         | 5         |
|           | 18-24        | 17        | 12        | 29        |
|           | Over 25      | 10        | 9         | 19        |
|           | <b>Total</b> | <b>30</b> | <b>23</b> | <b>53</b> |

**NO. 846 OF 2001**

**THE HON J L BALDACHINO**

**SPANISH NATIONALS EMPLOYED**

Can Government state of the 444 Spanish nationals employed in the 2<sup>nd</sup> quarter and of the 495 employed in the 3<sup>rd</sup> quarter how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 846 of 2001**

British Nationals employed in the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter 2001 which are new entrants to the Local Labour Market.

|  |    |
|--|----|
|  |    |
|  | 32 |
|  | 23 |
|  | 35 |
|  | 43 |
|  | 29 |
|  | 32 |

Spanish Nationals employed in the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter 2001 which are new entrants to the Local Labour Market.

|  |    |
|--|----|
|  |    |
|  | 52 |
|  | 42 |
|  | 76 |
|  | 79 |
|  | 71 |
|  | 84 |

Moroccan Nationals employed in the 1<sup>st</sup> and 2<sup>nd</sup> Quarter 2001 which are new entrants to the Local Labour Market.

|  |   |
|--|---|
|  |   |
|  | 0 |
|  | 0 |
|  | 0 |
|  | 0 |
|  | 0 |
|  | 0 |

**SUPPLEMENTARY TO QUESTION NOS 843, 844, AND 845 of 2001**

**HON J L BALDACHINO :**

In comparison of new entrants to the people employed in particular to the Spanish labour, it appears that they take quite a high percentage of new people coming in relation to the local labour market. Is there an explanation for that, that they do special jobs that local people could not do and therefore employers prefer to employ Spanish workers or is it that they prefer to employ Spanish workers in detrimental to local people.

**HON H CORBY :**

No. Most of the Spanish nationals are employed in the construction industry and they are there for a short while and then they go back.

**HON J L BALDACHINO :**

When they come in for a short period of time is it that they are employed locally, it is not that they are detached workers coming in and out.

**HON CHIEF MINISTER:**

The explanation is a variety of all the possibilities that the hon Member has himself suggested. There are some areas of activity in Gibraltar where either employers for some reason prefer non-residents or residents prefer not to seek employment. Construction, restaurant type work, shopkeepers, shop assistants on the Main Street. These are businesses where the employers tend to favour cross-frontier workers. On the other hand there are areas of the economy where there are very few cross-frontier workers employed because those are the areas of employment to which the local prefers to dedicate his aspirations. All that said there is yet another category of industry which cannot find the necessary skills that they need in Gibraltar and therefore are obliged to import them, for example, the ship-repair yard brings in temporary workers from time to time, construction workers as my hon Colleague has already said falls into that category. The economy would not be serviceable using only the locally available pool of unemployed labour. The hon Member knows this

from the days that he was in Government, despite the intense commitment to training that the Government have deployed in the last two years, there are still many amongst the two to three hundred Gibraltarians that persistently remain in the unemployment register who either are not really seeking employment or make no genuine effort to acquire the skills that the changing economy requires. The Government do not give up on them, we continue to improve increasing amounts of training schemes and training resources to them, but certainly it is the employer that identifies his needs and satisfies them accordingly and that is how it should be.

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**NO. 847 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – NUMBER OF UNEMPLOYED**

How many Gibraltarians joined the Unemployment register during each month since January 2001 to date giving a breakdown by age and sex groups?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 847 of 2001**

| <b>January</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|----------------|--------------|-------------|---------------|--------------|
|                | Under 18     | 17          | 11            | 28           |
|                | 18-24        | 36          | 20            | 56           |
|                | Over 25      | 44          | 25            | 69           |
|                | <b>Total</b> | <b>97</b>   | <b>56</b>     | <b>153</b>   |

| <b>February</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-----------------|--------------|-------------|---------------|--------------|
|                 | Under 18     | 5           | 5             | 10           |
|                 | 18-24        | 21          | 16            | 37           |
|                 | Over 25      | 29          | 19            | 48           |
|                 | <b>Total</b> | <b>55</b>   | <b>40</b>     | <b>95</b>    |

| <b>March</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|--------------|--------------|-------------|---------------|--------------|
|              | Under 18     | 6           | 4             | 10           |
|              | 18-24        | 25          | 14            | 39           |
|              | Over 25      | 23          | 33            | 56           |
|              | <b>Total</b> | <b>54</b>   | <b>51</b>     | <b>105</b>   |

| <b>April</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|--------------|--------------|-------------|---------------|--------------|
|              | Under 18     | 8           | 9             | 17           |
|              | 18-24        | 24          | 15            | 39           |
|              | Over 25      | 28          | 22            | 50           |
|              | <b>Total</b> | <b>60</b>   | <b>46</b>     | <b>106</b>   |

| <b>May</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------|--------------|-------------|---------------|--------------|
|            | Under 18     | 7           | 5             | 12           |
|            | 18-24        | 21          | 10            | 31           |
|            | Over 25      | 20          | 34            | 54           |
|            | <b>Total</b> | <b>48</b>   | <b>49</b>     | <b>97</b>    |

| <b>June</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------|--------------|-------------|---------------|--------------|
|             | Under 18     | 9           | 2             | 11           |
|             | 18-24        | 28          | 21            | 49           |
|             | Over 25      | 24          | 24            | 48           |
|             | <b>Total</b> | <b>61</b>   | <b>47</b>     | <b>108</b>   |

| <b>July</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------|--------------|-------------|---------------|--------------|
|             | Under 18     | 5           | 5             | 10           |
|             | 18-24        | 17          | 24            | 41           |
|             | Over 25      | 31          | 21            | 52           |
|             | <b>Total</b> | <b>53</b>   | <b>50</b>     | <b>103</b>   |

| <b>August</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|---------------|--------------|-------------|---------------|--------------|
|               | Under 18     | 9           | 4             | 13           |
|               | 18-24        | 29          | 20            | 49           |
|               | Over 25      | 28          | 31            | 59           |
|               | <b>Total</b> | <b>66</b>   | <b>55</b>     | <b>121</b>   |

| <b>September</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------------|--------------|-------------|---------------|--------------|
|                  | Under 18     | 9           | 7             | 16           |
|                  | 18-24        | 24          | 27            | 51           |
|                  | Over 25      | 33          | 40            | 73           |
|                  | <b>Total</b> | <b>66</b>   | <b>74</b>     | <b>140</b>   |

**NO. 848 OF 2001**

**THE HON J L BALDACHINO**

**WORK PERMITS**

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

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand over to him.

**SUPPLEMENTARY TO QUESTION NO 848 OF 2001**

**HON J L BALDACHINO :**

Seeing that in the previous answers there were no Moroccan nationals that were new entrants to the local labour market, is it that the issue of these permits have been renewals?

**HON H CORBY:**

It can be renewals and it can also be a change of employment.

**Answer to Question 848 of 2001**

Work Permits issued on the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter of 2001

| April 01     | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |    |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|----|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |    |
| Managerial   |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 1 |        | 1  |
| Professional |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |    |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |    |
| Clerical     | 1        |   |        |   |     |   |     |   |         | 2 |         |   |       |   |          |   |             |   |       |   | 2      | 5  |
| Semi-skilled |          |   |        |   | 15  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 15 |
| Domestic     |          |   |        |   |     | 2 |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 2  |
| Catering     |          |   |        |   | 3   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 4  |
| Skilled      |          |   |        |   | 5   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 5  |
| Director     |          |   |        | 1 |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 1  |
| <b>Total</b> | 1        |   |        | 1 | 23  | 3 |     |   |         | 2 |         |   |       |   |          |   |             |   |       | 1 | 2      | 33 |

| May 01        | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |    |
|---------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|----|
|               | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |    |
| Managerial    |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |    |
| Professional  |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |    |
| Medical       |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |    |
| Clerical      |          |   |        | 1 |     | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 2  |
| Semi-skilled  |          |   |        |   | 10  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 10 |
| Domestic      |          |   |        |   | 1   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 1  |
| Catering      |          |   | 1      |   | 1   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 3  |
| Skilled       |          |   |        |   | 6   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 6  |
| Director      |          |   | 1      |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 1  |
| <b>Totals</b> |          |   | 2      | 1 | 18  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 23 |



| June 01      | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   | 1        |   |        |   |     | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |
| Professional | 1        |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 1      |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        |   |     |   |     |   |         |   | 1       |   |       |   |          |   |             |   |       |   | 1      |
| Semi-skilled |          |   | 1      |   | 11  |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 12     |
| Domestic     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Catering     |          |   |        |   | 3   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       | 1 | 5      |
| Skilled      |          |   |        |   | 1   | 1 |     |   |         |   | 1       |   |       |   |          |   |             |   |       |   | 3      |
| Director     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Totals       | 2        |   | 1      |   | 15  | 3 |     |   |         |   | 2       |   |       |   |          |   |             |   |       | 1 | 24     |

| July 01      | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |    |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|----|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |    |
| Managerial   |          |   |        | 1 | 1   |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 6 | 8      |    |
| Professional |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 1 | 1      |    |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |    |
| Clerical     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 1 | 1      |    |
| Semi-skilled |          |   | 1      |   | 9   | 2 |     | 1 |         |   |         |   |       |   |          |   |             |   |       | 1 | 14     |    |
| Domestic     |          |   |        |   |     | 2 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |    |
| Catering     |          |   |        |   | 2   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       | 2 | 5      |    |
| Skilled      |          |   |        |   | 6   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 6      |    |
| Director     |          |   |        |   |     |   |     |   |         |   |         |   | 1     |   |          |   |             |   |       | 1 | 1      | 3  |
| Totals       |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        | 40 |

| Aug 01       | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 1 | 1      |
| Professional |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   | 2           |   |       |   | 2      |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 1 | 1      |
| Semi-skilled |          |   |        |   | 3   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 3      |
| Domestic     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Catering     |          |   | 1      |   | 4   | 1 |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 6      |
| Skilled      |          |   |        |   | 3   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 3      |
| Director     |          |   | 1      |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 2      |
| Totals       |          |   | 2      |   | 10  | 1 |     |   |         |   |         |   |       |   |          |   | 2           |   | 1     | 2 | 18     |

| Sept 01      | American |   | Indian |   | Mor |   | Can |   | Chinese |   | Russian |   | Swiss |   | Jamaican |   | Pakistanese |   | Other |   | Totals |
|--------------|----------|---|--------|---|-----|---|-----|---|---------|---|---------|---|-------|---|----------|---|-------------|---|-------|---|--------|
|              | M        | F | M      | F | M   | F | M   | F | M       | F | M       | F | M     | F | M        | F | M           | F | M     | F |        |
| Managerial   |          |   |        |   |     |   |     |   |         |   |         |   | 1     |   |          |   |             |   |       |   | 1      |
| Professional | 1        |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 1      |
| Medical      |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Clerical     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Semi-skilled |          |   |        | 1 | 3   |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   | 4      |
| Domestic     |          |   |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       |   |        |
| Catering     |          |   |        |   | 2   |   |     | 1 |         |   |         |   |       |   |          |   |             |   |       | 1 | 4      |
| Skilled      |          |   |        | 1 | 5   |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 1 | 7      |
| Director     |          | 1 |        |   |     |   |     |   |         |   |         |   |       |   |          |   |             |   |       | 2 | 3      |
| Totals       | 1        | 1 |        | 2 | 10  |   |     | 1 |         |   |         |   | 1     |   |          |   |             |   | 3     | 1 | 20     |

**NO. 849 OF 2001****THE HON J L BALDACHINO****VOCATIONAL CADETS**

Can Government state how many Vocational Cadets were in employment in each month from January 2001 to October 2001 giving a breakdown by age, sex and trade?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

No Trainees were in employment.

**Answer to Question No 849 of 2001**

| <b>January</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|----------------|--------------|-------------|---------------|--------------|
|                | Under 18     | 22          | 19            | 41           |
|                | 18-24        | 39          | 26            | 65           |
|                | Over 25      | 6           | 1             | 7            |
|                | <b>Total</b> | <b>67</b>   | <b>46</b>     | <b>113</b>   |

| <b>February</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-----------------|--------------|-------------|---------------|--------------|
|                 | Under 18     | 22          | 19            | 41           |
|                 | 18-24        | 39          | 27            | 66           |
|                 | Over 25      | 6           | 1             | 7            |
|                 | <b>Total</b> | <b>67</b>   | <b>47</b>     | <b>114</b>   |

| <b>March</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|--------------|--------------|-------------|---------------|--------------|
|              | Under 18     | 22          | 19            | 41           |
|              | 18-24        | 39          | 28            | 67           |
|              | Over 25      | 6           | 1             | 7            |
|              | <b>Total</b> | <b>67</b>   | <b>48</b>     | <b>115</b>   |

| <b>April</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|--------------|--------------|-------------|---------------|--------------|
|              | Under 18     | 24          | 20            | 44           |
|              | 18-24        | 42          | 30            | 72           |
|              | Over 25      | 6           | 1             | 7            |
|              | <b>Total</b> | <b>72</b>   | <b>51</b>     | <b>123</b>   |

| <b>May</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------|--------------|-------------|---------------|--------------|
|            | Under 18     | 24          | 17            | 41           |
|            | 18-24        | 36          | 31            | 67           |
|            | Over 25      | 7           | 1             | 8            |
|            | <b>Total</b> | <b>67</b>   | <b>49</b>     | <b>116</b>   |

| <b>June</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------|--------------|-------------|---------------|--------------|
|             | Under 18     | 22          | 19            | 41           |
|             | 18-24        | 34          | 30            | 64           |
|             | Over 25      | 7           | 3             | 10           |
|             | <b>Total</b> | <b>63</b>   | <b>52</b>     | <b>115</b>   |

| <b>July</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------|--------------|-------------|---------------|--------------|
|             | Under 18     | 21          | 18            | 39           |
|             | 18-24        | 33          | 33            | 66           |
|             | Over 25      | 7           | 3             | 10           |
|             | <b>Total</b> | <b>61</b>   | <b>54</b>     | <b>115</b>   |

| <b>August</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|---------------|--------------|-------------|---------------|--------------|
|               | Under 18     | 18          | 18            | 36           |
|               | 18-24        | 31          | 29            | 60           |
|               | Over 25      | 6           | 3             | 9            |
|               | <b>Total</b> | <b>55</b>   | <b>50</b>     | <b>105</b>   |

| <b>September</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------------|--------------|-------------|---------------|--------------|
|                  | Under 18     | 35          | 19            | 54           |
|                  | 18-24        | 36          | 30            | 66           |
|                  | Over 25      | 6           | 3             | 9            |
|                  | <b>Total</b> | <b>77</b>   | <b>52</b>     | <b>129</b>   |

## SUPPLEMENTARY TO QUESTION NO 849 OF 2001

**HON J L BALDACHINO:**

How can that be, can the Minister give an explanation?

**HON H CORBY:**

Yes, the Vocational Trainees are not employed with training providers during the training placement but are given on the job training, to make them employable at completion. The number of Vocational Trainees placed with the training providers from January to October is given in the schedule that I now hand over to him.

**HON J L BALDACHINO :**

When the Minister has said that they are not in employment as such, that they are placed, I suppose that they are paid, and is it that they are still paid by the Employment Agency and is it that they still pay social insurance, do they do that or not?

**HON H CORBY:**

They are placed by the Employment Service. The Training Ministry pays for them.

**HON J L BALDACHINO:**

Could I have the numbers that are not in employment but are placed, I have always understood that they were in a sort of employment because they were employed by the Employment Agency because the Employment Agency is the one that takes social insurance like anybody else that is in employment. Now, that they are not employed by the person where they have been placed, that is something different but I understood that they were employed by the Employment Agency but I do not mind rephrasing next time the question and adding as to where they are placed.

**HON CHIEF MINISTER:**

The original answer was that persons placed under the Vocational Cadets Scheme are not in employment. In other words the relationship that exists between them and the person with whom they are placed is not the relationship of employer, employee. They are placed as part of their training scheme and hope that at the end of their training scheme a proper employment will be found for them. Whilst they are on the scheme they are not in employment, they are on Training Placement. They are paid for by the fund and that does not establish either in law an employee/employer relationship, although there is a relationship between them because there are mutual obligations and mutual rights. But it is not an employment relationship in the placement.

**NO. 850 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – VACANCIES FILLED**

Can Government state of the vacancies filled in the 2<sup>nd</sup> quarter of 2001 how many were for part-time employment giving a breakdown by sex and age for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question No 851 of 2001.

**NO. 851 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – VACANCIES FILLED**

Can Government state of the vacancies filled in the 3<sup>rd</sup> quarter of 2001 how many were for part-time employment giving a breakdown by sex and age for each month?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 851 of 2001**

| Month        | MALES     |           |           | FEMALES   |            |            | Total      |
|--------------|-----------|-----------|-----------|-----------|------------|------------|------------|
|              | Under 18  | 18-24     | Over 25   | Under 18  | 18-24      | Over 25    |            |
| April        | 1         | 4         | 12        | 6         | 20         | 31         | 74         |
| May          | 6         | 4         | 12        | 4         | 13         | 31         | 70         |
| June         | 7         | 15        | 19        | 6         | 33         | 41         | 121        |
| July         | 8         | 18        | 10        | 7         | 31         | 36         | 110        |
| August       | 2         | 8         | 14        | 4         | 17         | 19         | 64         |
| September    | 1         | 16        | 12        | 7         | 23         | 40         | 99         |
| <b>Total</b> | <b>25</b> | <b>65</b> | <b>79</b> | <b>34</b> | <b>137</b> | <b>198</b> | <b>538</b> |

**SUPPLEMENTARY TO QUESTION NOS 850 AND 851 OF 2001**

**HON J L BALDACHINO:**

I do not know if the Minister has the information I am going to ask for with him but maybe he could provide it once I request it. On the question of the females in part-time employment is it that they normally take up part-time employment in the retail sector, is that where the majority are employed?

**HON H CORBY:**

I do not have that information with me but I will certainly find out and let the hon Member know.



**NO. 852 OF 2001**

**THE HON J L BALDACHINO**

**CAMMELL LAIRD**

Can Government state how many persons were employed by Cammell Laird or alternatively in the Shipping Industry as at the end of March 2001 and at the end of September 2001 and how many of these were Gibraltarians?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

As at the end of March:-

|               |   |     |
|---------------|---|-----|
| Gibraltarians | - | 109 |
| Other         | - | 126 |
| Total         | - | 235 |

And as at the end of September:-

|               |   |     |
|---------------|---|-----|
| Gibraltarians | - | 117 |
| Other         | - | 176 |
| Total         | - | 293 |

**NO. 853 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – NUMBER OF UNEMPLOYED**

Can Government state of the Gibraltarians registered with the Employment Agency as at the 2<sup>nd</sup> and 3<sup>rd</sup> quarter of 2001 how many were registered as looking for part-time jobs giving a breakdown for each month, by sex and age?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand over to him.

**Answer to Question No 853 of 2001**

Unemployed Gibraltarians registering for part-time in the 2<sup>nd</sup> and 3<sup>rd</sup> Quarter

| <b>April 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-------------------|--------------|-------------|---------------|--------------|
|                   | Under 18     | 0           | 0             | 0            |
|                   | 18-24        | 0           | 6             | 6            |
|                   | Over 25      | 0           | 22            | 22           |
|                   | <b>Total</b> | <b>0</b>    | <b>28</b>     | <b>28</b>    |

| <b>May 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|-----------------|--------------|-------------|---------------|--------------|
|                 | Under 18     | 0           | 0             | 0            |
|                 | 18-24        | 0           | 4             | 4            |
|                 | Over 25      | 0           | 20            | 20           |
|                 | <b>Total</b> | <b>0</b>    | <b>24</b>     | <b>24</b>    |

| <b>June 2001</b> | <b>Age</b>   | <b>Male</b> | <b>Female</b> | <b>Total</b> |
|------------------|--------------|-------------|---------------|--------------|
|                  | Under 18     | 0           | 0             | 0            |
|                  | 18-24        | 0           | 3             | 3            |
|                  | Over 25      | 0           | 12            | 12           |
|                  | <b>Total</b> | <b>0</b>    | <b>15</b>     | <b>15</b>    |

| July 2001 | Age          | Male     | Female   | Total    |
|-----------|--------------|----------|----------|----------|
|           | Under 18     | 0        | 0        | 0        |
|           | 18-24        | 0        | 1        | 1        |
|           | Over 25      | 0        | 8        | 8        |
|           | <b>Total</b> | <b>0</b> | <b>9</b> | <b>9</b> |

| August 2001 | Age          | Male     | Female    | Total     |
|-------------|--------------|----------|-----------|-----------|
|             | Under 18     | 0        | 0         | 0         |
|             | 18-24        | 0        | 3         | 3         |
|             | Over 25      | 0        | 10        | 10        |
|             | <b>Total</b> | <b>0</b> | <b>13</b> | <b>13</b> |

| Sept 2001 | Age          | Male     | Female    | Total     |
|-----------|--------------|----------|-----------|-----------|
|           | Under 18     | 0        | 0         | 0         |
|           | 18-24        | 0        | 6         | 6         |
|           | Over 25      | 0        | 13        | 13        |
|           | <b>Total</b> | <b>0</b> | <b>19</b> | <b>19</b> |

**SUPPLEMENTARY TO QUESTION NO 853 OF 2001**

**HON J L BALDACHINO:**

Could the Minister clarify a point, if I look at the information just given, during the period of the 2<sup>nd</sup> and 3<sup>rd</sup> quarter there are no Gibraltarian males registered as looking for part-time jobs, yet when it comes to the employment which is the answer that the Minister gave me before, one finds that there are Gibraltarians being employed on a part-time basis.

**HON H CORBY :**

In which question?

**HON J L BALDACHINO:**

In Question No 851 of 2001 the information that was given by the Minister shows that there were males employed as part-timers, yet none of them registered under the male column that he has just given me looking for part-time jobs. Is it that the Employment Agency when a part-time job comes up is offered to those males that are registered looking for a normal job and then it is up to them whether they take it or not?

**HON H CORBY:**

Yes. That is quite possible but I will certainly look at it and give the hon Member an explanation.

**NO. 854 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – NUMBER OF CASUAL WORKERS**

Can Government give a monthly breakdown of the vacancies for casual workers opened with the ETB by Cammell Laird or, alternatively in the Shipping Industry in the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarter of 2001 and of these how many have been taken by Gibraltarians?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The number of casual workers taken by the shipping industry is :-

| <b>MONTH</b> | <b>NUMBER OF WORKERS TAKEN ON</b> |
|--------------|-----------------------------------|
| January      | 0                                 |
| February     | 1                                 |
| March        | 0                                 |
| April        | 0                                 |
| May          | 19 (2 of which were Gibraltarian) |
| June         | 3                                 |
| July         | 2 (1 which was Gibraltarian)      |
| August       | 1 (1 which was Gibraltarian)      |
| September    | 0                                 |

**SUPPLEMENTARY TO QUESTION NO 854 OF 2001**

**HON J L BALDACHINO:**

Could the Minister then agree of those males that have been employed in part-time jobs, very few have taken up the casual work in the shipping industry, is that correct?

**HON H CORBY:**

I cannot answer the hon Member because I have not got this information with me.

**HON J L BALDACHINO:**

But it is clear with the figures that he has just given that this could not be possible?

**HON H CORBY:**

I have not got that information.

**HON CHIEF MINISTER:**

The hon Member should also take note that one of his questions, the one about the shipping industry, relates to casual workers and the previous one refers to part-time workers and I understand that there is difference between the two so he cannot make the deduction that he has made in the supplementary.

**HON J L BALDACHINO:**

That was what I wanted to establish that one had nothing to do with the other one.

**NO. 855 OF 2001**

**THE HON J L BALDACHINO**

**TERMS OF ENGAGEMENT**

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

- (a) in April 2001,
- (b) in May 2001,
- (c) in June 2001,
- (d) in July 2001,
- (e) in August 2001,
- (f) in September 2001,
- (g) in October 2001?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The number of notice of Terms of Engagements registered with the Employment Service as at:

|                                 |        |
|---------------------------------|--------|
| 30 <sup>th</sup> April 2001     | 18045  |
| 31 <sup>st</sup> May 2001       | 18006  |
| 30 <sup>th</sup> June 2001      | 17920  |
| 31 <sup>st</sup> July 2001      | 18336  |
| 31 <sup>st</sup> August 2001    | 18329  |
| 30 <sup>th</sup> September 2001 | 18256; |

these figures include directors and self-employed.

**HON J L BALDACHINO:**

Has the Minister got the figures for October 2001?

**HON H CORBY:**

No because it is only as at the end of September 2001.

**HON J L BALDACHINO:**

Could the Minister give the figures excluding the directors and the self-employed?

**HON H CORBY:**

As at the

|                                 |   |        |
|---------------------------------|---|--------|
| 30 <sup>th</sup> April 2001     | - | 15104  |
| 31 <sup>st</sup> May 2001       | - | 15126  |
| 30 <sup>th</sup> June 2001      | - | 15155  |
| 31 <sup>st</sup> July 2001      | - | 15563  |
| 31 <sup>st</sup> August 2001    | - | 15542  |
| 30 <sup>th</sup> September 2001 | - | 15467. |

**HON J J BOSSANO:**

In the past when we have been looking at the Terms of Engagements there was always this problem of the length of time that employers took to get round to informing the ETB in submitting the termination, is that still a continuing problem or has that now been taken out of the system, the Government were expecting some improvement in the situation as a result of the legislation that they brought in which amongst other things penalised failure to return the termination terms on time?

**HON H CORBY:**

It is not as bad as it used to be because of the legislation but there are still a few that do not send them back as soon as we would like them but the problem is downscaled at the moment.

**NO. 856 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – NEW ENTRANTS**

Can Government state of the other Non-EEC persons employed in the 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> quarter of 2001 how many were new entrants to the Local Labour Market giving a breakdown by nationality and job title for each month?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 856 of 2001**

| <b>1<sup>st</sup> Quarter 2001</b> |                    |               |                         |
|------------------------------------|--------------------|---------------|-------------------------|
| <b>Month</b>                       | <b>Nationality</b> | <b>Amount</b> | <b>Profession/Trade</b> |
| January                            | -                  | 0             | -                       |
| February                           | Venezuelan         | 1             | Professional            |
|                                    | Phillipino         | 1             | Professional            |
| March                              | Chinese            | 3             | Professional            |
|                                    | Thai               | 2             | Professional            |
|                                    | Swiss              | 1             | Managerial              |
|                                    | Pakistani          | 1             | Medical                 |
| <b>Total</b>                       |                    | <b>9</b>      |                         |



| <b>2<sup>nd</sup> Quarter 2001</b> |                    |               |                            |
|------------------------------------|--------------------|---------------|----------------------------|
| <b>Month</b>                       | <b>Nationality</b> | <b>Amount</b> | <b>Profession/Trade</b>    |
| April                              | -                  | 0             | -                          |
| May                                | Russian<br>Swiss   | 1<br>1        | Professional<br>Managerial |
| June                               | Turkish            | 1             | Managerial                 |
| <b>Total</b>                       |                    | <b>3</b>      |                            |

| <b>3<sup>rd</sup> Quarter 2001</b> |                                                      |                       |                                                                 |
|------------------------------------|------------------------------------------------------|-----------------------|-----------------------------------------------------------------|
| <b>Month</b>                       | <b>Nationality</b>                                   | <b>Amount</b>         | <b>Profession/Trade</b>                                         |
| July                               | American<br>Ukranian<br>Mauritian<br>Swiss<br>Polish | 1<br>1<br>1<br>1<br>1 | Professional<br>Managerial<br>Catering<br>Managerial<br>Medical |
| August                             | Pakistani<br>Indian<br>Swiss                         | 2<br>1<br>1           | Medical<br>Catering<br>Managerial                               |
| September                          | Brazilian<br>Swiss<br>Chinese<br>Malaysian           | 1<br>1<br>1<br>1      | Skilled<br>Professional<br>Professional<br>Professional         |
| <b>Total</b>                       |                                                      | <b>13</b>             |                                                                 |

**SUPPLEMENTARY TO QUESTION NO 856 OF 2001**

**HON J L BALDACHINO:**

Under medical, is it that they are employed by the Health Authority?

**HON H CORBY:**

I assume that they are but I do not have the information with me, it might be on a private basis that they are employed, I would have to find that information for him in due course.

**NO. 857 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – NUMBER OF UNEMPLOYED**

Can Government give a breakdown by month of male and female unemployed Gibraltarians aged 18 and over from 1<sup>st</sup> April 2001 to October 2001 receiving:-

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

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to question 857 of 2001**

Breakdown of unemployed Gibraltarians over 18 receiving payments from 1 April 2001 to September 2001

| 2001      | Unemployment Benefit |        | Social Assistant |        | No Payment |        | Total |        |
|-----------|----------------------|--------|------------------|--------|------------|--------|-------|--------|
|           | Male                 | Female | Male             | Female | Male       | Female | Male  | Female |
| April     | 61                   | 37     | 90               | 36     | 31         | 52     | 182   | 125    |
| May       | 53                   | 42     | 85               | 29     | 30         | 54     | 168   | 125    |
| June      | 37                   | 39     | 75               | 23     | 39         | 50     | 151   | 112    |
| July      | 25                   | 36     | 74               | 27     | 38         | 53     | 137   | 116    |
| August    | 35                   | 46     | 65               | 22     | 45         | 54     | 145   | 122    |
| September | 30                   | 36     | 69               | 23     | 47         | 82     | 146   | 141    |

**SUPPLEMENTARY TO QUESTION NO 857 OF 2001**

**HON J L BALDACHINO:**

The completion of these figures that have just been handed over was it done by the Employment Agency or were they done by the Social Security Department?

**HON H CORBY:**

No they were done by the Employment Agency.

**NO. 858 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT - CONTRACTS TERMINATED**

Can Government give a breakdown by nationality and industry for each month from April 2001 to October 2001 in respect of employment contracts terminated?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

| <b>Employment Contracts Terminated by Nationality &amp; Industry for April-June 2001</b> |              |            |            |            |            |            |            |            |            |            |            |            |             |            |            |            |            |            |
|------------------------------------------------------------------------------------------|--------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|------------|-------------|------------|------------|------------|------------|------------|
| <b>Industry</b>                                                                          | <b>April</b> |            |            |            |            |            | <b>May</b> |            |            |            |            |            | <b>June</b> |            |            |            |            |            |
|                                                                                          | <b>GIB</b>   | <b>BRI</b> | <b>SPA</b> | <b>MOR</b> | <b>EEC</b> | <b>OTH</b> | <b>GIB</b> | <b>BRI</b> | <b>SPA</b> | <b>MOR</b> | <b>EEC</b> | <b>OTH</b> | <b>GIB</b>  | <b>BRI</b> | <b>SPA</b> | <b>MOR</b> | <b>EEC</b> | <b>OTH</b> |
| Shipbldg, repair etc                                                                     | 2            | 3          | 3          | 2          | -          | -          | 2          | 1          | 7          | -          | -          | -          | 2           | -          | 2          | -          | -          | -          |
| M/f of food & tobacco                                                                    | 1            | -          | -          | 1          | -          | -          | -          | 1          | -          | 1          | -          | -          | -           | -          | 2          | -          | -          | -          |
| Printing & Publishing                                                                    | 8            | 1          | -          | -          | -          | -          | 1          | -          | -          | -          | -          | -          | 2           | 1          | -          | -          | -          | -          |
| M/f nec (clothing et cetera)                                                             | -            | -          | -          | -          | -          | -          | 1          | -          | -          | -          | -          | 1          | -           | -          | -          | -          | -          | 1          |
| Building & Construction                                                                  | 17           | 16         | 18         | 4          | 1          | -          | 20         | 23         | 34         | 7          | -          | -          | 25          | 26         | 27         | 2          | 2          | -          |
| Electricity supply                                                                       | -            | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | 2           | -          | -          | -          | -          | -          |
| Water supply                                                                             | -            | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | -          | 2           | -          | -          | -          | -          | -          |
| Sea transport/shipping                                                                   | 2            | -          | -          | -          | -          | 1          | 4          | -          | -          | -          | -          | -          | 4           | -          | 1          | -          | 1          | -          |

|                               |    |   |    |   |   |   |    |    |    |    |   |   |    |    |    |   |    |   |
|-------------------------------|----|---|----|---|---|---|----|----|----|----|---|---|----|----|----|---|----|---|
| Port & services               | -  | - | -  | - | - | - | -  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| Road transport                | 1  | - | 1  | - | - | - | 1  | -  | 1  | -  | 1 | - | 2  | -  | 1  | - | -  | - |
| Post & telecomm               | -  | - | -  | - | - | - | 2  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| Air transport related         | 2  | - | -  | - | - | - | -  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| W/sale food, drink            | 4  | - | -  | 1 | - | - | 3  | 1  | -  | -  | - | - | 6  | -  | 1  | - | 1  | - |
| Wholesale fuel                | 4  | - | -  | - | - | - | -  | -  | -  | -  | - | - | 3  | -  | 1  | - | -  | - |
| Wholesale nec                 | 1  | 2 | 2  | - | - | - | 3  | -  | -  | -  | 1 | - | 2  | 1  | -  | - | -  | 1 |
| Retail - food                 | 12 | 1 | 10 | - | - | - | 11 | 4  | 6  | 1  | - | - | 11 | 4  | 11 | 2 | 1  | - |
| Retail – drink & tobacco      | 1  | - | 1  | - | - | - | 3  | -  | -  | -  | - | - | 3  | -  | -  | 1 | -  | - |
| Retail – clothing, footwear   | 7  | 4 | 4  | - | - | - | 11 | 2  | 4  | -  | 1 | - | 7  | 1  | 2  | - | -  | - |
| Retail – household goods      | -  | 2 | -  | - | - | - | 2  | -  | 1  | -  | - | - | 8  | 1  | -  | - | -  | - |
| Retail nec                    | 7  | 2 | 9  | - | 1 | - | 3  | 6  | 7  | 2  | - | 2 | 69 | 15 | 11 | 7 | 5  | 6 |
| Hotels, hostels, guest houses | 3  | 1 | 1  | - | 1 | - | 1  | 3  | 3  | 2  | - | - | -  | 3  | 3  | 4 | 1  | - |
| Restaurants, cafes etc        | 11 | 8 | 13 | 1 | 2 | - | 14 | 15 | 12 | 10 | 3 | 2 | 8  | 19 | 35 | 5 | -  | - |
| Bars licensed to sell alcohol | 3  | 3 | 3  | 1 | - | - | 4  | 10 | -  | -  | - | - | 3  | 5  | 1  | - | -  | - |
| Tourist svcs nec              | 7  | - | -  | - | - | - | -  | 7  | -  | -  | - | - | 6  | 3  | -  | - | -  | - |
| Banking & finance             | 5  | 1 | -  | - | 1 | 1 | 6  | 2  | 1  | -  | 1 | 4 | 14 | 4  | 1  | - | -  | 1 |
| Insurance & real estate       | 6  | 2 | -  | - | 1 | - | 8  | 1  | -  | -  | - | 3 | 34 | 9  | 4  | - | 1  | 1 |
| Legal, account, other svc     | 21 | 5 | 4  | 2 | - | - | 21 | 12 | 4  | 1  | 4 | 1 | 53 | 16 | 4  | - | 10 | 5 |
| Public administration         | 10 | - | -  | - | - | - | 14 | -  | -  | -  | - | 1 | 12 | -  | -  | - | -  | - |
| Education services            | -  | - | -  | - | - | - | -  | 1  | -  | -  | - | - | 3  | 1  | -  | - | -  | - |
| Medical/health services       | 1  | - | -  | - | - | - | 1  | 2  | -  | -  | - | - | 5  | 3  | -  | - | 1  | - |
| Welfare, charity, rel svcs    | 1  | 1 | -  | - | - | - | 1  | -  | -  | -  | - | - | 5  | -  | 1  | - | 1  | - |
| Entertainment & sport         | 7  | 2 | -  | - | - | - | 14 | 6  | -  | -  | 2 | - | 6  | 3  | -  | - | 1  | 2 |
| Repairs – consumer goods      | 1  | - | -  | - | - | - | 3  | 1  | 1  | -  | - | - | 4  | -  | 1  | 1 | -  | - |
| Police/fire services          | 4  | 1 | -  | - | - | - | 7  | 1  | -  | -  | - | - | 2  | 1  | 2  | - | -  | - |
| Defence                       | 5  | 1 | -  | - | - | - | -  | 2  | -  | -  | - | - | 3  | -  | -  | 1 | -  | - |
| Sanitary services             | -  | - | -  | - | - | - | 1  | -  | -  | -  | - | - | -  | -  | -  | - | -  | - |
| Services nec                  | 17 | 6 | 6  | 4 | 1 | - | 26 | 9  | 18 | 5  | 3 | 1 | 36 | 15 | 11 | 3 | 6  | 9 |

### Employment Contracts Terminated by Nationality & Industry for April-June 2001

| Industry                      | July |     |     |     |     |     | August |     |     |     |     |     | September |     |     |     |     |     |
|-------------------------------|------|-----|-----|-----|-----|-----|--------|-----|-----|-----|-----|-----|-----------|-----|-----|-----|-----|-----|
|                               | GIB  | BRI | SPA | MOR | EEC | OTH | GIB    | BRI | SPA | MOR | EEC | OTH | GIB       | BRI | SPA | MOR | EEC | OTH |
| Shipbldg, repair etc          | 4    | 3   | 4   | -   | 2   | 1   | 5      | -   | 4   | -   | -   | -   | 8         | -   | 18  | -   | 6   | -   |
| M/f of food & tobacco         | -    | -   | -   | -   | -   | -   | -      | -   | 1   | -   | -   | -   | -         | -   | -   | 1   | -   | -   |
| Printing & Publishing         | 1    | 2   | -   | -   | -   | -   | 1      | 1   | -   | -   | -   | -   | 11        | 2   | -   | -   | -   | -   |
| M/f nec (clothing et cetera)  | 1    | 3   | -   | -   | -   | 2   | 1      | -   | -   | -   | -   | -   | 1         | -   | -   | -   | -   | -   |
| Building & Construction       | 15   | 19  | 39  | 3   | 4   | 1   | 27     | 20  | 34  | 3   | -   | -   | 21        | 10  | 55  | 3   | 2   | -   |
| Electricity supply            | 1    | -   | -   | -   | -   | -   | 8      | -   | -   | -   | -   | -   | 3         | -   | -   | -   | -   | -   |
| Water supply                  | 1    | -   | -   | -   | -   | -   | 8      | -   | -   | -   | -   | -   | 3         | -   | -   | -   | -   | -   |
| Sea transport/shipping        | 2    | -   | -   | -   | -   | -   | 3      | -   | 1   | -   | -   | -   | 2         | -   | -   | -   | -   | -   |
| Port & services               | -    | -   | -   | -   | -   | -   | -      | -   | -   | -   | -   | -   | 1         | -   | -   | -   | -   | -   |
| Road transport                | -    | -   | -   | -   | -   | -   | 4      | -   | 2   | 2   | -   | -   | 1         | -   | -   | -   | -   | -   |
| Post & telecomm               | 5    | -   | -   | -   | -   | -   | 13     | -   | -   | -   | -   | -   | 5         | -   | -   | -   | 1   | -   |
| Air transport related         | 2    | -   | -   | -   | -   | -   | 1      | -   | -   | -   | -   | -   | -         | -   | -   | -   | -   | -   |
| W/sale food, drink            | -    | 1   | 1   | -   | -   | -   | 8      | 1   | -   | -   | -   | -   | 24        | 3   | 11  | 3   | -   | -   |
| Wholesale fuel                | -    | -   | -   | -   | -   | -   | -      | -   | 1   | -   | -   | -   | -         | -   | -   | -   | -   | -   |
| Wholesale nec                 | 1    | 1   | -   | -   | -   | -   | 1      | 1   | 1   | 1   | -   | -   | 3         | -   | -   | -   | -   | -   |
| Retail - food                 | 10   | 6   | 5   | -   | -   | -   | 28     | 5   | 20  | 4   | -   | -   | 14        | 1   | 6   | -   | -   | -   |
| Retail - drink & tobacco      | 4    | 2   | -   | 1   | -   | -   | 4      | 1   | -   | -   | -   | -   | 4         | -   | -   | -   | -   | -   |
| Retail - clothing, footwear   | 1    | -   | 2   | -   | -   | 1   | 3      | 3   | 2   | -   | -   | -   | 4         | 1   | 1   | -   | -   | -   |
| Retail - household goods      | -    | 1   | -   | -   | -   | -   | 1      | -   | 1   | -   | -   | -   | 2         | 1   | -   | -   | -   | -   |
| Retail nec                    | 14   | 3   | 4   | -   | 1   | -   | 12     | 3   | 9   | 1   | -   | 2   | 14        | 1   | 8   | 2   | -   | 2   |
| Hotels, hostels, guest houses | 4    | -   | -   | -   | 1   | -   | 5      | 4   | 1   | 1   | 2   | -   | 6         | 2   | 3   | 1   | 2   | -   |
| Restaurants, cafes etc        | 9    | 15  | 14  | 2   | 3   | 1   | 17     | 19  | 17  | 5   | 2   | 1   | 14        | 12  | 25  | 2   | 1   | -   |
| Bars licensed to sell alcohol | 3    | 4   | 3   | 1   | -   | -   | 3      | 5   | 2   | 1   | -   | -   | 3         | 1   | 1   | -   | -   | -   |
| Tourist svcs nec              | 4    | 1   | -   | -   | -   | -   | 6      | 1   | 1   | -   | -   | -   | 3         | 1   | 1   | -   | 1   | -   |
| Banking & finance             | 12   | 1   | 1   | -   | 1   | -   | 21     | 1   | -   | -   | 4   | -   | 16        | 1   | -   | -   | 3   | -   |

|                            |    |    |   |   |   |   |    |    |   |   |   |   |    |    |    |   |   |   |
|----------------------------|----|----|---|---|---|---|----|----|---|---|---|---|----|----|----|---|---|---|
| Insurance & real estate    | 4  | -  | - | - | - | - | 3  | 2  | - | - | - | - | 1  | 1  | -  | - | - | - |
| Legal, account, other svc  | 21 | 13 | 4 | 1 | 1 | 2 | 26 | 4  | 4 | - | 2 | - | 14 | 12 | 6  | - | 2 | - |
| Public administration      | 12 | -  | - | - | - | - | 16 | 1  | - | - | - | - | 9  | 1  | -  | - | - | - |
| Education services         | -  | -  | - | - | - | - | 4  | 1  | - | - | - | - | 2  | -  | -  | - | - | - |
| Medical/health services    | 1  | -  | - | - | - | - | 14 | 2  | - | - | - | - | 7  | 2  | -  | - | - | - |
| Welfare, charity, rel svcs | 2  | -  | - | 1 | - | - | -  | -  | - | - | - | - | 3  | -  | -  | - | - | - |
| Entertainment & sport      | 13 | 9  | 1 | - | - | 1 | 10 | 8  | - | - | - | - | 9  | 2  | -  | - | 3 | 1 |
| Repairs – consumer goods   | 5  | 5  | 1 | - | - | - | 2  | 2  | 2 | - | 1 | - | 5  | -  | -  | - | - | - |
| Police/fire services       | 1  | 1  | 1 | - | - | - | 4  | 2  | - | - | - | - | 4  | -  | 1  | - | - | - |
| Defence                    | 6  | 3  | - | 1 | - | - | 1  | 2  | - | - | - | - | 6  | 3  | -  | - | - | - |
| Sanitary services          | 1  | -  | - | - | - | - | -  | -  | - | - | - | - | -  | 1  | -  | - | - | - |
| Services nec               | 23 | 7  | 6 | 4 | - | - | -  | 40 | 9 | 4 | 1 | - | 30 | 16 | 20 | 6 | 1 | 1 |

**SUPPLEMENTARY TO QUESTION NO 858 OF 2001**

**HON J L BALDACHINO:**

Has the Minister got the totals?

**HON H CORBY:**

No I have not.

**HON J L BALDACHINO:**

I could add it up by myself there is no problem but when I ask future questions Could I have the totals?

**HON CHIEF MINISTER:**

The hon Member does not ask for the totals he asks only for a breakdown. If he wants the totals he should ask for them.

**HON J L BALDACHINO:**

I will do that next time I ask the question.

**NO. 859 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT REGULATIONS (OFFENCES) ORDINANCE**

Can Government state how many fixed penalties have been imposed on employers in respect of how many employees in each month of April, May June, July, August, September and October 2001 under the Employment Regulations (Offences) Ordinance, under which section of the Ordinance. Furthermore, whether the penalties have been paid or the matter is being pursued through the courts?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 859 of 2001**

**April 2001**

Number of inspections carried out was 18.  
1 Fixed Penalty Notice was issued.  
No Fixed Penalty Notices were paid.  
1 Pending case with the Attorney General.

**May 2001**

Number of inspections carried out was 8.  
No Fixed Penalty Notices were issued.  
No Fixed Penalty Notices were paid  
No Pending cases with the Attorney General.



### **June 2001**

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

### **July 2001**

Number of inspections carried out was 16.  
No Fixed Penalty Notices were issued.  
1 Fixed Penalty Notice was paid.  
No Pending cases with the Attorney General.

### **August 2001**

Number of inspections carried out was 22.  
1 Fixed Penalty Notice was issued.  
1 Fixed Penalty Notice was paid.  
No Pending cases with the Attorney General.

### **September 2001**

Number of inspections carried out was 17.  
No Fixed Penalty Notices were issued.  
No Fixed Penalty Notices were paid.  
No Pending cases with the Attorney General.

The provisions are as follows:-

- (1) Regulation 8(2A) of the Income Tax (Pay As You Earn) Regulations 1989 (Duty to Register).
- (2) Regulation 3 of the Employment Injuries (Contributions) Regulations (Duty to Register).
- (3) Regulation 3 of the Employment Injuries (Contributions) Regulations as applied by Regulation 4(1) of the Social Security (Contributions) Regulations (Duty to Register).
- (4) Regulation 3 of the Employment Injuries (Contributions) Regulations as applied by Regulation 3(1) of the Social Security (Open Long Term Benefits) (Contributions) Regulations 1997 (Duty to Register).
- (5) Regulation 4 of the Employment Regulations 1994 (Duty to Notify Director of Vacancy).
- (6) Regulations 7 of the Employment Regulations 1994 (Duty to apply to the Director for a permit in relation to a non-entitled worker).

## SUPPLEMENTARY TO QUESTION NO 859 OF 2001

**HON J L BALDACHINO:**

On the question of the one pending case with the Attorney General, which is in April 2001, is it that the person refused to pay the fixed penalty?

**HON H CORBY:**

Yes, this was the case that was settled in court in October. I think it was reported in the Gibraltar Chronicle not long ago.

**HON J L BALDACHINO:**

So the case is no longer a pending case with the Attorney General?

**HON H CORBY:**

No that was settled in court already.

**HON J L BALDACHINO:**

So it was settled out of court or within court?

**HON H CORBY:**

No, in court.

**HON CHIEF MINISTER:**

Can I just remind, the hon Member may not have forgotten, he asked whether the person refused to pay the fixed penalty. He will recall there is no obligation to pay the fixed penalty. This is an opportunity to pay a fixed penalty which one is perfectly at liberty not to pay, rather like a parking ticket, if one accepts it one pays, if not one waits to see if one is summoned to court. There is no obligation to pay a fixed penalty so the question of refusal does not arise. One may want to argue it out in court. I am not saying that nothing that he has said suggests that he thinks the contrary but I just wanted to take this opportunity to make that clear to him.

**HON J J BOSSANO:**

But it makes sense does it not that somebody that accepts that he has committed the offence will pay? The implication that if he goes to court is that he is going to challenge the payment and therefore he is refusing to pay because he does not think that the ETB is right.

**HON CHIEF MINISTER:**

He challenges not the payment but the fact that he committed the offence for which he has been invited to pay, yes, in other words he is contesting the facts upon which the thing is based.

**HON J L BALDACHINO:**

In June 2001 where it says one fixed penalty notice was issued, and no fixed penalty notice was paid and yet the case is not pending. Is it that the person has still not decided which way he is going, whether he is going to pay the fixed penalty or not or is it related in any way? It might not be related to that case.

**HON H CORBY:**

No it is not related, it is still being pursued.

**NO. 860 OF 2001**

**THE HON J L BALDACHINO**

**EMPLOYMENT – DETACHED WORKERS**

Can Government state the number of workers that were registered with the Employment Agency as “Detached Workers” in the 2<sup>nd</sup> quarter of 2001 giving a breakdown for each month, their trade and nationality?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

Answered together with Question No 861 of 2001.

**NO. 861 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – DETACHED WORKERS**

Can Government state the number of workers that were registered with the Employment Agency as “Detached Workers” in the 3<sup>rd</sup> quarter of 2001 giving a breakdown for each month, their trade and nationality?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 861 of 2001**

| <b>APRIL 2001</b>  |              |              |           |          |           |
|--------------------|--------------|--------------|-----------|----------|-----------|
| <b>Nationality</b> | <b>Trade</b> |              |           |          |           |
|                    | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish            | -            | -            | 20        | 5        | 25        |
| British            | -            | -            | -         | -        | 0         |
| Other EEC          | 3            | -            | 20        | -        | 23        |
| Other Non EEC      | -            | -            | -         | -        | 0         |
| Moroccan           | -            | -            | -         | -        | 0         |
| <b>Total</b>       | <b>3</b>     | <b>-</b>     | <b>20</b> | <b>5</b> | <b>48</b> |

| MAY 2001      |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | -            | -            | 42        | 8        | 50        |
| British       | 1            | -            | 3         | -        | 4         |
| Other EEC     | -            | -            | 5         | -        | 5         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>1</b>     | <b>-</b>     | <b>50</b> | <b>8</b> | <b>59</b> |

| JUNE 2001     |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | -            | -            | 55        | 3        | 58        |
| British       | 1            | -            | 14        | -        | 14        |
| Other EEC     | -            | -            | -         | -        | 0         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>1</b>     | <b>-</b>     | <b>69</b> | <b>3</b> | <b>72</b> |

| JULY 2001     |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | -            | -            | 33        | 2        | 35        |
| British       | -            | -            | 1         | -        | 1         |
| Other EEC     | -            | -            | -         | -        | 0         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>-</b>     | <b>-</b>     | <b>34</b> | <b>2</b> | <b>36</b> |

| AUGUST 2001   |              |              |           |          |           |
|---------------|--------------|--------------|-----------|----------|-----------|
| Nationality   | Trade        |              |           |          |           |
|               | Professional | Semi Skilled | Skilled   | Manual   | Total     |
| Spanish       | 1            | -            | 52        | -        | 53        |
| British       | -            | -            | 1         | -        | 1         |
| Other EEC     | -            | -            | -         | -        | 0         |
| Other Non EEC | -            | -            | -         | -        | 0         |
| Moroccan      | -            | -            | -         | -        | 0         |
| <b>Total</b>  | <b>1</b>     | <b>-</b>     | <b>53</b> | <b>-</b> | <b>54</b> |

**SEPTEMBER 2001**

| Nationality   | Trade        |              |           |        |           |
|---------------|--------------|--------------|-----------|--------|-----------|
|               | Professional | Semi Skilled | Skilled   | Manual | Total     |
| Spanish       | -            | -            | 25        | -      | 25        |
| British       | -            | -            | 1         | -      | 1         |
| Other EEC     | -            | -            | -         | -      | 0         |
| Other Non EEC | -            | -            | 1         | -      | 1         |
| Moroccan      | -            | -            | -         | -      | 0         |
| <b>Total</b>  | -            | -            | <b>27</b> | -      | <b>27</b> |

**NO. 862 OF 2001**

**THE HON J L BALDACHINO**

**LABOUR ADVISORY BOARD**

Can Government state how many times has the Labour Advisory Board met since January 2001?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The Labour Advisory Board has convened on the following dates:-

22<sup>nd</sup> January 2001  
19<sup>th</sup> March 2001  
21<sup>st</sup> May 2001  
15<sup>th</sup> August 2001  
9<sup>th</sup> October 2001.



**NO. 863 OF 2001**

**THE HON J L BALDACHINO**

**DRUG REHABILITATION CENTRE**

Can Government state how many persons have been admitted as in-patients and how many persons been given help as out-patients at Bruce's Farm Drug Rehabilitation Centre since the 1<sup>st</sup> March 2001 giving a breakdown by age and sex for each month?

**ANSWER**

**THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand over to him.

**Answer to Question 863 of 2001**

|               | IN PATIENTS |   |       |   |     |   | OUT PATIENTS |   |       |   |     |   |
|---------------|-------------|---|-------|---|-----|---|--------------|---|-------|---|-----|---|
|               | -18         |   | 18-24 |   | 25+ |   | -18          |   | 18-25 |   | 25+ |   |
|               | M           | F | M     | F | M   | F | M            | F | M     | F | M   | F |
| <b>March</b>  | 1           |   | 1     |   | 3   | 2 | 3            |   | 4     | 3 | 6   | 3 |
| <b>April</b>  |             |   |       |   | 5   |   |              |   | 2     | 1 | 6   | 2 |
| <b>May</b>    |             |   |       |   | 2   |   |              |   | 1     | 1 | 7   | 2 |
| <b>June</b>   |             |   |       | 1 | 4   |   |              |   |       | 2 | 3   | 1 |
| <b>July</b>   |             |   | 1     |   | 2   |   |              |   |       |   | 2   | 1 |
| <b>August</b> |             |   |       |   | 2   | 2 |              |   | 1     |   | 7   | 6 |
| <b>Sept</b>   |             |   | 1     |   | 2   |   | 1            |   | 2     |   | 5   | 2 |

## SUPPLEMENTARY TO QUESTION 863 OF 2001

**HON J L BALDACHINO:**

In the figures that the Minister has just given me it appears that more persons over the age of 25 are using the facilities than those under that age. Is there an explanation for that?

**HON H CORBY:**

No, the 18's to 24's usually consume a certain kind of drug and it is only when they come up the scale in as far as drugs are concerned that they go up to the higher or what they call a class which I do not classify as 'A'. I classify all drugs as 'A' and that is why on the 25's we have more persons because they have gone into a different kind of scenario in as far as drugs are concerned.

**HON J L BALDACHINO:**

In the question of the outpatients is it that this help is given to people who have other problems, for example, in that figure is there included the advice that is also given to families or is it just purely patients?

**HON H CORBY:**

The out-patients is only for families, these are families that want advice or do not know how to deal with it when the person is up there, there is also advice for children of in-patients as well.

**HON J L BALDACHINO:**

When somebody has a problem with alcohol are they included as out-patients or in-patients?

**HON H CORBY:**

They are included as in-patients. All I have to say to the hon Member is that with alcohol addiction we can not detoxify patients at Bruce's Farm. We can do the rehabilitation side of it but it is death threatening in as far as alcohol is concerned so we have to do the detox on a twenty-four hour basis in the hospital.

**NO. 864 OF 2001****THE HON J L BALDACHINO****EMPLOYMENT – SURVEY REPORT**

Can Government provide the number of employers in each industrial group in respect of the answer given to Question No 516 of 2001 showing the number of full-time employees in the private sector as at October 1998?

**ANSWER****THE HON THE MINISTER FOR EMPLOYMENT AND CONSUMER AFFAIRS**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 864 of 2001**

|     |                                            |   |     |
|-----|--------------------------------------------|---|-----|
| 1.  | Shipbuilding                               | - | 8   |
| 2.  | Other Manufacture                          | - | 24  |
| 3.  | Electricity & Water Supply                 | - | 3   |
| 4.  | Construction                               | - | 70  |
| 5.  | Wholesale and Retail                       | - | 302 |
| 6.  | Hotels & Restaurants                       | - | 73  |
| 7.  | Transport & Communication                  | - | 62  |
| 8.  | Financial Intermediation                   | - | 94  |
| 9.  | Real Estate & Other Business<br>Activities | - | 138 |
| 10. | Public Administration                      | - | 3   |
| 11. | Education                                  | - | 6   |
| 12. | Health & Social Work                       | - | 16  |
| 13. | Other Services                             | - | 60  |
|     | Total                                      | - | 859 |

**SUPPLEMENTARY TO QUESTION NO 864 OF 2001**

**HON J J BOSSANO:**

I was told in respect of this particular Employment Survey that GBC appeared in the private sector, can the Government identify in which of the 13 categories would it be under another service or would it [*interruption*].

**HON CHIEF MINISTER:**

No I do not have that information I would have to give that to him later. We will come to you in a few moments, we think it is in Transport and Communication Item 7 on that list.

**HON J J BOSSANO:**

In Public Administration there are three employers in the private sector that seems peculiar, could they be Government Agencies or something like that or is there another explanation?

**HON CHIEF MINISTER:**

I can think of the Government Gibraltar Development Corporation and possibly although I do not know whether the Elderly Care Agency has been there but we will get a breakdown of Item 10 as well so that the hon Member can see which are the three public administrations as well as whether GBC is included under Item 7.

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**HON CHIEF MINISTER:**

I wonder if before the hon Member rises to ask that question I can just provide the information that I undertook to provide the Leader of the Opposition in respect of Question No 864 of 2001. All of the information there is in the private sector and therefore the question is which entities are listed as private sector albeit that they refer to public administrations rather than the other way round. It is this, I contend public administration to include GBC, The Financial Services Commission and Companies House. The Elderly Care Agency about which he did not ask but which I speculatively mentioned in my response actually is in item 12, Health and Social Work and GBC which I also mentioned speculatively in my response is not in item 7 Transport and Telecommunications but actually in item 13, Other Services under Broadcasting because item 13 includes a group labelled quote, "Other Community and Social Services." Under which they fit GBC. But hon Members will notice on reflection from his question that the question related to the private sector and therefore all of the projects are private sector therefore it does not include the Government as I mentioned this morning.

**NO. 865 OF 2001**

**THE HON J C PEREZ**

**BUILDINGS & WORKS DEPARTMENT**

Can Government state at what stage they are in the negotiations with the workforce of the Buildings and Works Department over their intended restructure following the report they commissioned?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Aswered together with Question No 866 of 2001.

**NO. 866 OF 2001**

**THE HON J C PEREZ**

**BUILDINGS & WORKS DEPARTMENT**

Can Government confirm that the Senior Officer heading the Buildings and Works Department has opted to retire?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 865 of 2001**

In relation to the consultation process with the Unions following the joint Union/Government Report on Buildings and Works such talks are on-going.

**Answer to Question 866 of 2001**

With regard to the Senior Officer at the Buildings and Works Department such talks are of a confidential nature.

**SUPPLEMENTARY TO QUESTION NOS 865 AND 866 OF 2001**

**HON J C PEREZ:**

I have not asked the Minister whether he is having talks with the Senior Officer, I am asking him to confirm that he has opted to retire or not which is something which is public. Senior Officers when they retire, these things are made public. I am not saying why he is retiring. I am not saying that he is resigning I am only saying is he retiring?

That is one supplementary the other is, can the Minister state more or less how many meetings have been held with the staff side in relation to the on-going negotiations as he calls them?

**HON J J NETTO:**

The Senior officer has not opted to retire. In relation to the second supplementary, how many meetings have we had with the Unions, we have had numerous, we have had a number of meetings with the unions and we still envisage to have many more.

**HON J C PEREZ:**

Does the Minister involve himself directly or is this being driven by the Personnel Manager's department?

**HON CHIEF MINISTER:**

The Personnel Department is not responsible for the restructuring of departments which is what this involves. This project is being handled on the Government side by the Minister for Housing assisted by the Deputy Chief Minister, Keith Azzopardi, given the extensive range of issues that are involved. Government are not willing to conduct what is a delicate, historically delicate process in respect of a historically difficult department in the public domain and I am sure the hon Member is sufficiently experienced in matters of industrial relations to understand just as I know that he is sufficiently experienced now in matters of Opposition politics to understand why he would want to try and do it but he equally would understand that these are not things that can be carried out in the public domain. They are complicated, extensive, raise many issues, some issues in which merit lies carefully balanced and it is a process which the Government have undertaken. There is no industrial dispute. This is a matter of Government policy seeking to restructure a department and the Government will make a full statement on that policy when it is in a position to implement it.

**HON J C PEREZ:**

How near are Government to making an offer to the workforce in terms of their pay and conditions in respect of them agreeing to move away from a Government department which is the basis on which the negotiations are being held according to the information provided to this House by the Chief Minister?

**HON CHIEF MINISTER:**

I am not willing to answer that question except to say that this is not a question of making offers, this is a question of working groups having been established on a stake holder basis to establish a consensus for a viable future within the public sector for the Buildings and Works department on the basis of a well resourced department on the basis of a motivated well trained, well managed department so that everyone who works in this department in Government in the future may do so with confidence and job satisfaction. This is not a question of Government making an offer which the Union accepts or does not accept it is a question of both sides really the same approach we are following in the Electricity Department and in the Post Office Department, it is a question of the Government sitting down to reshape the future of this Government Service for the benefit not just of the tax payer but also the citizen as a user and equally important from the Government's point of view the interests of the

employees of the department. So we do not see it as a negotiation we see it as a common discussion, a common process in which the staff side has the same stake as the Government. We do not see it in terms of offers and acceptance although obviously in the discussion both sides put on the table the things that they would like to see emerge in this reformatted structure and there is an element of negotiation in that respect. I do not want suggest that there is no negotiation but it is not in the offer and counter offer type.

**HON J C PEREZ:**

I take it then that there is no particular time-table, that it could take a short time or that it could be a lengthy process.

**HON CHIEF MINISTER:**

No, no one is involved in discussions with a pistol put to their heads. This is a long-standing problem in this department and I believe has been in need of attention for many, many, many years. It is now being done, the Government are not establishing any deadlines but of course the Government have a policy commitment to improve the services to tenants of Council Houses and therefore the Government are willing to give an extensive and reasonable period for this process so that no one feels that they are taking part in it under duress or with a sort of Damocles but of course if there is no solution within a reasonable period of time the Government can not just shove its shoulders and walk away.

**HON J J BOSSANO:**

Is it the policy of the Government that when the time comes that they have got either with or without the agreement of the other stake holders as he puts it, that they are entitled to alter the Terms of Employment of the employees or is it a voluntary matter whether people accept having their terms altered?

**HON CHIEF MINISTER:**

That question is entirely hypothetical that the Government have not even addressed. The Government have advised as to what the position is in that respect but the Government are not there, they are not devoting any time or effort into considering that possibility.

**HON J J BOSSANO:**

I am not sure I am asking the Government what their policy is I do not know what is hypothetical about that, either their policy is that Terms of Engagement which are different from the existing ones have to be individually voluntarily accepted or the people can be required to accept them, which of the two is it?



**HON CHIEF MINISTER:**

But then that is not a matter of policy that is a matter of law in other words whether somebody's Terms of Employment can or can not be altered is not a matter of opinion for the Government or a policy for the Government, it is a matter of law and therefore the Government does not have a policy, is not required to have a policy on the matter, what the Government has to have a policy about is whether even if it can within the law to impose, whether the Government as a matter of policy would choose to use that right, that is a matter of policy but not as to whether it is able to do so, that is a matter of law.

**HON J J BOSSANO:**

Therefore in the context of the answer to the first supplementary what the Government are saying is that they have not yet got to the stage of considering whether they will do one or the other, is that the case?

**HON CHIEF MINISTER:**

The word 'yet' which is mischievously inserted is superfluous to the question and the answer. 'Yet' suggests that the Government have it there as some sword of Damocles hanging over the heads of the staff. The Government's policy on the restructuring of departments is that they require to be done on a consensual basis otherwise not only do they bring a host of other problems but indeed it does not even succeed in achieving the original objective which is to restructure the department in which there is good moral and commitment from the staff. So, whatever may be the position in theory, the practice is that the Government would be extremely reluctant, it would have to be a very last case resort in extremist and the Government have not yet considered to take the steps that the hon Member is hypothetically mooted.

**NO. 867 OF 2001**

**THE HON J C PEREZ**

**BREWERY CRUSHER TUNNEL**

Can Government state whether material containing asbestos has been stored in a cave at Europa Point just opposite to where the Mosque is situated?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Yes, asbestos is being temporarily stored at Brewery Crusher Tunnel.

**SUPPLEMENTARY TO QUESTION NO 867 OF 2001**

**HON J C PEREZ:**

When the Minister says temporarily what plans has he got to remove the asbestos from there and dispose of it?

**HON J J NETTO:**

Once sufficient bags of asbestos to load a lorry is available a private company transports them for final disposal in Spain.

**HON J C PEREZ:**

Can the Minister state for how long they have been stacked in the cave?

**HON J J NETTO:**

I could not tell the hon Member for how long they have been stacked in this particular tunnel but it is a policy of Buildings and Works I am not aware of any other Government Department or even the MOD having a similar policy departmentally but I could not say for how long. All I can say is that as and when asbestos sheeting or down pipes are removed they are placed obviously in proper bags for this particular purpose, this whole operation is overseen by the Environmental Agency, the Factory Inspector, we have even had a consultant from UK who looked at the whole procedure and we obviously comply with this. Once we have sufficient bags to fill a lorry load it is taken to Spain for final disposal. I believe it is somewhere in Cordoba.

**HON J C PEREZ:**

So the Minister is satisfied that it is in keeping with Health Regulations

**HON J J NETTO:**

The advice I am given is that the experts in which in this case is the Factory Inspectorate, The Environmental Agency and I have just said now we have even had the opportunity of a UK consultant in this field, all of them are satisfied that procedures are adhered to.

**HON J L BALDACHINO:**

Just on a question of safety, what provisions have been made in this case for anybody from the general public entering this area?

**HON J J NETTO:**

It is just not possible for members of the public to have access to the tunnel. The tunnels are closed, locked and the only people who have access to that key is the Safety Officer of the Buildings and Works.

**HON J L BALDACHINO:**

Is it a cave or a tunnel?

**HON CHIEF MINISTER**

It is the Brewery Crusher system tunnel complex.

**NO. 868 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – PRE-WAR FLATS**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 869 of 2001.

**NO. 869 OF 2001****THE HON DR R G VALARINO****HOUSING – POST-WAR FLATS**

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

**ANSWER****THE HON THE MINISTER FOR HOUSING**

The extensive factual and statistical information requested by the hon Member is set out in the written Schedule that I now hand to him.

**Answer to Question No 868 of 2001**

There are 41 pre-war flats currently vacant. The room composition and date they came vacant are as follows:-

**South**

|          |   |                    |
|----------|---|--------------------|
| 2 x 2RKB | - | 20.6.01<br>16.10.1 |
|----------|---|--------------------|

|          |   |                      |
|----------|---|----------------------|
| 2 x 3RKB | - | 21.05.01<br>03.09.01 |
|----------|---|----------------------|

**Town**

|          |   |                                                              |
|----------|---|--------------------------------------------------------------|
| 6 x 1RKB | - | 14.3.98 (x2)<br>22.01.01<br>25.01.01<br>15.08.01<br>16.10.01 |
|----------|---|--------------------------------------------------------------|

13 x 2RKB - 11.05.98  
26.05.00  
17.10.00  
11.12.00  
22.01.01  
29.01.01  
05.02.01  
15.03.01  
24.04.01  
12.06.01  
20.06.01  
28.08.01  
15.10.01

12 x 3RKB - 15.09.98  
18.10.00  
05.11.00  
15.11.00  
25.01.01  
29.01.01  
13.02.01  
27.02.01  
17.07.01  
26.09.01  
01.10.01  
22.10.01

5 x 4RKB - 04.09.00  
26.02.01  
02.04.01  
11.06.01  
01.10.01

1 x 5RKB - 19.03.01

### **Answer to Question No 869 of 2001**

There are 116 post-war flats currently vacant; 52 in the North, 24 in the South and 40 in the Town area. The room composition and date they became vacant are as follows:

10 x 1RKB - 21.11.00  
08.05.01  
10.05.01  
04.06.01  
18.07.01  
23.07.01  
24.08.01  
16.10.01 (x3)

24 x 2RKB - 03.10.00  
13.01.01  
22.01.01  
19.02.01  
19.03.01  
04.04.01  
24.04.01  
08.05.01  
15.05.01  
18.05.01  
02.07.01  
09.07.01  
12.07.01  
16.07.01  
02.08.01  
14.08.01  
28.08.01  
05.09.01  
24.09.01  
01.10.01  
18.10.01  
26.10.01 (x2)  
29.10.01

57 x 3RKB - 15.03.99  
12.05.00  
14.06.00  
06.10.00 (x2)  
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24 x 4RKB - 12.08.00  
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1 x 5RKB - 30.04.01

### **SUPPLEMENTARY TO QUESTION NOS 868 AND 869 OF 2001**

#### **HON DR R G VALARINO:**

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

#### **HON J J NETTO:**

Well that will depend when the flat in question is surveyed and it will depend obviously after being surveyed whether Buildings and Works in some cases, or the Electricity Department in other cases are content that the particular flat will be fit for human habitation. Obviously if they were not then obviously it would not be the case.



**NO. 870 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING PRE-WAR FLATS**

Can Government state how many pre-war housing units have been allocated since 1<sup>st</sup> May 2001, broken down by month to-date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 871 and 872 of 2001.

**NO. 871 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – POST WAR FLATS**

Can Government state how many post-war housing units have been allocated since 1<sup>st</sup> May 2001, broken down by month to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 870 and 872 of 2001.

**NO. 872 OF 2001****THE HON DR R G VALARINO****HOUSING – PRE POST-WAR FLATS**

Can Government state how many of the pre and post-war housing units which have been allocated since 1<sup>st</sup> May 2001 have been on a do-it-yourself basis?

**ANSWER****THE HON THE MINISTER FOR HOUSING**

The extensive, factual and statistical information requested by the hon Member is set out in the written Schedule that I now hand to him.

**Answer to Question No 870 of 2001**

Pre-war housing units allocated since 1<sup>st</sup> May 2001 is as follows:-

|           |   |    |
|-----------|---|----|
| May       | - | 3  |
| June      | - | 4  |
| July      | - | 6  |
| August    | - | 1  |
| September | - | 3  |
| October   | - | 2  |
|           |   | —  |
| Total     |   | 19 |
|           |   | —  |

**Answer to Question 871 of 2001**

Post-war housing units allocated since 1<sup>st</sup> May 2001 is as follows:

|           |   |    |
|-----------|---|----|
| May       | - | 12 |
| June      | - | 12 |
| July      | - | 13 |
| August    | - | 12 |
| September | - | 8  |

|         |   |    |
|---------|---|----|
| October | - | 15 |
|         |   | —  |
| Total   |   | 72 |
|         |   | —  |

**Answer to Question 872 of 2001**

Housing units allocated since 1<sup>st</sup> May 2001 on a do-it-yourself basis is as follows:

|          |   |    |
|----------|---|----|
| Pre-war  | - | 7  |
| Post-war | - | 27 |
|          |   | —  |
| Total    |   | 34 |
|          |   | —  |

**SUPPLEMENTARY TO QUESTION NOS 870 TO 872 OF 2001**

**HON DR R G VALARINO:**

On the pre-war housing units allocated since the 1<sup>st</sup> May, most of these were social cases?

**HON J J NETTO:**

In theory yes it would be the case but not necessarily exclusively on social cases either but the majority would be social cases.

**HON DR R G VALARINO:**

Could the Minister find out and let me know at a later date?

**HON J J NETTO:**

Yes , I will find out.

**HON DR R G VALARINO:**

I am only asking this because in Question No 103 of 2001 the Minister also said that he did not have that information with him and in fact I will quote directly from what I said, "Could the Minister let me have that information when he has got it at hand." And he said "Yes," but I never did get it so I hope that I do get it this time.

**HON J J NETTO:**

Definitely I will make an effort to provide him with the information.

**NO. 873 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – PRE-WAR FLATS**

Can Government state how many tenants of pre-war housing units are on rent relief and how much has been spent from the £430,000 provided for in the Social Assistance Fund Appendix 'G' to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 874 of 2001.

**NO. 874 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – POST WAR FLATS**

Can Government state how many tenants of post-war housing units are on rent relief and how much has been spent from the £430,000 provided in the Social Assistance Fund Appendix 'G' to-date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 873**

Sixty tenants of pre-war housing units are currently on rent relief.

**Answer Question 874**

Four hundred and eighty-eight tenants of post war housing units are currently on rent relief.

£214,999.98 has been spent from the £430,000 provided in the Social Assistance Fund for both.

**NO. 875 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

Can Government state how many applicants are in the Housing Waiting List who have met the two years qualifying period giving a breakdown of their flat requirements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 876, 877 and 878 of 2001.

**NO. 876 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 875, 877 and 878 of 2001.



**NO. 877 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 875, 876 and 878 of 2001.

**NO. 878 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

Can Government state what is the number of applicants who are socially recommended, their requirements and how many are classified as homeless?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The extensive factual and statistical information requested by the hon Member is set out in the written Schedule that I now hand to him.

**Answer To Question 875**

There are 215 applicants in the Housing waiting List. The breakdown of the flat requirement is as follows:-

1RKB – 96      2RKB – 34      3RKB – 50      4RKB – 29      5RKB – 6

**Answer To Question 876**

There are 298 applicants in the Housing Pensioner Exchange List. The breakdown of Government tenants and private sector tenants is as follows:

|                        |   |     |
|------------------------|---|-----|
| Government Tenants     | - | 234 |
| Private Sector Tenants | - | 64  |

**Answer To Question 877**

There are a total of 11 applicants medically categorised as follows:-

A – 4              B – 2              C – 5

The housing requirements of these 11 applicants is as follows:-

1RKB – 4      2RKB – 4      3RKB – 3

### **Answer To Question 878**

There are 17 housing applicants socially recommended as follows:

A – 11      B – 1      C – 5

The housing requirements of these 17 applicants is as follows:-

1RKB – 8      2RKB – 3      3RKB – 5      4RKB - 1

Two are classified as homeless.

### **SUPPLEMENTARY TO QUESTION NOS 875 TO 878 OF 2001**

#### **HON DR R G VALARINO:**

I note that the last time the Minister answered this question, and the answer is in the April Hansard, was 22, it has gone down to 11 which I am glad. Could he more or less tell me how long an applicant on medical category 'A' has to wait before they are re-housed

#### **HON J J NETTO:**

It is impossible to give the hon Member that kind of answer because at the end of the day whether we are talking about housing medical people or people with social or even people on the actual list it all depends on the supply and availability of flats coming in. It would be impossible for me to determine approximately whether it would be one day or one year or 20 years. What I can say to the hon Member is that for the last two years we have put a lot of effort to try and bring down the numbers of medical and social cases and in some cases to the detriment of people in the waiting list, because of the medical or social condition of these numbers, but to give an exact date would be practically impossible because it is related to the supply of flats.

#### **HON DR R G VALARINO:**

If they had to wait 20 years they would be dead by then but unless applicants were medically categorised this is done as a fairly quick exercise, in fact I have an applicant who was medically categorised 'A' in March of this year who he probably knows who really needs urgent re-housing and so far there has been no chance of any re-housing as far as medical categorisation is concerned, that is why I asked that simple question on the amount of time.

**HON CHIEF MINISTER:**

In the first place the House is not the place to transact the business of an individual case, the House is the place where the Government can be challenged on facts of their policies. The hon Member will understand that how long it takes to re-house somebody depends primarily on the housing requirements and what the availability of flats of that particular size are. Now, the hon Member has made a quip about the 20 years, he ought to be aware that the Minister referred to 20 years in the context of simply illustrating that it was not possible to fix a period of time, it depended on supply. The hon Member should be aware that however long it now takes the position is vastly improved from what it has ever been under any other Government before so I do not know if people used to die when he was in Government because if they were they are dying less now. The Government have given very significant additional priority to people on the category 'A' list, for example the hon Member recalled that we built Bishop Canilla Home which enabled us at the stroke of a pen to eliminate almost the totality of medical 'A' listed elderly people. So, it really is not fair in the context of such an enormous effort and dedication of resources for the hon Member to come to this House saying that he knows of one case in which the applicant has been waiting since the beginning of the year. It will always regrettably be possible for the hon Members to bring to the House one case which it has not yet been possible to resolve but that is not the test of the reasonableness of the system. I think the hon Member would in a generous moment acknowledge that.

**HON DR R G VALARINO:**

I thank the Chief Minister for his answer except that in this case I am referring to I personally saw the Minister for Housing about three months ago and brought this question of this gentleman and this lady up and I am simply worried about their health. Now on applicants who are socially recommended has he got any idea about how long applicants who are socially recommended have to wait before they get re-housed?

**HON J J NETTO:**

It is the same answer as given before.

**HON DR R G VALARINO:**

But considering the amount of flats he has just said are empty in Gibraltar both pre and post war, surely a push could be made by the Housing Agency to try to eliminate these sort of problems.

**HON CHIEF MINISTER:**

Well the hon Member was presumably listening when he and his Colleague the Hon Juan Carlos Perez and I were debating the need to restructure the Buildings and Works department, neither Ministers nor clerks of the Housing Department do the repair works themselves in these flats, the repair work is actually done by the staff, the industrial staff of the Buildings and Works Department and therefore that is why we think the department needs restructuring amongst other reasons because it takes too long for empty flats to be put in a condition where they can be offered to a new tenant.

I know that the hon Member is not trying to be disingenuous on purpose. He understands what the system is, the system is that there is a supply of flats that comes back to the Government, sure, those flats take too long to be put in a condition where they can be offered to a new tenant. Government are trying to address that with a long, laborious process fraught with industrial relations difficulty but even when they are available to the Government, even when they do come refurbished to the Government so that the Minister and the Housing Allocation Committee are able to do their work, there is then three different sources of demand for that flat. Those flats that do become available are then under demand from the people on the Housing Waiting List, the ordinary Housing Waiting List who have been waiting patiently a long time, the so called social cases some of which are more deserving than others. There are many genuine deserving social cases that is understandable and the third category are the medical category. So the Housing Allocation Committee has to dispense the flats that become available as fairly as they can. The hon Member knows that these decisions are not made at Ministerial level between the people of the Housing Waiting List, the people on the Medical List and the people on the Social List and they are the ones that adjudicate on the relative urgency. Of course it would be possible to come back to this House next Question Time and not have the hon Member able to raise a case of a medical person that he knows, how? Well it is very simple the Government could allocate all the houses that become available to medically categorised patients. That means that the ordinary list would never move, the people would feel that they would have to make a medical case before they could get a house and therefore our Housing system would therefore not become one based on universal need but one based only on medical need and the system would very quickly descend into that. Not to say that the medical need is not great. I know that he understands the system I just wanted to put it on record so that he did not think that the administration of the system is in any sense unsympathetic to medical cases, far from being unsympathetic to medical cases there is an increased amount of sympathy for medical cases but of course not to the complete exclusion of the other two categories aspirant to housing.

**NO. 879 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government state whether there are any non-occupied flats at Bishop Canilla House?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

There is only one of the specially adapted flats available in the whole block.

**SUPPLEMENTARY TO QUESTION NO 879 OF 2001**

**HON DR R G VALARINO:**

Could the Minister confirm that there is a flat there in which the lady has been at Mount Alvernia for a considerable amount of time and the flat is lying fallow.

**HON J J NETTO:**

The hon Member would have to give me notice to try and collate the information for him. I can get the information and pass it on to him but I do not have it available with me at the moment.

**HON CHIEF MINISTER:**

I should perhaps like to add to that that the hon Member should not assume from the answer that even if there was the case that he is referring to that that necessarily suggests anything untoward. It is not the policy of the Government as I am sure he would approve of the policy, to dispossess elderly people of their houses simply because they go into Mount Alvernia. A lot of people come out of Mount Alvernia. Well yes, not many but the last thing one wants to do to elderly people that have a

chance of being rehabilitated in Mount Alvernia is to deprive them of all hope by taking their house away no sooner have they walked in through the front door of Mount Alvernia, and therefore there is a policy of not removing the house until it becomes perfectly clear that a particular person is unlikely to leave Mount Alvernia. I am sure that is the policy that the hon Member approves, I just say that because the question as put suggested that if it were the case that there was a lady in Mount Alvernia with a flat but the Government have somehow grabbed the flat quick, that is not the approach.

**HON DR R G VALARINO:**

No that was never my intention.

**NO. 880 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government state whether all the remedial works at Bishop Canilla House have now been completed?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 881, 882 and 883 of 2001.



**NO. 881 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government reassure this house that further water penetration will not occur at Bishop Canilla House this winter contrary to what has happened during the past two years?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 880, 882 and 883 of 2001.

**NO. 882 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Can Government state the cost to Government of the fire extinguishers provided at Bishop Canilla House and what department of Government or who will be responsible for their maintenance?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 880, 881 and 883 of 2001.

**NO. 883 OF 2001**

**THE HON DR R G VALARINO**

**BISHOP CANILLA HOUSE**

Have Government now identified a site to build further housing units for the elderly similar to those at Bishop Canilla House?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question Nos 880 and 881 of 2001**

I can confirm that all remedial works have now been completed. There is nevertheless, continuous monitoring of the situation, especially during and immediately after it has rained, to gauge the effectiveness of the repairs undertaken by the contractor and to deal with any problems that might arise. This is particularly relevant during the last rains when there was a reoccurrence of a couple of problems that had previously been seen to by the contractor. Such problems were a damp patch within a dwelling and a small amount of water penetration through the anteroom roof louvre. Both problems have now been rectified although the relevant department will continue monitoring the situation.

**Answer to Question No 882 of 2001**

The cost of the fire extinguishers was £396.00. the Management company will be responsible for their maintenance.

**Answer to Question 883 of 2001**

The Government are looking and considering various sites and options for the purpose of delivering our Housing manifesto commitments.

**SUPPLEMENTARY TO QUESTION NOS 880,881,882 AND 883 OF 2001**

**HON DR R G VALARINO:**

On the remedial works in fact the Minister mentioned this at the last Meeting of the House they are still on-going because they have found dampness in about 30 of the flats. Has this dampness problem now been cured and could he confirm if it is the contractor who has done the work and that there has been no expense to Government?

**HON J J NETTO:**

Yes, the flats have been prepared and it is the contractor who is paying for it therefore not Government.

**HON DR R G VALARINO:**

As far as Question No 883 of 2001 identifying a site for further housing units for the elderly similar to Bishop Canilla House has any progress been done on this, are we any further into finding sites?

**HON CHIEF MINISTER:**

The Government are intending to do further housing of this sort in accordance with our manifesto commitment, unique in our manifesto, to continue to do housing of this sort but we are seeking to do it in the context of the other housing provisions the Government are working on to provide and not in isolation. So, sites are being chosen in which either exclusive housing for the elderly can be built or which an element of housing for the elderly can be provided in the context of other housing so as not always only to create blocks exclusively for elderly people.

**NO. 884 OF 2001**

**THE HON DR R G VALARINO**

**EDINBURGH HOUSE**

Have Government now taken a decision as to whether fire extinguishers will be provided at Edinburgh House?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 885 and 886 of 2001.

**NO. 885 OF 2001**

**THE HON DR R G VALARINO**

**EDINBURGH HOUSE**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 884 and 886 of 2001.

**NO. 886 OF 2001**

**THE HON DR R G VALARINO**

**EDINBURGH HOUSE**

Have there been one or more cases of infestation by cockroaches at Edinburgh House and what action has been taken by Government?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 884 of 2001**

In relation to the item of fire extinguishers, the decision is that there is no requirement by law to install them. May I take the opportunity to add that when this question was last asked in the House the Chief Minister pleaded the Fourth Amendment but may I reassure the Chief Minister that I am keeping within the law therefore there is no need for the Fourth Amendment.

**Answer to Question No 885 of 2001**

The number of tenants on rent relief is 18.

**Answer to question No 886 of 2001**

Lastly, cases of infestation of cockroaches are dealt with by the Environmental Agency as and when required. I am advised that the level of incidence is of no greater extent to other Housing Estates.

**SUPPLEMENTARY TO QUESTION NOS 884, 885, 886 OF 2001**

**HON DR R G VALARINO;**

If I remember correctly the Chief Minister pleaded the Fourth Amendment on a question on Bishop Canilla House and not on Edinburgh House. Be that as it may, on the question of cockroaches at Edinburgh House, from what I hear.....

**HON CHIEF MINISTER:**

If there were a problem with cockroach infestation on Government Housing Estate it most certainly would be the Government's problem. That is not what the Minister has said. What he has said is that the problem is not particularly greater there than in any other Housing Estate that is not to admit that there is a problem of infestation.

**HON DR R G VALARINO:**

No. The only thing that has come to my knowledge is that there are people working, trying to get rid of cockroaches there, where as the same thing does not happen in other areas around Gibraltar, but there has been a problem at Edinburgh House.

**HON J J NETTO:**

From what I am told the reclamation side of Gibraltar tends to have a higher incidence of cockroach infestation but let me also say that I have been supplied by the Environmental Agency on the number of occasions that they have attended in relation to cockroaches and from looking at these papers I can see that on four occasions they have gone to Edinburgh House to deal with other matters like mosquitoes, bees, ants but this is not uncommon with their duties in any other Housing Estate.



**NO. 887 OF 2001**

**THE HON DR R G VALARINO**

**SOCIAL ADVISORY BOARD**

Can Government state on how many occasions since the 1<sup>st</sup> May 2001 the Social Advisory Board has met to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 888 and 889 of 2001.

**NO. 888 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING ALLOCATION COMMITTEE**

Will Government State on how many occasions since the 1<sup>st</sup> May 2001 the Housing Allocation Committee has met?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 887 and 889 of 2001.

**NO. 889 OF 2001**

**THE HON DR R G VALARINO**

**MEDICAL ADVISORY BOARD**

Will Government state on how many occasions since the 1<sup>st</sup> May 2001 the Medical Advisory Board has met to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 887 of 2001**

The Housing Advisory Committee has met on four occasions since the 1<sup>st</sup> May 2001.

**Answer to Question No 888**

The Housing Allocation Committee has met on five occasions since the 1<sup>st</sup> May 2001.

**Answer to Question No 889**

The Medical Advisory Board has met on three occasions since the 1<sup>st</sup> May 2001.

**SUPPLEMENTARY TO QUESTION NOS 887, 888 AND 889 OF 2001**

**HON DR R G VALARINO:**

Would I remind the Minister that the object of the exercise has always been that the board would meet once a month, May, June, July, August, September, October so that it seems they are not meeting once a month. The Minister mentioned when this was last asked that round robbins were the order of the day. I also asked him about the round robbins and could he let me know about them. He did not have the information at hand but said he would find out and let me know but unfortunately I have received nothing from him on this question.

**HON J J NETTO:**

I cannot recall him asking me for that bit of information but that said if he wants information I can obviously pass it to him. In relation to his earlier comment as to when do or how often do the various statutory bodies meet, it is true that the yardstick applied is, normally once a month but that is very much the Housing Allocation Committee which normally meets once every month and that has always been the case and is the case on this particular occasion as well. I can also tell him now that the particularly with the Medical Advisory Board even though they have met on three occasions they have once gone through round robin on a particular urgent case as well. May I also say that the hon Member ought to take note of the fact that the people who compose the Medical Advisory Board are people who are extremely busy, one is talking about a Consultant, a GP, and the OT and these are people who have a very busy schedule of work in their own departments and sometimes it is not possible to meet. May I also say that the number nowadays of social cases are so low to previous years that there is no such need to meet as often as otherwise would have been the case. So that is another factor to be taken into account as well.

**HON DR R G VALARINO:**

The problem is that the Housing Allocation Committee really depend on the Medical Advisory and the Social Advisory Boards meeting and recommending cases. If the Medical Advisory Committee only meets three times in say six months they will obviously recommend less numbers than what is usual. To me, it is not an answer that these people are extremely busy. I know how busy doctors are, I know how busy all the members of Government are and of the Opposition but it is not really an answer. If such a member is so busy then really he should not be on the board and somebody else could be there instead who would be able to meet more regularly. I am glad that the round robin method was used on this occasion.

**NO. 890 OF 2001**

**THE HON DR R G VALARINO**

**HOUSING**

Have Government now identified the site to build further housing units for sale on a 50/50 basis?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

As stated in answer to Question No 883 of 2001 the Government are looking and considering various sites and options for the purpose of delivering our Housing manifesto commitments.

**SUPPLEMENTARY TO QUESTION NO 890 OF 2001**

**HON DR R G VALARINO:**

The Minister had a meeting with Action for Housing last March when he said he was identifying sites, or the Government would be identifying the site, again I ask, are Government any further down this road of identifying a site?

**HON J J NETTO:**

On the first part of his question I am glad that he is privy to the minutes of my regular meeting with Action for Housing however, the answer he is seeking to have now have been given by the Chief Minister in the previous question. There is no point served in repeating word for word what the Chief Minister said.

**NO. 891 OF 2001**

**THE HON DR R G VALARINO**

**LAGUNA ESTATE – LIFTS**

Have Government now taken a decision as to when they will start to install lifts at Laguna Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 901 of 2001.

**NO. 892 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE - LIFTS**

Have Government now taken a decision as to when they will start to install lifts at Varyl Begg Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 893 to 896 of 2001.

**NO. 893 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Will Government ensure that the severe water penetration experienced in a great number of housing units at Varyl Begg Estate will be remedied before the start of the winter season?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 892, 894 to 896 of 2001.



**NO. 894 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Will Government ensure that they prevent further water ingress through the balconies at Varyl Begg Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 892, 893, 895 and 896 of 2001.

**NO. 895 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Will Government ensure that windows at Varyl Begg Estate which are no longer water-tight and have perished rubber surroundings are replaced as a matter of urgency prior to the winter rains?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 892 to 894 and 896 of 2001.

**NO. 896 OF 2001**

**THE HON DR R G VALARINO**

**VARYL BEGG ESTATE**

Have Government now decided on a date when all remedial and beautifying works will commence at Varyl Begg Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 892 of 2001**

In relation to when the Government are going to take a decision to install lifts in Varyl Begg Estate, such decision was taken and communicated to this House at my budget speech in this Financial Year.

**Answer to Question No 893 of 2001**

On the subject of water penetration this has been occurring since 1976, that is, since the Estate was inaugurated. It is for this reason that the GSD Government will seek to address this longstanding problem, which should have been tackled much earlier.

**Answer to Question 894 of 2001**

With regard to water ingress through the balconies this is repaired as and when it gets reported. With regard to repairs to windows generally, when a report for repairs comes in, Buildings and Works makes an attempt to repair it. However, if the state of the windows is beyond repair, the window is then placed on a list for replacement.

**Answer to Question No 896 of 2001**

Finally, on remedial and beautification of the Estate, this answer is contained in Hansard.

## **SUPPLEMENTARY TO QUESTION NOS 892, 893, 894, 895 AND 896 OF 2001**

### **HON DR R G VALARINO:**

As far as severe water penetration is concerned certainly nobody before this year has complained to me that there has been this severe amount of water penetration. Since the Minister mentioned a specific date this may shed some light on this matter.

### **HON J J NETTO:**

It seems to me that the hon Member is not aware of the problems Varyl Begg Estate has had since the estate was actually inaugurated in 1976. It has been a constant problem of water penetration. I know this because I actually grew up in Varyl Begg and from the beginning it was a design fault. This is nothing new and let me add that the only attempt by previous Government's the AACR and GSLP, is that they tried unsuccessfully to put a pitched roof within the parapet wall but they never succeeded in eradicating the problems of water penetration in the estate. It is only now that the GSD Government are dealing with the tender documents and the designs in order to cure that long lasting problem but I am amazed that the hon Member is not aware of the problems at Varyl Begg Estate.

### **HON J J BOSSANO:**

Can I say for the record that we had nothing to do with the pitched roofs. The pitched roofs were done before 1988 and the House was informed at the time the work was done successfully. I think there was a dispute about the payments to Taylor Woodrow but my recollection of what happened before 1988 was that.

### **HON J J NETTO:**

On the first part of the Leader of the Opposition's question he might be right, it might be on the last year of the AACR Government when the pitched roof was done I am not quite sure whether it was in the last year or in 1988 but definitely I can assure this House from the statement made to me by my management that every single year, gangs from Buildings and Works go to every single roof in Varyl Begg and they start removing some of the layers of different material that they have laid down on the roofs, only to do the same work year after year after year and this has happened since 1976. So, I am amazed that nobody seems to be aware of these problems in Varyl Begg until now.

### **HON DR R G VALARINO:**

It has only been recently that people have complained to me so I can not say how long it has gone before this but when he talks about this going on for years and the work having to be done every year for how many years will the work have to be done before the problem is eradicated?

**HON J J NETTO:**

I have just answered the question, I have already told him that if he would have read my budget speech, it was only a couple of months ago, he would have noticed that I said in my budget speech that we intend in this Financial Year to carry out all the preparatory work in terms of tender documents and hopefully be in a position before the end of the Financial Year where the tender documents are actually out and obviously a contractor will be engaged and work will start. The manner in which the works will start most probably depending on final discussions with Technical Services department would mean, I do not know whether the hon Members are listening to the answer or not but the manner in which the works will start will mean that they will start doing probably one particular roof or one particular building along with the lift of that building in order to try and cause less amount of inconvenience as possible and then obviously they will be moving on from one particular block to the next. It would most probably be the case that they will probably start on the bigger blocks of the estate and then coming down to the smaller ones. That is probably the case but those are still details that we are ironing out with Technical Services department.

**HON DR R G VALARINO:**

The water ingress is coming through, mainly what, the roofs?

**HON J J NETTO:**

Yes. I do not know whether the hon Member knows that in Varyl Begg Estate the design was done originally so that all the water collection goes through the middle of the building. It is not the classical or the traditional block which has a pitched roof over the parapet wall with gutters and pipes down to the sewers. This is not the case in Varyl Begg it was never designed as such. Therefore, what we have is that the water is collected at the roof and it goes right through the middle of the roof and down into ducts and that has been most of the source of the problem and the Leader of the Opposition said that he was not aware of actually anyone coming to him. Well, I can tell this House that my father and my mother have been reporting this since 1976 and that is why I am aware of this and this is one of the reasons why I have now resorted to not going to my mother's house at lunch-time because she actually keeps asking me when the work is going to be done. So I am perfectly aware, extremely aware of the problems in Varyl Begg and for how long these have been going on.

**NO. 897 OF 2001**

**THE HON DR R G VALARINO**

**COELHO HOUSE**

Can Government explain the delay into the repairs of Coelho House, when is it now likely that the works will start and what will be the completion date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

In relation to the delay in commencing the works at Coelho House such explanation was given to the hon Member in Question No 93 of 2001. However, the contract has now been awarded and it is anticipated that the works will commence in early November.

**SUPPLEMENTARY TO QUESTION NO 897 OF 2001**

**HON DR R G VALARINO:**

When was the Tender awarded?

**HON J J NETTO:**

I think it must have been awarded a couple of months ago.

**HON DR R G VALARINO:**

This is what I mean by the delay into the repairs of Coelho House and not previous to this.

**HON CHIEF MINISTER:**

These jobs do not just involve sending a man round with a stepladder and a pot of paint which is how it used to be done before. These repairs are done on a thorough basis and even once the contract is awarded the successful Tenderer needs time to mobilise and time to do the works. The hon Member is most ungenerous in the way he formulates his question in this area. There is a massive programme of public housing refurbishment afoot. Public housing which has been allowed to dilapidate over many decades, in fact so many decades that it probably, most of it, or some of it is the fault of the hon Member in his previous incarnation in this House but the fact of the matter is that it is not possible to do it all at the same time. The hon Member only has to look up towards the top of the rock, the area of Calpe Road, to see how many buildings are currently being worked on simultaneously in the area. There are projects at different phases of the programme some of them are at the design stage, some of them are at the stage of contract documents being drawn up, some of them are in the phase of the pro Tender process being in operation, others have been awarded and the contractor has started and others have been awarded and the contractor has not started but it has got to be seen in the overall context of a very broad programme involving the refurbishment of almost every Government estate building in Gibraltar over a very few years involving a very significant dedication of financial resources for this exercise much of it, not to say all of it, very long overdue and it is really if he does not mind my saying so very churlish for the hon Member to question the Government as to why there has been six weeks delay in the starting of the refurbishment of a block of flats, the refurbishment of which was not even in his manifesto. So I presumably if he had been elected into office it would not have been a question of six weeks delay in starting, it would be a question of the job never being done at all.

**HON DR R G VALARINO:**

I thank the Chief Minister for his generous and political reply except that he did mention in a previous Question, to the Leader of the Opposition, that there was problem because there was not enough labour force to be able to deal with all the repairs. This is why I am so concerned about when the work will start and what will be the completion date?

**HON CHIEF MINISTER:**

That is what I have tried to explain to the hon Member. When one is trying to refurbish practically the whole of the housing stock it is not just a question of financial resources that have to be rationed out, it is also the fact that there is not enough building industry capacity in Gibraltar to do all the work at the same time and therefore the work has to be staggered because the Buildings and Works Department have got a certain capacity and then all these other companies and it is usually the same three or four that tender for these sort of major works, they have got a certain limited amount of personnel and capacity and that therefore the work has got to be done at a speed that reflects not just the speed and the amount in which Government can make financial resources available but also the extent of the capacity that exists in the building industry in Gibraltar to do the work. I am sure of the hon Member who appears not to have been aware of the need for refurbishment works at other housing estates in Gibraltar but I am sure that if he has driven past Coelho House he will have been left in no doubt whatsoever of the need for refurbishment works to be carried out

to this block, which is why the Government in their manifesto gave it a degree of priority. As to the last part of his supplementary the contract will by now have a completion date. It also has to be said that these completion dates are very rarely delivered there is almost always frustrating and annoying delays. Some of it due to the fact of the nature of the works, for example, I think it is this contract, the Minister will correct me if I am wrong, that there has had to be an agreement by the contractor at Government's request to delay the commencement date because the works involved demolishing all the balconies, the hon Member knows that a lot of these houses round the back some of them round the front but most of them round the back, have got these balconies a pillar of balconies that cuts in at every floor and a lot of tenants as it is not unusual in housing estates in Gibraltar have incorporated those balconies mostly into their kitchens although some of them into other things but usually into their kitchens. If the contractor goes in now in November or even in October and starts ripping out what is in effect that end of somebody's kitchen, Christmas will be upon them and all these people will have no kitchen during the Christmas Holiday period. I think the tenants requested, I am almost certain this is the block in question where the tenants requested that the ripping down of the balconies which is really the starting point of the work should be delayed until the New Year so that they would not be disrupted at home during the Christmas festivities so there are things of that thought and I remember that there were similar problems up in Willis's House and MacFarlane House. These are very disruptive works it involves a lot of demolition, a lot of re-building as well as just refurbishment, with people living inside in the meantime.



**NO. 898 OF 2001**

**THE HON DR R G VALARINO**

**FIREDRAKE HOUSE**

Can Government state when the present works at Firedrake House are due for completion and what has been the cost of the project so far; what will be the total cost of the project once completed?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

At this stage only preparatory works have been carried out, that is, the placing of scaffolding around the block. The actual works are envisaged to commence in mid-November and are due for completion in 10 weeks post commencement, depending on any unforeseen eventuality. Finally, the approximate cost is £20,000.

**SUPPLEMENTARY TO QUESTION NO 898 OF 2001**

**HON DR R G VALARINO:**

Could the Minister let me know whether flats 10 and 12 of Fearless House are included in this project?

**HON J J NETTO:**

I fear that the hon Member has mistaken the name of the building between Firedrake and Fearless, we are talking about Firedrake not about Fearless.

**NO. 899 OF 2001**

**THE HON DR R G VALARINO**

**ALAMEDA ESTATE**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

There are four empty housing units at present in Alameda Estate. The breakdown is as follows:

|                |   |   |
|----------------|---|---|
| Picton House   | - | 1 |
| Victoria House | - | 1 |
| Ross House     | - | 2 |

**SUPPLEMENTARY TO QUESTION 899 OF 2001**

**HON DR R G VALARINO:**

In a written reply given to me by the Minister, dated the 20<sup>th</sup> February 2001, he said that the flats were in Picton House, Victoria House and Ross House. Are they still the same flats?

**HON J J NETTO:**

The information I have is only two of those four are the same.

**HON DR R G VALARINO:**

Which two if I may so boldly ask?

**HON J J NETTO:**

One in Picton House and one in Victoria House.

**HON DR R G VALARINO:**

Considering that these houses have been empty for at least nine months going on to a year is it not a bit long to have to wait for re-allocation.

**HON J J NETTO:**

In Victoria House there was a delay because that particular unit is now going to be divided for two purposes. One for the purpose of adjoining into the next door neighbour who is under-housed and the remaining part will be for a medical case.

**NO. 900 OF 2001****THE HON DR R G VALARINO****HEAD 101 – SUBHEAD (1)**

Can Government state what amount of Head 101, subhead (1) has been spent to date and on what projects?

**ANSWER****THE HON THE MINISTER FOR HOUSING**

The amount of £849,261 has been spent to date on the Improvement and Development Fund Head 101, Subhead 1 Major Remedial Works and Repairs to housing stock. A breakdown of this expenditure is as follows:-

|                                                          |                 |
|----------------------------------------------------------|-----------------|
| Repairs to Housing Stock (Miscellaneous Small Projects)  | £54,180         |
| Replacement of windows                                   | £96,188         |
| Miscellaneous Scaffolding Projects                       | £57,268         |
| Laguna Estate                                            | £60,927         |
| Heathfield House                                         | £152,503        |
| Anderson House                                           | £173,216        |
| Glacis Estate                                            | £31,225         |
| MacMillan House                                          | £136,650        |
| Moorish Castle Social Club                               | £20,640         |
| Reprovision of Works to Edinburgh House & Bishop Canilla | £58,424         |
| Sunrise Court                                            | £ 8,040         |
|                                                          | _____           |
| <b>Total</b>                                             | <b>£849,261</b> |
|                                                          | _____           |

**SUPPLEMENTARY TO QUESTION NO 900 OF 2001**

**HON DR R G VALARINO:**

Since that seems to form part of the answer could I have the breakdown or at least a copy of the breakdown.

**HON J J NETTO:**

Yes I will pass a copy to the hon Member.

**HON DR R G VALARINO:**

Thank you.

**NO. 901 OF 2001**

**THE HON DR J J GARCIA**

**LAGUNA ESTATE**

Who were the three tenderers who submitted bids for the construction of bin stores and the beautification of Laguna Estate and how much did each bid?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question 891 of 2001**

The decision has not yet been taken as to how, when or whether to install lifts in the Laguna Estate. The matter remains under review due to technical difficulties with installation in that Estate.

**Answer to Question 901 of 2001**

The three tenderers who submitted bids for the construction of bin stores and the beautification of Laguna Estate were:

1. Sando (Gibraltar) Ltd
2. Amco (Gibraltar) Ltd
3. Sharrock Shand Ltd

The successful tenderer which in this case was Amco (Gibraltar ) Ltd with a bid of £1,276,771.17 was not the lowest bidder.

## SUPPLEMENTARY TO QUESTION NOS 889 AND 901 OF 2001

**HON DR J J GARCIA:**

The actual question asked how much did each of them bid, would the Minister have that information available?

**HON CHIEF MINISTER:**

No, the practice of the Government is to identify the unsuccessful bidders but not the amount that they bid which is a matter of commercial-in-confidence for them. We do however inform the House about any policy issues that we think may arise if the tender is not given to the lowest bidder. The hon Member would have noticed that the answer states that the successful tenderer was not the lowest bidder. That enables the hon Member to scrutinise the Government's reasons for that decision which does not depend on the amount of the unsuccessful bid which has never been published as a matter of practice.

**HON DR J J GARCIA:**

Can the Minister then say why the tender was not awarded to the lowest bidder?

**HON J J NETTO:**

Well, as with all tenders the award criterion was not exclusively based on the lowest offer. In this particular case given the rather complex works required which included the laying of ducts and new electrical installations the tender was awarded with particular regard to past track record. Unfortunately the lowest tenderer, Sando (Gibraltar) Ltd being relatively new on the Gibraltar scene scored lower than the next lowest tenderer Amco (Gibraltar) Ltd .

**HON DR R G VALARINO:**

On the question of lifts at Laguna Estate will the Government be able to overcome the technical problems that they say exist and has the hon Minister read, I think it was the Hon Mr Baldachino that reminded him that there had been a detailed review of this by one of the last Government's.

**HON CHIEF MINISTER:**

The Government's manifesto commitment is to install lifts in all those Government housing estates where it is practicable to do so. Government fully intend to honour that manifesto commitment and indeed start has already been made as he knows in several estates. Laguna Estate is a particularly problematical estate for the installing of lifts, a number of reasons. Firstly, the landings into which lifts could be installed whether they can be installed at all are not at the level of the entrances to the flat. Secondly, there is no internal staircase so that the lift can only be established on the highway, on the public highway. In some blocks it is possible to install them around

the back in a place where it will not cause disruption to traffic flows, pavements, parking areas and things of that sort. Therefore, this is not an ordinary situation, there are other estates where it is not possible at all, there is neither space nor a courtyard, there are a few which are simply non-starters. There are many estates where it is relatively simple and there are some estates like this one which is very border line. It is either not possible in every block but possible in some blocks, in some blocks it is possible but only on the basis of eliminating other amenities such as parking or pavements or things of that sort, and then there is and even where it is possible it is much more expensive than it should be because of the additional structural works required. For all of these reasons this estate the decision has not yet been taken to proceed with the estate and if asked whether the Government intend to proceed with installing lifts where it is possible in this estate the answer that we would give is that at the moment the decision is not to proceed at the moment but that is not to mean or to suggest that it is out of the question. It simply means that it is being looked at in greater detail and we would only commit ourselves when we know what it would cost, who would get it, who would not get it whether that is going to create more problems than not given that, issues of that sort. It is a matter upon which the Government have done a new survey and we have a block by block report of where it is possible and where it is not in the Laguna Estate.

**HON J J BOSSANO:**

I know that the Government have said that it is not the practice to say how much the unsuccessful lowest bid was but can they give an indication of whether there was a very big difference, presumably the difference is taken into account if there is a very small difference or very big difference.

**HON CHIEF MINISTER:**

Yes indeed. No single criteria, the hon Member knows that when these tenders are advertised it is specifically stated that the tender board reserves the right not to allocate to the lowest tenderers. The difference was insignificant in the context of a contract of this sort and it was less than £50,000 or £60,000. There are many reasons why a tender might not be given to the lowest bidder, for example, the bid may not be in accordance with all the specifications required. In this case I seem to recall that the tender board took the view that Sando (Gibraltar) Ltd had no track record whatsoever at that time in Gibraltar and that it was not appropriate to award a major public housing tender to a company whose track record could not and therefore likely performance could not be measured. My understanding, please do not hold me to it, is that Sando had subsequently been awarded a tender but this was the first one for which they bid and that was the view that the Tender Board came to.

**HON J J BOSSANO:**

In the original answer the Government said that the complexity of the work that was involved, in fact, the construction of the bin stores is not the complicated part of the work, could he elaborate what is it that makes it technically complex in respect of the beautification of the Laguna Estate which is the other element as we understand it that the tender was invited for and given the size of the tender presumably this is going to be something that involves quite a lot of things being pulled down and replaced, what is involved, we are talking about £1.25 million?



**HON J J NETTO:**

The additional works are the laying of ducts and new electrical installation, generally speaking very much the kind of work that was carried out in Glacis Estate. The lifting up of all the common areas, the paving stones replaced with new ones, the re-provision of street furniture lightings, that kind of work.

**HON J J BOSSANO:**

What about parking areas?

**HON J J NETTO:**

One of the problems in Laguna Estate is the lack of spaces for parking and what we are trying to do is try and maximise as much as we can albeit that we know that we will never have a situation like Edinburgh House where there is sufficient parking spaces for everyone. Unfortunately that is the state of play when the Laguna Estate was done just after the war and what we are trying to do is to maximise more parking spaces.

**NO. 902 OF 2001**

**THE HON S E LINARES**

**YOUTH CLUBS**

Can the Minister state what is the cost involved in keeping the youth clubs opened during the weekend?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 903 of 2001.

**NO. 903 OF 2001**

**THE HON S E LINARES**

**YOUTH CLUBS**

Can the Minister state where the funds that were used for opening youth clubs during the weekend have been diverted to within the Youth Service?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The total cost of opening all four youth clubs during the weekend for a period of three hours with one paid session worker in attendance in each would be £325.16. The only youth club that had funds available to open at weekends was the Youth Centre. None of the other youth clubs opened during weekends unless there was a purpose. Because attendances at the youth centre fell progressively over the last few years this was not renewed after the summer of 2000. Funds have been utilised for extra sessions during weekdays. There have also been more club outings during weekends which have taken place locally or in Spain. More sessions were used in employing three new session workers who were provided with training and supervision during this time. In summary these funds were used to pay for youth work sessions which is the purpose for which they are intended.

**NO. 904 OF 2001**

**THE HON S E LINARES**

**YOUTH MANAGEMENT COUNCIL**

Can the Minister give this House an explanation why he has seen it fit to disband the Youth Management Council?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

There is no such entity as the Youth Management Council, if the hon Member means the Youth Centre's Management Committee, this has been disbanded because it has no longer a role to play in the running of the Youth Centre and the other facilities situated at Montagu Bastion. This committee was appointed 12 years ago in order to give voluntary leaders a platform from where to voice their views and/or support the officer responsible for running Montagu Bastion. Voluntary leadership in youth clubs has fallen dramatically since. Not just in the Youth Centre but in other Youth clubs too. In order to continue providing a service for young people "paid" session workers were employed. Only two of the present Management Committee are volunteers. Neither of them is involved in running the Youth Centre. They run a martial art group and a gym within Montagu Bastion. The rest of the Management Committee are all paid session workers employed by the Youth Service. They are hence Government employees who come under the direction of the Senior Youth and Community Officer or his representative.

## SUPPLEMENTARY TO QUESTION 904 OF 2001

**HON S E LINARES:**

Can the Minister state what platform can volunteers now or what platform do volunteers have now in order to bring up problems that they might encounter?

**HON LT COL E M BRITTO:**

I have just indicated that there are very few volunteer workers if any and therefore at the moment the present Management Committee is not fulfilling that function and that is why it is being disbanded.

**HON S E LINARES:**

Is it not the case that there are few volunteers because of these actions that the Government are taking?

**HON LT COL E M BRITTO:**

The actions as the hon Member calls them have not been taken by this Government. session workers go back quite a long time. The Management Committee was formed precisely to give volunteers who are working within different sections of the Youth Centre and Montagu Bastion a feedback into the system. These same people have with the passage of time and not necessarily in the period of this Government become paid session workers and therefore are employees of the Government and they come under the Senior Youth and Community Officer and are answerable to him as employees. What has been happening in practice is that they have been receiving directions through the normal chain of command and then subsequently have taken off their pay pack and put on a supposedly volunteer hat and in the Management Committee tried to influence events in a different way. The paid session workers have a very valuable job to do which they are doing and they do it in answer to the chain of command of the people senior to them and we are studying ways of providing feedback into management and middle management of the Youth Centre.

**NO. 905 OF 2001**

**THE HON J C PEREZ**

**SCADA CONTROLLER LINK PROJECT**

Can Government state whether part of the new equipment related to the Scada Controller Link Project has been damaged beyond economical repair and if so can they give reasons for this, the cost of the damage and the new delay in realising the project?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Yes, Sir. Some ancillary items were damaged following some flooding which affected Orange Bastion Distribution Centre. The cost of the damage is estimated at £10,000. The replacement of these items could add six months delay to the project.

**SUPPLEMENTARY TO QUESTION NO 905 OF 2001**

**HON J C PEREZ:**

Can the Minister give us an idea on when the project would now be completed and what is the new completion date?

**HON LT COL E M BRITTO:**

The last date that I projected I think it was during the debate on the estimates was the end of this year so by implication we are looking into the middle of the second half of 2002.

**HON J C PEREZ:**

Can he confirm that the source of the problem was that the equipment was placed in an area that became flooded as a result of a burst pipe or something?

**HON LT COL E M BRITTO:**

Yes, ironically when the store was identified there were pipes inside the building and the pipes were diverted to prevent any leaking damaging the equipment. The pipes were directed outside the building, subsequently one of these pipes burst and water flooded the building and because the building is unoccupied it was not identified immediately and this is the damage that occurred to the equipment. The pipes were diverted to prevent the problem arising and consequently they caused the problem.

**NO. 906 OF 2001**

**THE HON J C PEREZ**

**GOVERNMENT LOTTERY**

Have Government now decided when they intend to open up the running of the lottery to public participation, as stated by the Minister during the budget debate, prior to the expiry of the contract presently held by Maxstead?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The contract with Maxstead Holdings Ltd expires in November 2003. Government are currently researching and exploring options available on possible changes. Before any public announcements are made one of the first steps will be to inform Maxstead and the other Lottery Agents of the Government's ideas and proposals.

**SUPPLEMENTARY TO QUESTION NO 906 OF 2001**

**HON J C PEREZ:**

Is it that the Government now have ideas and proposals rather than opening to ideas as the Minister said in the Budget. The Minister if I recall well said in the Budget that the idea was to get ideas from the public?

**HON LT COL E M BRITTO:**

The idea of the Government is to go out into the private sector and to seek ideas and to seek proposals, then put out these proposals. What we are currently exploring is the best way of going about this. The Treasury is now taking a more active role in the responsibility for the lottery and the research is being done there.



**NO. 907 OF 2001****THE HON J C PEREZ****GOVERNMENT LOTTERY**

Can Government state what is the number of unsold lottery tickets in the last Financial Year ending 31 March 2001 and the figure for each draw since then?

**ANSWER****THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The number of unsold Lottery tickets for the Financial Year ended 31 March 2001 was 175,531.7 I now hand the hon Member a list detailing the figures for each draw since 1 April 2001.

| <b>Draw Number</b> | <b>Unsold Tickets</b> |
|--------------------|-----------------------|
| 7/01               | 6,613.6               |
| 8/01               | 7,130.8               |
| 9/01               | 6,918.6               |
| 10/01              | 6,600.3               |
| 11/01              | 6,936.6               |
| 12/01              | 7,123.3               |
| 13/01              | 6,293.6               |
| 14/01              | 6,679.6               |
| 15/01              | 7,343.1               |
| 16/01              | 7,275.0               |
| 17/01              | 7,467.7               |
| 18/01              | 7,100.4               |
| 19/01              | 7,497.4               |
| 20/01              | 7,109.1               |
| 21/01              | 7,284.7               |
| <b>Total</b>       | <b>105,373.8</b>      |

**SUPPLEMENTARY TO QUESTION 907 OF 2001**

**HON J C PEREZ:**

Would the hon Member say that the matter is getting worse rather than better?

**HON LT COL E M BRITTO:**

I have not done a detailed study myself but it looks as if they are more or less the same.

**NO. 908 OF 2001**

**THE HON J C PEREZ**

**EUROPA ROAD – RETAINING WALL**

Can Government say whether the contract for the proposed retaining wall between Loreto Convent and the Mount, Europa Road, was awarded to the lowest tenderer and what are the commencement and completion dates of the contract?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The contract for the proposed retaining wall between Loreto Convent and the entrance to the Mount, at Europa Road, was awarded to Profield Contractors Ltd, who were the lowest tenderer, in the sum of £129,335.50. The contract commencement date was the 2 July 2001 and the originally programmed completion date, based on a 12 week contract period, was the 24<sup>th</sup> September 2001. The contractor has however, experienced delays due to the configuration of the existing random rubble retaining wall being different to what was envisaged at design stage. This has meant that revised methods of working have had to be adopted to cater for this.

**SUPPLEMENTARY TO QUESTION NO 908 OF 2001**

**HON J C PEREZ:**

Has the Minister now got a new completion date from the contractor?

**HON LT COL E M BRITTO:**

Yes I am advised that the revised completion date is the 16<sup>th</sup> December 2001.

**NO. 909 OF 2001**

**THE HON J C PEREZ**

**MAIN SEWERS**

Have Government still not identified what needs to be done to correct the defects in the sewer system, whereby sewage is flowing into the sea at Queesway Quay and causing an intolerable smell in the lower south area of town?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Government are aware of what needs to be done to correct the defect in the main sewer and are currently making the necessary arrangements for such works to be undertaken.

**SUPPLEMENTARY TO QUESTION NO 909 OF 2001**

**HON J C PEREZ:**

Could the Minister expand on that given that the last public position of the Government was that they were investigating the matter whether the sewer had in fact collapsed or not?

**HON LT COL E M BRITTO:**

The problem has been identified as a complete blockage of the main sewer due to the ingress of a significant volume of sand and the location of the blockage has been identified as being south of Alameda Estate and north of Jumpers Buildings. The northern extremity of the blockage has been identified, shall I say the position of the northern end of the blockage has been identified and networks have been made to determine the length of it, or where the southern extremity is. This is not a simple task as the invert level of the main sewer is at a depth of over 10 metres and the distance between the two manholes concerned is over 150 metres with access shafts being

extremely restricted and congested with incoming pipes. Consideration is being given to pulling a remotely controlled camera through the system but the significant length involved coupled with a very soft sediment lying at the base of the sewer makes this a very difficult task to undertake as the trolley supporting the camera has a tendency to sink in the silt deposit.

**HON J C PEREZ:**

So the matter is still being investigated to see the extent of the collapse but we are now supposing that it is a collapse in that area or the blockage is being done by ingress of sand from somewhere.

**HON LT COL E M BRITTO:**

Yes, the short answer is that the hon Member is partly right. We know that there is a large blockage of sand. We do not know whether that has been caused by a collapse in the sewer itself or by a small hole in the sewer ceiling through which the sand that had prevailed in Red Sands Road, as happened in John Mackintosh Hall, where sand has been filtering through that hole and has been extending sideways. As opposed to there being a block of a large rock there is a mound, a gradual slope from the end that we can see. It is clear that it has moved sideways, along the length of the sewer. What is not certain because we can see the open end of it, we are not certain how far it extends south. This is as I was trying to imply or to say, more difficult a task than it would seem. Ten metres when I was first told did not seem very deep to me until it was pointed out that it is a narrow shaft with a small diameter just for one man to go down and it is the height of a three storey building. That puts it more into perspective. When one gets to the bottom one has to move along in a maximum height of five feet. It is not a job that we particularly want to tackle by human resources but similarly we are finding difficulty in finding people with the right equipment to tackle the job concerned. There are a number of proposals on the table at the moment, there are two in fact and a third one imminent of people who think they may be able to tackle it. There are a number of resources both Gibraltarian and out of Gibraltar who have looked at it and have not been willing even to quote that shows the indication of the size of the problem but we are hopeful of being able to take a decision on moving ahead on taking definite steps within the next two weeks on progressing in starting to see whether the equipment we think can be used is in fact successful in being used.

**NO. 910 OF 2001**

**THE HON J C PEREZ**

**INCOMING INTERNATIONAL CALLS**

Can Government state whether the percentage of incoming international calls, excluding calls from Spain, continues at the levels of April this year, that is, 74 per cent via the 350 code and 26 per cent via the 0034 Spanish code, or whether this has now changed?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The telecommunications market was liberalised in Gibraltar by bringing into operation the Telecommunications Ordinance on 19<sup>th</sup> July 2001. The Government consider that it is no longer appropriate to provide information that could be commercially sensitive in answer to questions in this House, as this could be detrimental to the interests of Gibtel and GNC and give commercial advantage to their competitors. However, as I have answered a similar question before the market was liberalised, I will provide the information requested. The amount of incoming international traffic via the 350 code and the 0034 code oscillates up and down each month but is broadly in line with the April figures.

**NO. 911 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Does Gibtel still have enough numbers available to meet its commitments to customers?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 912, 913, and 914 of 2001.

**NO. 912 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Is Gibraltar Nynex considering the introduction of the three extra digit number shadowing for some of its customers?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 911, 913 and 914 of 2001.



**NO. 913 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

How many of the 480 telephone numbers available to Gibraltar Nynex in February have been used and how many are left?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 911, 912 and 914 of 2001.

**NO. 914 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

What is the total number of pre-paid cards activated by Gibtel since the new card system became operational?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Government understand Gibtel is presently able to satisfy demand for post-paid mobile services from the churn of numbers. Applications for the pre-paid service are being satisfied immediately and up to close of business on Monday 29 October 2001 Gibtel had activated 5,700 pre-paid cards. Gibtel inform me this information is publicly available in international GSM publications and in future could be obtained directly from them. The 480 numbers available to GNC in February have all been assigned to customers. However, when Gibtel was acquired by GNC on 27 September 2001, the Company released to GNC the "49" numbering sub-level it was using for its Pager service. GNC has informed the Government that it has therefore shelved its proposal to introduce number shadowing for the time being.

**SUPPLEMENTARY TO QUESTION NOS 911, 912, 913 AND 914 OF 2001**

**HON J C PEREZ:**

Could the Minister perhaps state the amount of the "49" level, is it the full range?

**HON LT COL E M BRITTO:**

The full range of 1000 numbers.

**NO. 915 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

When can we expect the decreases in international telecommunication charges envisaged by the Minister as a result of the acquisition by Gibraltar Nynex of the shareholding of Gibtel?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 916, 917 and 918 of 2001.

ORAL

**NO. 916 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Can Government confirm that moves within Gibtel and Gibraltar Nynex to reduce staff levels via offers of financial packages to selected employees are solely on the basis of voluntary acceptance?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 915, 917 and 918 of 2001.

**NO. 917 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Will Government state whether it is still the intention of the shareholders of Gibraltar Nynex to operate both companies independently, and if so, whether this is a short term objective or whether Gibtel will be found a new business role in the telecomms market?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 915, 916 and 918 of 2001.

**NO 918 OF 2001**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Can Government state whether Verizon has been required to inject more funds into Gibraltar Nynex in order for the company to buy the Gibtel shareholding?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Gibraltar Nynex Communications Limited which is jointly owned by Verizon Communications Incorporated and the Government, purchased 100 per cent of the Gibtel shares. Neither shareholder has been required to inject additional funds into the Company. Consequential to bringing GNC and Gibtel into common ownership, I can confirm that the Shareholders announced earlier this year that there will be no compulsory redundancies. The companies have announced that they will for the immediate future continue to trade separately. To oversee and co-ordinate the running of the two companies there is panel led by Tim Bristow, a Director of both Companies and comprising Charlie Fortunato, Managing Director of GNC and Lucio Randall, General Manager of Gibtel. The Companies have announced that further decreases in international charges are due to be implemented on 1 December 2001. The Companies inform me that this reduction has been made easier to implement as a consequence of the bringing them together into common ownership. With regards to the other questions on the way forward on the merger, these are operational matters that should be addressed to the companies and not the Government.

**SUPPLEMENTARY TO QUESTIONS NOS 915, 916, 917 AND 918 OF 2001**

**HON J C PEREZ:**

Are the decreases in international charges following a pattern within the European Union in respect of charges in the rest of the EU and is that an objective to achieve or are the decreases being looked at solely from the perspective of what is financially viable in the companies of Gibraltar?

**HON LT COL E M BRITTO:**

There are a combination of a number of factors involved two of them being the ones mentioned by the hon Member. Ideally the companies would like to see rates which

are as low or lower than the rest of Europe. The financial constrictions of the company obviously is a problem in this direction but there is a third factor which was highlighted last week by GNC and that is the need to rebalance tariffs in answer to EU Regulations and regulatory requirements. That obviously brings down international but there is a consequent increase in the national tariffs.

**HON J C PEREZ:**

But surely the rebalancing of tariffs as expressed within the EU does not necessarily impose an obligation on Gibtel or Nynex, on this occasion Nynex, to increase local charges at all. Is the increase in local charges the result of the decrease in international charges in respect of recovering some of the money that is due to be not recovered by the decreases?

**HON CHIEF MINISTER:**

The principal effect of the rebalancing requirement is simply this that one cannot use ones international service revenue to subsidise ones domestic service provision and that therefore each side of the equation has got to stand up on its own separately calculated cost base especially when one has got to make that local infrastructure available to ones competitors, otherwise one would be making that available to ones competitors at a higher level of charge than one charges oneself because one is cross subsidising with other revenue. So, it is theoretically possible, I suppose, for a company to rebalance by lowering, or rather one can raise one and lower the other, or one or the other but not both. In other words, rebalance does not necessarily mean I think I am right in saying that one has to increase one and decrease the other but rather that there should be no cross subsidy and if that can be achieved by touching only one of them, fine. If one is willing to give up some of ones revenue on international, I suppose it is a matter of commercial judgement for the company. The point is non cross subsidisation rather than mirroring what one is doing in one or the other.

**HON J C PEREZ:**

Arising out of the supplementaries does the internet traffic constitute part of the local rather than the international traffic and is the increase in local charges just a first step or a final step in balancing the situation?

**HON LT COL E M BRITTO:**

Internet traffic is obviously local traffic because it is charged at a local rate and there there has been no increase but it is classified and measured separately. So, there is local traffic, Internet traffic and there is international traffic. In regards whether it is a first step or not it has been classified by the company possibly as a first step. I cannot answer at this moment in time whether there will be a further increase or not because if there is a further increase it may be required by the regulator, it will depend on what is established as the cost of local traffic and if the cost of local traffic is charged to be higher than the present rate that is being charged, or something called the interconnection rate not the interconnection rate but something else anyway, we are back to what the Chief Minister said. The company is not allowed to be offering traffic

or charging its own. Traffic at less than it costs them and therefore running it at a loss and subsidising it for more profitable services elsewhere.

**HON J C PEREZ:**

Yes, but as I understood the Chief Minister he said that there should not be cross subsidies from the international to the local.

**HON LT COL E M BRITTO:**

Or from any other service?

**HON J C PEREZ:**

What the Minister is saying is that even the Internet service itself is accounted for separately and cannot cross charge into the rest of the local service which is installation and maintenance and local calls, or is it that the income of internet is also considered to be part of the local calls in the balancing between the international and the local?

**HON LT COL E M BRITTO:**

I am not quite sure what the hon Member means by Internet service?

**HON J C PEREZ:**

The income from the Internet charges.

**HON CHIEF MINISTER:**

There are two aspects of it, Nynex is an Internet service provider. It is also the domestic network provider whose network is used by all internet providers to connect their ISP to ones home and it is important that the hon Member distinguishes in the supplementary that he has formulated whether he is referring to Nynex's, when he talks about internet service by Nynex does he mean Nynex as an internet service provider or does he mean Nynex as a local network provider to its own internet service provider and to the other one.

**HON J C PEREZ:**

I mean the income derived by Gibraltar Nynex from providing direct and indirect services to the internet, they get an income, is that income calculated with the local charges or is that calculated separately to the local, is it the income for local charges in respect of the balancing of tariffs that needs to take place?



**HON CHIEF MINISTER:**

The hon Member is not formulating his question in a sensible way but from the last part of it I deduce that he means Nynex as a telephone service provider to Internet service providers and to Internet users. We forget for the purposes of this exchange the fact that Nynex happens to also be an Internet service provider. My understanding is that Nynex's revenue as a telephone company arising from the internet business is local traffic because that is the tariff that is paid by internet users from their domestic or business premises, local tariffs only, there is no international element to that.

**HON LT COL E M BRITTO:**

That is correct as far as it goes but I think it is useful to clarify that further. The user, the internet user, pays Gibraltar Nynex networks and GNC charges networks as the ISP an amount which is less than the 5p per unit for providing the service just as it would charge Gibnet or any other ISP that would come in the market. So the income derived by GNC the parent company is not the full charge. The full charge is paid to GNC networks who in turn pay a smaller amount to GNC for providing the telephone connection. So it gets, yes GNC provides the telephone line, GNC networks provides the Internet service. GNC networks charges the customer for providing that service and then GNC networks pay the parent company an amount and then in the final consolidation of accounts it all comes together but GNC is by design a separate company trading separately as required by the, so that it can be seen competing directly with other ISP users in the market.

**HON J J BOSSANO:**

I think there is a conflict between what we are being told now and what we were being told in an earlier supplementary, did the Minister not point out that the bill the customer gets is divided into three sections which identifies x minutes of internet calls, x minutes of local calls and so much time of international calls. I think the point that is being made is, if the internet calls on the bill of the individual subscriber to the telephone number nothing to do with the service provider, right, whether that revenue is subject to constraints of cross subsidies as between the charge made to people who are using the telephone to connect to the internet and the people who are using the telephone to talk to each other which are shown as separate items on the billing, or whether it is the two together which are treated as being incapable of cross subsidisation with the international side. Is there a restraint on the three or two of those three elements?

**HON LT COL E M BRITTO:**

I would need to establish whether there is a restraint on voice, local voice, but on local internet traffic I would need to establish whether the same rules of cross subsidy apply.

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**HON LT COL E M BRITTO:**

I also undertook to give some clarification to the Leader of the Opposition in answer to Question Nos 915 to 918 on Internet charges with your leave I would like to do it now. I was asked to clarify what was the relation on the cost of the Internet charge between GNC Networks and GNC. I think I may have given the wrong information, the situation is that the user receives from Nynex reflects the cost of the profit at 5p per unit. That revenue is entirely GNC revenue because it is traffic and it is considered local traffic because of the rate. GNC Networks has the ISP as in the case of any other ISP, their revenue is derived from charging the Internet user directly a separate monthly fee. Now, in respect of the question of whether such tariff was restricted by the EU ruling on cross subsidy the answer is no. No, because as a provision of an Internet service it is considered by the EU a retail service and therefore not a normal voice, provisional voice for the Internet and as such there is not this constriction on not being cross subsidised. That is the advice I have been given in the meantime.

**HON J J BOSSANO:**

Does that mean in fact that when we are looking at the restriction on cross subsidy from local to international the local calls that are generated by the use of telephones for transmission of data and internet excluded from the income of local calls or included because I am not sure which of the two is the implication of the answer?

**HON LT COL E M BRITTO:**

The implication is treated separately, that it is separate income, GNC looks at income from calls, from telephone calls and that is local traffic and that cannot be cross subsidised, whereas income from internet traffic is data as opposed to voice and that is not subject to current EU regulations on cross subsidy.

**HON J J BOSSANO:**

What I am trying to establish is, let me give a hypothetical example to illustrate what I am seeking to find out. If there was a situation where GNC was making a profit on local calls and choosing to charge less for international calls as a consequence, would they be able to use excess from internet usage or not?

**HON LT COL E M BRITTO:**

No it is two separate things. The two revenue streams are separate. The revenue from internet usage is not taken into account at all. It is not a matter of revenue it is a matter of tariff. The tariff charged for a local call cannot be subsidised by the tariffs charged by another service, could be international, or it could be something else. In other words, the company cannot run a service at a loss and we are not talking just of voice we are talking about other things, like directory enquiries for example, the company has to run its services on a cost basis and they cannot cross subsidise one service with the other.

**HON J J BOSSANO:**

But the Minister has just said that the Internet calls are currently not affected by that ruling?

**HON LT COL E M BRITTO:**

Yes

**HON J J BOSSANO:**

Then in that case how can Internet calls be treated differently from the rest having been told that they are not affected by that rule?

**HON LT COL E M BRITTO:**

Because the EU in its wisdom has defined Internet provision and Internet calls as, because they are data calls, they have designated them a retail service and not powers of this cross subsidy restriction.

**HON J J BOSSANO:**

Precisely but if they are not part of the cross subsidy restriction it means they can be used to cross subsidise, surely that is if the others cannot be used for cross subsidy and the Internet usage is not affected by that ruling then it means the Internet income is available for cross subsidy.

**HON LT COL E M BRITTO:**

I understand the question now, but that implies that the Internet service is functioning at a profit. The fact is that it is the other way round, that local calls have always been provided at a loss and subsidised by international and hence in the re-balancing the international comes down and the local goes up. So therefore there is not a situation where the local internet traffic can be used to subsidise anything because it in itself is being subsidised.

**HON J J BOSSANO:**

Just one more question to get a clear picture of the answer we are getting. Is Nynex then required to allocate costs to the Internet data transmission and to the local telephone voice transmission so as to be able to produce what the cost of one is and the cost of the other is?

**HON CHIEF MINISTER:**

It is required to allocate costs and indeed it has to get the Regulator's approval to its allocation of costs for the provision of the local telephone network because it is

obliged to make it available to competitors on a cost plus formula and therefore the element of cost has got to be approved by the Regulator.

**NO 919 OF 2001**

**THE HON J C PEREZ**

**INCINERATOR**

Do Government have any idea as to when they expect the incinerator to be fully operational again, and able to fulfil its main function of refuse incineration?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 920 of 2001.

**NO. 920 OF 2001**

**THE HON J C PEREZ**

**INCINERATOR**

Can Government state how many proposals they now have for the operation of the Incinerator, which are the parties involved, and when they expect to take a final decision on the matter?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Government are still considering two proposals for the Incinerator, the first from the FCC and the second from Northumbrian Lyonnaise International. The start of the operations at the Incinerator depends on which proposal is chosen and also the date on which the decision is made. The condition of the existing plant is such that the works necessary to refurbish the same are significant. In addition, there is a need to upgrade the plant to ensure compliance with more recent, relevant EU legislation. It is now envisaged that it will take about two years from signing the contract to completion of works on site.

**SUPPLEMENTARY TO QUESTION NO 920 OF 2001**

**HON J C PEREZ:**

So the position since the last time, is that there are only two proposals now under consideration although the Minister said that there were discussions with a third party which probably have not materialised into a proposal and why is it taking the Government so long to accept one proposal or the other given the time that they have been talking to these two parties?

**HON LT COL E M BRITTO:**

To start with there are two options, whether to knock the whole thing down and build it again or whether to refurbish it so we start from there and secondly the proposals that have been received have contained a number of qualifications and assumptions and ifs and buts which the Government have not been prepared to accept. The matter is complex enough to necessitate the proposals being sent to independent consultants of the Government to be assessed either too technical and too complicated for us to assess ourselves so the matter has been an on-going one they have been placing conditions, qualifications, assumptions, we have had them assessed the results have come back we have gone back to them and said no we do not accept this change that, the proposals have been changed or modified and the whole process is that, that is why it has taken so long.

**HON J C PEREZ:**

So when do Government expect to be in a position to award the contract which I presume from that date onwards would be two years before the incinerator is fully operational.

**HON LT COL E M BRITTO:**

I regret that I cannot give the hon Member a date because of what I have described that this on-going situation of us not agreeing to the qualifications and this is still an on-going process and until the proposals are to the Government's satisfaction or should I say to our consultant's satisfaction, we will not be in a position to accept that. So we are still going back and saying this is not acceptable bring up something else.

**HON J C PEREZ:**

So at the moment the proposals are with the independent consultant am I right?

**HON LT COL E M BRITTO:**

I am not sure whether they are with the independent consultant or back with the proposers but they are going backwards and forwards.

**HON J C PEREZ:**

We still have a number of people employed in the incinerator at the moment am I right?

**HON LT COL E M BRITTO:**

Yes there are a number of people there who are the original employees employed by Europa Incinerator Ltd which is a Government company.

**NO. 921 OF 2001**

**THE HON J C PEREZ**

**WATERPORT DISTILLER**

Can Government state whether the Waterport Distiller will decrease its output once the reverse osmosis plants are fully operational?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 922 of 2001.



**NO. 922 OF 2001**

**THE HON J C PEREZ**

**WATERPORT DISTILLER**

Can Government state whether the newly installed reverse osmosis plants are now operational?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The newly installed Reversed Osmosis plants have been commissioned and are producing excellent quality water. The Reverse Osmosis plants as the new most efficient source will normally produce at maximum output to meet a proportion of daily demand. Given current demand trends, one of the MSF distillers at Waterport will operate continuously at maximum output while production from the other distiller will fluctuate depending on total demand and this will effectively mean a reduction in the Waterport Distiller output. I trust the hon Member has followed that because I was having trouble reading it. To avoid a supplementary what it actually means in fact is yes to the hon Member's question the new RO plants are fully commissioned working to full capacity because they are cheaper more effective and produce as good or better water and therefore we are getting the most out of them. The MSF plants at Waterport, one would normally work at full capacity and the other one has been reduced in output so that between the two of them they meet the balance of the requirements after the output from the RO plants so by implication Waterport which was working at full capacity has now been reduced.

**SUPPLEMENTARY TO QUESTION NOS 921 AND 922 OF 2001**

**HON J C PEREZ:**

Would the Minister know more or less what is the life of the equipment in Waterport?

**HON LT COL E M BRITTO:**

No I would need notice of that question.

**HON J J BOSSANO:**

When the Minister says the new RO plants are more efficient or cheaper or whatever it was that he said in relation to the production of water is it that they have a lower consumption of electricity per gallon of water they produce, what is the nature of the advantage, is it in the fuel consumption?

**HON LT COL E M BRITTO:**

The efficiency is measured by the cost per ton of water produced and therefore by implication more economical use of the fuel being used to produce the water. It is measured by the final cost of the water and obviously the cost of the water production includes a number of factors.

**HON J J BOSSANO:**

Does the Minister have a figure showing what the cost is in respect of these new units compared to what was happening before?

**HON LT COL E M BRITTO:**

No but I suspect that the company would consider that commercial-in-competence to give that information but I do not have it here.

ORAL

**NO. 923 OF 2001**

**THE HON J C PEREZ**

**DIRECTOR OF POSTAL SERVICES**

Do Government intend to fill the vacancy of Director of Postal Services which until recently was being filled by an officer in an acting capacity?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 924 and 925 of 2001.

**NO. 924 OF 2001**

**THE HON J C PEREZ**

**POSTAL SERVICES**

Can Government state the nature of the current negotiations with postal workers following the report they commissioned and can they state how many meetings have taken place with the representatives of the workforce over the last three months?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 923 and 925 of 2001.

**NO. 925 OF 2001**

**THE HON J C PEREZ**

**POSTAL SERVICES**

Can Government state whether any special arrangements are to be introduced at the Post Office for the delivery of mail over the Christmas season?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

As a result of the Post Office Review recently carried out, on-going discussions and negotiations are taking place between Government, the TGWU, GGCA and the Clerical and Postal Grades employed at the Post Office. These negotiations are at an advanced stage and Government consider it would be inappropriate and counter productive to make any further comment at this stage.

**SUPPLEMENTARY TO QUESTION NOS 923, 924 AND 925 OF 2001**

**HON J C PEREZ:**

That does not answer the question of the Director of Postal Services or whether there will be special delivery arrangements for the Christmas season.

**HON LT COL E M BRITTO:**

It does indirectly in that we prefer not to make further comments. At the moment there is a senior Government officer in charge of the Post Office and the Union have been told in the negotiations that this situation will continue that there will be a Senior Government Officer in overall charge over the Postal Services over and above any intermediate management that is put in.

**HON J C PEREZ:**

So what the Minister is really indicating is that he hopes that the new situation will have been arrived at before the Christmas Season which is only a month away when the bulk of the post starts coming in so that there are no special arrangements being prepared in case there is a backlog as there was last year, is that what the Minister is indicating?

**HON LT COL E M BRITTO:**

There are existing arrangements which will not be replaced until the negotiations are concluded. The hon Member can reach his own conclusions.

**HON J C PEREZ:**

No, the existing arrangements regrettably did not work last year and we had a situation where in January exceptional arrangements had to be arranged to clear the backlog for Christmas. I am pre-empting that whilst the negotiations take place if we have the same situation this year, certainly I think Government should pre-empt the situation so that instead of having an exceptional arrangement in January to clear the backlog of December we pre-empt the situation and have an arrangement for the Christmas mail to the satisfaction of everybody and we avoid having a backlog and give a better service to the community.

**HON CHIEF MINISTER:**

The Government consider that that would be most disruptive to the negotiations currently taking place.

**NO. 926 OF 2001**

**THE HON J C PEREZ**

**ELECTRICITY ARREARS**

Have Government now clarified which should be the definition of “arrears” in respect of water and electricity and whether this interpretation now tallies with what is meant by “arrears” when reading the Auditor’s Report?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Government’s view of what constitutes Electricity arrears was explained in detail to the hon Member in answer to Question Nos 345 of 2000 and 121 of 2001. The definition of what constitutes “electricity arrears” is identical in respect of the Treasury and in the context of the Principal Auditor’s Report. For the avoidance of doubt, I will confirm that electricity arrears at any date are the total amounts outstanding in respect of electricity charges in the Treasury books on that date. Water in Gibraltar is supplied by Lyonnaise des Eaux on a commercial basis and any matter to do with arrears on water is a matter entirely the responsibility of the Company.

**SUPPLEMENTARY TO QUESTION NO 926 OF 2001**

**HON J C PEREZ:**

If I now phrase my questions with asking for the total amount outstanding the Minister will have no problem in answering me which he had when I mentioned the word arrears after he had been answering questions of that nature in that phraseology before. The Minister said that he could not confirm in the question that he has mentioned whether the Auditor’s Report definition and the definition of the Treasury was the same one, that is why I am asking him today, so now that he has confirmed that it is the same one and the definition of arrears is total amounts outstanding. So that means that if I phrase my questions now in wanting figures of total amounts outstanding I will be able to get an answer and not be told that they cannot give it to me because there is no definition of arrears.

**HON CHIEF MINISTER:**

No. As I recall this arose originally in the context of when bills were transferred to the Central Arrears Unit for collection and the problem with defining when is an arrear an arrear arose a long time ago when this issue arose as to when bills were regarded as arrears for the purposes of being passed on to the Central Arrears Unit. That is a slightly different issue.

**HON J C PEREZ:**

I checked Hansard before putting the question, if the Minister would care to look, I had questions on the amount of arrears at a particular date and the Minister said there was a new thing about arrears now that it was not really arrears it was amounts outstanding and that the definition was not there and he could not give me the figures. I am trying to identify now what phraseology needs to be used by Opposition Members so that one can get the statistics that one was asking for before and were answers have been given to questions prior to that time when they told me that there was something different and that the question could not be answered.

**HON LT COL E M BRITTO:**

The difficulty arose in trying to establish what the hon Member meant by arrears. There is about a page and a half which if the hon Member looked at Hansard he will have seen, about a page and a half of supplementary answers in which I invited the hon Member to write to me or to come to see me or to define for me what he wanted and to define what the Opposition meant by arrears and that I would get Lyonnaise to programme their computers so that the answer could be provided for them. Where the difficulty arose was in a question further to what the Chief Minister said, who in answer to a question where the hon Member asked to distinguish in amounts that had been collected how much was due to arrears and how much was due to current bills and that is the information that we cannot give at the moment because the Treasury does not distinguish that information. The amount of money that is collected by Lyonnaise is handed over to the Treasury and credited to the books. The amount of bills raised by Lyonnaise is debited to the books and at any given date or any given moment there is one figure of outstanding amounts and that is why it is not possible when the hon Member in his question a year and a half ago asked about the money that was collected how it was attributed, it is not attributed, it is just not attributed individually. If the hon Member wants some particular information then if he would tell me what it is he is seeking I will do my best to get it provided. Well if he asks a question on the basis of how much arrears of electricity or what the amount was on any given date, the figure he will get is the total amount outstanding including last months bills which may have been raised the day before.

**HON J C PEREZ:**

Fine, as long as one can get figures of amounts outstanding of arrears to monitor the progress in the collection of arrears which is mentioned in the Auditor's Report.

**HON CHIEF MINISTER:**

Yes I do not know if the hon Member warrants the suggestion but I think this is a question of firstly trying to agree terminology and secondly trying to make sure those



that have to provide the information to us to provide to him are able to produce it. I would suggest for example that if the hon Member is interested in what he and I know what the word arrears means for the purposes of such a discussion it does not mean things that have only been outstanding two days. We could agree that arrears is anything that is more than two or three months outstanding, it is just a question of agreeing and then asking Lyonnaise or whoever is to provide the information to deduct from the global figure the total amount that is being raised in respect of the last three months and what is left is what he and I would regard as arrears as we have defined them. Now, whether that is one month, two months, three months, six months of arrears is a matter for him to indicate what sort of information he is interested in.

**NO. 927 OF 2001**

**THE HON J C PEREZ**

**VARYL BEGG ESTATE – GARAGES**

Have all the garages in Varyl Begg Estate, some of which have been waiting for an electricity supply for over five years, now been supplied?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The situation was explained in the reply to Question No 68 of 2001. At that time, out of a total of 128 garages, applications for supply had been received in only two cases. Since then a further eight applications have been received, four of which have been given supplies of electricity.

**SUPPLEMENTARY TO QUESTION NO 927 OF 2001**

**HON J C PEREZ:**

So we probably have people complaining without a supply that have not applied and there have been eight applications and only four have been supplied.

**HON LT COL E M BRITTO:**

The actual situation is that there had been 10 applications, five of those 10 had not supplied the necessary certificates of completion and wiring diagrams as required by BS7611 whatever that is and of the remaining five garages four are on supply and the fifth one is about to be supplied.

**HON J C PEREZ:**

So the position is that if the garages now do apply the department is now in a position to provide that supply which it was not some months ago.

**HON LT COL E M BRITTO:**

So far those that have applied and have provided the necessary documentation that has been needed have been given the electricity supply so I assume that anybody else who applies subject not to all 128 applying on the same day, if anybody applies and provides the necessary documentation and the numbers are reasonable then we would be able to meet the supply.

**NO. 928 OF 2001**

**THE HON J C PEREZ**

**OESCO CONTRACT**

Have Government now taken a decision on whether or not to renew the OESCO contract for the supply of electricity which expires in June 2004?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

No Sir. The situation remains as given in answer to Question No 113 of 2001. It is the first stage of the contract that will expire in 2004 and not the contract itself.

**SUPPLEMENTARY TO QUESTION NO 928 OF 2001**

**HON J C PEREZ:**

I know that once the contract expires the engines become the property of the Government of Gibraltar but in looking at the future generating capacity would the Government not agree that it is a good time to start taking decisions on future generation capacity given the scale of time, if one decides to cancel that contract and for example increase Waterport Generating Station capacity then those decisions must be taken early in order to provide the necessary extra capacity and so on.

**HON CHIEF MINISTER:**

Yes, the Government do agree with everything the hon Member has said and indeed he may recall that when in answers to questions in this House I gave details of the Government's thinking of the electricity review I did mention that one of the reasons why the Government thought that it was important to get the review and the restructure of the Electricity Department up and running was precisely so that there could be a proper assessment and capital investment plan and implementation plan of what were clearly generation capacity issues that were now imminent. I would not demur from anything that the hon Member has said in his question.

**NO. 929 OF 2001**

**THE HON J C PEREZ**

**ELECTRICITY –STRATEGIC REVIEW**

Can Government confirm that a large percentage of the staff working at Waterport Power Station have already indicated their unwillingness to move to an Electricity Authority?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The situation remains as detailed in answer to Question No 546 of 2001.

**SUPPLEMENTARY TO QUESTION NO 929 OF 2001**

**HON J C PEREZ:**

Which is that the negotiations are on-going?

**HON LT COL E M BRITTO:**

Yes.

**HON J C PEREZ:**

Can the Government confirm if this development is taking place?

**HON CHIEF MINISTER:**

What development?

**HON J C PEREZ:**

That a large percentage of the staff working at Waterport Power Station have already indicated their unwillingness to move to an Electricity Authority?

**HON CHIEF MINISTER:**

No that is not the position. As far as the Government are concerned the Government have not had a formal response from the staff side on that specific, my understanding is that there is an intention on the staff side to put this to a ballot but that has not yet taken place. Obviously the Government have received the same vibes from certain sectors through the grapevine but that is not the structure through which the discussions are taking place and the Government do not take formal notice of them, obviously it registers at the back of their heads.

**NO. 930 OF 2001**

**THE HON J C PEREZ**

**BAR CODED LABELS**

Have Government made any progress over their decision to introduce bar coded labels at the Post Office for registered, insured and parcel post and what effect if any will this have on the users of the service?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 931 of 2001.

**NO. 931 OF 2001**

**THE HON J C PEREZ**

**BAR CODED LABELS**

Can Government state what is the estimated cost of the introduction of bar coded labels at the Post Office and whether this involves mainly new purchase of equipment?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Government still intend to introduce a system of Bar Coded Labels in connection with the Post Office Parcel Post Service.

An up to date estimate of the introduction of these changes is not yet available. It is expected that Users of the Service will benefit from the provision of greater security and easier tracing of postal items.

**SUPPLEMENTARY TO QUESTION NOS 930 AND 931 OF 2001**

**HON J C PEREZ:**

But will the user have to do something different from what it does now in respect of the preparation of parcels and will the bulk of the expense fall on the equipment or is it labour intensive?

**HON LT COL E M BRITTO:**

I think the hon Member will understand that in the present situation at the Post Office this item is not one that has been given a lot of priority.



**HON J C PEREZ:**

It was given priority by him in the budget speech of last year.

**HON LT COL E M BRITTO:**

It has not been given priority, there have been developments since I made the statement at the time suggested and the priority is in the negotiations with the staff and in sorting out the other major problems that exist there. Although conceptionally there is an intention to do this and it is still being investigated and researched, for example, I am told that already in the background there has been a reduction in some of the costs that have been envisaged but we are not really progressing on this we do not see this happening until other bigger changes that we envisage happening at the Post Office take place and when the Post office is reformed, then this will come in as a consequence rather than being the flagship of what we are intending.

**ORAL**

**NO. 932 OF 2001**

**THE HON J C PEREZ**

**GBC**

Can Government state what was the nature of the delay by GBC in recruiting a Sales Manager a matter which has been highlighted by the Chairman Of the Board?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 933 of 2001.

**NO. 933 OF 2001**

**THE HON J C PEREZ**

**GBC**

Can Government state whether they have been made aware by GBC about any possible improvements in generating income by advertising and whether the Corporation now expects to meet the projected target of income which they budgeted for at the time of the relaunch of television in 1999?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The recruitment of staff by GBC is a matter for the Corporation. Government are aware of the Corporation's on-going efforts to improve on the income derived from air-time sales. As I said at budget time a new marketing strategy introduced earlier this year continues to show encouraging results. The income targets projected in 1999 at the time of the relaunch have since been revised downwards. The sales target for 2001/2002 is £166,000. On current showing it is likely that the value of sales contracts signed during the course of the year will reach a higher figure which will be an increase in the level of last year's sales.

**SUPPLEMENTARY TO QUESTION NOS 932 AND 933 OF 2001**

**HON J C PEREZ:**

Are Government not interested in knowing given that the new Chairman of the Board, identifies one of the failings of achieving the objective as the delay in employing the Sales Manager. Is Government not interested in identifying what that delay was and how it was costed given that the Chairman of the Board has identified that situation to be one of the factors that contributed in not being able to meet the objectives of the Corporation at the time of the relaunch?

**HON LT COL E M BRITTO:**

As I said matters of staff is a matter for GBC but I honestly do not understand the point that the hon Member is making and I think, I do not have the GBC Chairman's statement here with me but I think he may have misunderstood or not seen the stress that the Chairman was putting on what he said. My understanding is what he said is that one of the factors contributing to lower sales was the fact that there was a change of Sales Manager. The hon Member specifies in his question a delay which he implies is a serious matter. I am advised that the marketing executive announced on the 9<sup>th</sup> July that he was going that he tendered his resignation and his post became vacant on the 31<sup>st</sup> July that the vacancy was registered with the Employment Agency on the 17<sup>th</sup> July even before it was vacant and that the post was filled on the 14<sup>th</sup> August. One month from the notice being given and two weeks from the vacancy occurring is not to me a serious delay.

**HON J C PEREZ:**

Well the Chairman says in his report which was also published in the Gibraltar Chronicle that one of the problems was that there were increased costs incurred by GBC as a result of recruiting staff which was based for the production of programs and that there was an undue delay in recruiting the Sales Manager who was supposed to be the man bringing the money in. Certainly the dates given to me by the Minister do not suggest an undue delay but the Chairman might know something that he does not know I thought that given that the projections were not met and that that was an important point made by the Chairman that the Government would want to know why this was so and that it would want to share the information with Members of the House who vote the money for GBC.

**HON CHIEF MINISTER:**

The Government take great pain not to get involved in the micro management of GBC affairs. Government designate a Chairman in whom obviously they have confidence and then allows the Chairman to Chair his Board otherwise Government would very quickly find themselves running GBC as if it were another Government department. I do not if that has ever been the case in the past it is certainly not the case now and certainly if the hon Member when he was Minister with responsibility for broadcasting took the degree of interest that he is now recommending to us that we should take in respect of the day to day personnel recruitment issues at GBC then that would suggest a level of interference in the affairs of GBC which is I think is improper for a Government to exercise over an independent broadcasting corporation.

**HON J C PEREZ:**

If the Chief Minister were to check Hansard it is not anything that he himself was not questioning on this side of the House when he was a Member of the Opposition and I was to answer the questions for him notwithstanding the fact that he then must have thought that it was not interfering with the independence of the corporation because he used to ask me and get questions from me about what was happening in GBC. Details of the nature of what I am asking today.

**HON CHIEF MINISTER:**

As I do now, in other words, when GBC sends in a request for additional funding and it comes past my desk I make it my business to find out why the Government are being asked for more money and when the Government make the decision as to whether or not to vote or to give more money for GBC the Government form a view as to whether the need for that money has been generated, (1) by external factors outside the control of GBC in which case the money is usually given or (2) whether it is caused by some factor within the control of GBC which can be controlled and is not being controlled as well as it might be. Those circumstances the Government certainly enter into discussions with GBC to ensure that before having recourse to the public purse for more money they are managing their affairs in such a way which best husbands the resources that they have already got. I do not do that on a weekly basis and the Minister does not do that on a weekly basis this involvement by Government arises only in the assessment of requests for further monies as and when those requests come, thereafter we do not stand over the Chairman's or the Board's shoulder to see whether they are on a day to day basis micro managing GBC in accordance with the Government's satisfaction. That the hon Member will understand if the Government felt free to do that in respect of one area in GBC it will very quickly lend itself to this accusation that it was doing it other areas of GBC as well.

**NO. 934 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**VICTORIA STADIUM – SQUASH COURT**

Can Government confirm when they can expect the repairs to the Squash Court at the Victoria Stadium to be finished?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 935 and 936 of 2001.

**NO. 935 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**EUROPA SPORTS GROUND**

When can Government expect the hand-over of the Europa Sports Ground to the Government by the MOD to take place?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question Nos 934 and 936 of 2001.

**NO. 936 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NEW SPORTS CITY**

Are Government now in a position to confirm when they expect the whole of the works for the new Sports City at the area of Bayside to be finalised?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

These same three questions have been regularly asked by the hon Member at successive previous meetings of the House. The situation is as detailed in answers to Question Nos 368 of 2000, 143, 144, 557, 558 and 559 of 2001. It is expected that the works on the squash court will be completed before the end of the year.

**SUPPLEMENTARY TO QUESTION NOS 934, 935 AND 936 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I am asking the questions regularly because the Minister makes statements in public and does not deliver what he says is going to happen. As regards the Europa Sports Ground can the Minister confirm whether there are still.....

**HON LT COL E M BRITTO:**

On a point of order can the hon Member substantiate what she has just said, what is it that I have said in previous answers that has not been delivered.



**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether the Government expect the hand-over of the Europa Sports Ground to happen seeing now that it is two years nearly since the Minister came out publicly in an interview in GBC saying that this would happen?

**HON LT COL E M BRITTO:**

Is this what the hon Member means by not delivering?

**MR SPEAKER:**

Well I do not know.

**HON LT COL E M BRITTO:**

I am asking her to substantiate but she has not substantiated.

**MR SPEAKER:**

She does not answer questions, you answer questions.

**HON LT COL E M BRITTO:**

I have already provided the answer to the supplementary.

**MR SPEAKER:**

Well all right. You want another supplementary?

**HON MISS M I MONTEGRIFFO:**

In his answer he has not said whether it is going to be handed over or not. I just want a yes or a no. It was six months ago since I asked the question and the Minister gave me information saying that there were all sorts of problems, that now he did not know when the hand-over was going to happen, all I am saying after six months is, can the Minister confirm when the hand-over will occur?

**HON LT COL E M BRITTO:**

No, as I have previously said in all the questions that I have enumerated.

**HON MISS M I MONTEGRIFFO:**

Then I will continue asking the same questions again.

**HON LT COL E M BRITTO:**

And the hon Member will be getting the same answers.

**HON CHIEF MINISTER:**

The hon Member can continue asking the question but what she cannot do is insinuate that when she gets answers as clear as that that the Minister is not delivering.

**NO. 937 OF 2001**

**THE HON DR J J GARCIA**

**NATURE CONSERVANCY COUNCIL**

What is the current composition of the Nature Conservancy Council?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 938 of 2001.

**NO. 938 OF 2001**

**THE HON DR J J GARCIA**

**NATURE CONSERVANCY COUNCIL**

How often and on what dates has the Nature Conservancy Council met in 2000 and in 2001?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

The Nature Conservancy Council is made up of three members, Mr Joaquin Bensusan, Dr John Cortes and Dr Clive Finlayson. The members were appointed in 1991 and to date there have been no changes in the composition of the Council. It regularly considers such matters as applications for licences under the Nature Protection Ordinance for example, for gull culling, bird ringing, research et cetera. This is done by written correspondence between the members, co-ordinated by Dr John Cortes, who acts as Secretary to the Council. As there has never been any disagreement between the members, there has been no need for meetings to resolve them.

**SUPPLEMENTARY TO QUESTION NOS 937 AND 938 OF 2001**

**HON DR J J GARCIA:**

Given that the Minister has explained that the Council has never actually met can he explain to the House in what form the Council was consulted when the Government took the decision to increase fees to the Upper Rock in April?

**HON LT COL E M BRITTO:**

No.

**HON DR J J GARCIA:**

No they cannot confirm?

**HON CHIEF MINISTER:**

I think that the Nature Conservancy Council was consulted to the same extent and the same manner and in the same form as they have ever been consulted about anything both before and after 1996.

**HON DR J J GARCIA:**

I am just trying to establish, a piece of legislation was passed under the Nature Protection Ordinance and that section 24(a) of that ordinance which relates to the increase or the levying of a fee requires or suggests that there shall be consultation with the Nature Conservancy Council the intention of the Opposition was to establish whether that consultation had in fact taken place or not and I take it from what the Minister has said that the answer is no it has not.

**HON LT COL E M BRITTO:**

To start with I do not think that the supplementary with respect is valid under the original question.

**MR SPEAKER:**

You cannot decide whether it is right or invalid, I decide.

**HON LT COL E M BRITTO:**

I am giving an opinion which I am not entitled to. I would just answer to the hon Member that I need notice of that question.

**NO. 939 OF 2001**

**THE HON DR J J GARCIA**

**SEA OUTFALL STUDY**

How many tenders were received for the waste water treatment works Sea Outfall Study from whom and what was the nature of each bid?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Seven tenders were returned for the Sea Outfall Study. These were from the following companies:-

- (1) Halcrow
- (2) Montgomery Watson Harza
- (3) Metcaff and Eddy
- (4) EGMASA/EWMS
- (5) Skansa/SWECO
- (6) H R Wallingford
- (7) Neptune Oceanographic Limited

Tenderers were asked to price a document prepared by the Technical Services Department outlining the employer's requirements for the study, thus ensuring uniformity of submissions. Specific details of the various submissions cannot presently be released as this tender is yet to be awarded.

**NO. 940 OF 2001**

**THE HON J C PEREZ**

**UPPER ROCK FIREBREAKS**

Can Government explain why the tender for clearing the Upper Rock firebreaks came out in July when the high risk season is considered to be from April to September?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The tender for clearing the Upper Rock firebreaks issued on 2<sup>nd</sup> July 2001 following on advice from GONHS that vegetation should not be tampered with until after the middle of June. The tender was awarded in late August. Since the high risk season was almost over it was agreed that the successful tenderer would not carry out the works this year but would carry them out in June 2002 without the tender having to re-issue.

**SUPPLEMENTARY TO QUESTION NO 940 OF 2001**

**HON J C PEREZ:**

Why June 2002 I can understand the advice from GONHS but the advice, the one I used to get from the Fire Brigade, is that the peak period is from April to September, now that the tender is awarded should not the company be tackling the work in April or before April?

**HON J J HOLLIDAY:**

It has been agreed with the successful tenderer that they would carry out the works next year at the same price that they had quoted this year. What I intend to do is get those that manage the Upper Rock to carry out the consultation process with the Fire Brigade to see the more adequate time of the year to do this. Having said that, GONHS is very adamant that certain species of plants should not be tampered with before June in order to allow them to flourish in some way or another but obviously safety is the paramount issue in this case so therefore it may done before.

**NO. 941 OF 2001**

**THE HON J C PEREZ**

**DEVIL'S TOWER ROAD**

Can Government say whether the contract for the lay-by at 35 Devil's Tower Road, was awarded to the lowest tenderer, and what are the commencement and completion dates of the contract

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The contract for the lay-by at 35 Devil's Tower Road was awarded to Profield Contractors Ltd in the sum of £35,800 being the lowest valid tender received. The commencement date for this contract was 9<sup>th</sup> July 2001 with the completion date of 7<sup>th</sup> September 2001.

**SUPPLEMENTARY TO QUESTION NO 941 OF 2001**

**HON J C PEREZ:**

Is the project now completed?

**HON J J HOLLIDAY:**

Yes.

**HON J C PEREZ:**

He says the valid tender, meaning that there might have been other lower tenders which did not meet the specifications required?



**HON J J HOLLIDAY:**

There was a tenderer who submitted a quote which was actually lower than that that was awarded but unfortunately that was submitted after the stipulated closing date and so therefore the Treasury Tender Board took the view that they would go outside the parameters of possibilities to be awarded the tender.

**NO. 942 OF 2001**

**THE HON J C PEREZ**

**EUROPA ROAD**

Can Government say whether the contract for the road widening works at Europa Road was awarded to the lowest tenderer, and what are the commencement and completion dates of the contract?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 952 and 955 of 2001.

**NO. 943 OF 2001**

**THE HON J C PEREZ**

**PUBLIC BUS SERVICE**

Is the contact between the Minister for Transport and the two companies currently engaged in the provision of bus services still holding up the promised free bus service to Senior Citizens in the Upper Town Area?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Government have decided not to introduce the promised free bus service to senior citizens in the Upper Town area, until the new bus service is introduced.

**SUPPLEMENTARY TO QUESTION NO 943 OF 2001**

**HON J C PEREZ:**

Given that the new bus service has been promised for five and a half years now can the Minister tell us more or less when he thinks that the new bus service is to be introduced so that senior citizens can hope at least to have a service to the Upper Town?

**HON J J HOLLIDAY:**

As far as I can recollect the new bus service is not something that has been on the cards for the last five years, neither has free transport for the senior citizens. I believe that was a commitment that we gave in our manifesto at the last general elections so therefore both issues are going to be addressed within these term of office and we are still working on a schedule to introduce the new bus service within the course of next year.

**HON J C PEREZ:**

If the Minister would care to look at Hansard the question of the refurbishment of new buses and the new bus service is something that was included in their first term of office and which is still pending in their second term of office although we have been promised by the Chief Minister that we are all going to be surprised and that it is going to be an excellent service and something out of this world in the end but we have been studying and looking at reports and then not looking at reports and then talking with people and then not talking with people for five and a half years. What I am saying is that the Minister has just said that senior citizens can look forward to the free bus service when the new service is introduced, I am saying, is it going to take another five years or can senior citizens aspire to use that service in the not too distant future?

**HON CHIEF MINISTER:**

It is very astute and realistic of the hon Member to assume that we are going to be here in five and a half years time he is probably right. We hope to deliver this before the next election.

**NO. 944 OF 2001**

**THE HON J C PEREZ**

**PUBLIC BUS SERVICE**

Are Government still considering the proposals put to them by the two companies currently engaged in the provision of bus services?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

No.

**SUPPLEMENTARY TO QUESTION NO 944 OF 2001**

**HON J C PEREZ:**

Does that mean that they have now taken a decision and they have taken in their views and that they now have their own views on how to proceed?

**HON J J HOLLIDAY:**

The Government have given consideration to the proposals that both companies put to it in order to operate the bus service in Gibraltar however the Government found that these proposals were not acceptable as they did not meet the relevant requirements. The Government have discussed various options with the two operators and is now in the process of preparing details of new proposals for both operators to consider. However it has been made clear to both operators that the new bus service will be introduced with or without their participation in the new system.

**HON J C PEREZ:**

Without their participation would mean rescinding their licences or competing with them directly.

**HON CHIEF MINISTER:**

It does not mean necessarily one or other of those.

**HON J C PEREZ:**

Providing a parallel service then?

**HON CHIEF MINISTER:**

The hon Member has recited two possibilities and I have agreed with him that it must necessarily mean one or other.

**HON J C PEREZ:**

One or other I thought he said not necessarily either of them.

**NO. 945 OF 2001**

**THE HON J C PEREZ**

**WATERGARDENS – WAITING BAYS**

Will Government reconsider creating short term waiting bays in the area of Watergardens given the nature of businesses in the area, and the great amount of parking tickets issued to motorists on a daily basis?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

The relevant authority under the Traffic Ordinance for the creation of such bays is the Traffic Commission to-date no written representations have been received by the Traffic Commission.

**SUPPLEMENTARY TO QUESTION NO 945 OF 2001**

**HON J C PEREZ:**

Although he said the last time in the House when I asked the question that the Government were not prepared to do it, he is now suggesting that I write to the Traffic Commission, is that what he is saying?

**HON J J HOLLIDAY:**

Yes.

**HON J C PEREZ:**

The last time he took the decision and he said 'no we are not prepared to do it' now he says it is the Traffic Commission. I mean I have asked this question before that is why I say reconsider.

**NO. 946 OF 2001****THE HON J C PEREZ****TRANSPORT – PARKING TICKETS**

Can Government state how many parking tickets have been used this year since 1<sup>st</sup> April with a breakdown by month and the comparative figures for the same months last year?

**ANSWER****THE HON MINISTER FOR TOURISM AND TRANSPORT**

The information sought in this question is too voluminous to be read out. I will therefore hand the hon Member a table giving the information requested.

	<b>2000</b>	<b>2001</b>
<b>April</b>	980	1584
<b>May</b>	1268	2007
<b>June</b>	1082	1562
<b>July</b>	913	1767
<b>August</b>	1171	1191
<b>September</b>	1361	846
<b>October</b>	1457	900
<b>Total</b>	<b>8232</b>	<b>9857</b>

**SUPPLEMENTARY TO QUESTION 946 OF 2001****HON J C PEREZ:**

Did the Minister find out from the last time I asked this question whether it was that there were more resources being devoted to the question of illegal parking or was it that the same people were doing a more intense work given the increases month by



month, most months, in the number of parking tickets issued from one year to the other?

**HON J J HOLLIDAY:**

At the time when this question was last formulated we did say that this is a policing matter over which we do not have any jurisdiction. So we assume that it is just policing.

**HON J C PEREZ:**

Fine I said that the Minister might not have, I ask the Government because in some circumstances it is the Attorney General that replies to these matters.

**HON CHIEF MINISTER:**

He does not have any jurisdiction either. The Attorney General only has two capacities, he is the Government's law officer on which capacity he is part of the Government and indistinguishable from the hon Member or he is the Director of Public Prosecutions in which case he is unconnected to the Government, in neither case does he have any control over the Royal Gibraltar Police's policing priorities.

**HON J C PEREZ:**

I am not suggesting that he has it is just that if he cares to look at past custom and practice in this House whenever a matter which is related to the police which Ministers do not know about or have not found anything about it is the Attorney General that has answered although I accept that it is a supplementary it is not a direct question.

**HON CHIEF MINISTER:**

It is not a question of Ministers not knowing about it.

**HON J C PEREZ:**

So the Minister then knows?

**HON CHIEF MINISTER:**

It is a question of it not being a matter for which the Government are responsible, for which the Government have made a decision of which the Government are accountable and it is not acceptable for the Attorney General to come into this House to account in the name of the Government for the behaviour of the RGP. If there has been an increase in the issue of parking tickets it can only be either, because there has been a marked increase in traffic infractions or because there has been a marked increase in the policing by the RGP of Traffic Legislation. It can only be one of those two things.

**HON J C PEREZ:**

And I want to know whether it was that there have been an increase in manpower in order to intensify the campaign or whether it is the same people doing a more intense job, that is all I wanted to know.

**HON CHIEF MINISTER:**

Well the hon Member should write to the Commissioner of Police and ask him.

**HON J C PEREZ:**

I will, I wish he would have done the same when he was on this side of the House accusing Ministers of clamping vehicles all over the place.

**HON CHIEF MINISTER:**

The Government do not in areas where they have no Constitutional responsibility, the Government do not write such letters. There are occasions were the Government want certain areas to be policed, with littering laws and things of that sort, and we like him find that we have to ask from a position where we are not in control of the police. We are not going to stand in this House accounting to the hon Member for the policing policies of the RGP.

**NO. 947 OF 2001**

**THE HON J C PEREZ**

**HARBOUR VIEWS PROMENADE**

Are Government aware of the many instances that the Royal Gibraltar Police have been called this summer to the area of the Harbour Views Promenade with complaints about small sea crafts endangering bathing activity, and in the light of this, will Government not reconsider their position over regularising the position of swimmers by properly demarcating the area for bathing purposes?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

The Royal Gibraltar Police has informed the Government that the Royal Gibraltar Police has no record of having received any complaints this summer about small sea crafts endangering bathers in the area of the Harbour Views Promenade.

**SUPPLEMENATRY TO QUESTION NO 947 OF 2001**

**HON J C PEREZ:**

So this time they can reply on behalf of the Police could the Minister ask the Police to up-date their records because I have been present on five occasions when this has happened and perhaps the officer in question has not reported it back to the station, but at least on five occasions I myself have personally been present when the police have been called because of this issue and in the light of this will the Government not reconsider avoiding an accident in the future. They have got time to do it, it is not a matter which is an issue until next summer and I would ask them to reconsider the matter.

**NO. 948 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – DRIVING LICENCES**

Have all persons who recorded their cases with the Government and had been fined by Spanish policemen for non-recognition of Gibraltar issued driving licences, had their fines refunded, and if so, by whom?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question No 949 of 2001.

**NO. 949 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – DRIVING LICENCES**

Can Government state how many recorded cases there have been, since February 2001, of incidents in which Gibraltar issued driving licences have not been accepted as valid by Spanish policemen?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

There have been four recorded cases since February 2001 in which Gibraltar issued driving licences have not been accepted as valid by Spanish policemen. As regards those who have had fines imposed on them for the non-recognition of their Gibraltar issued driving licence, these fines have been refunded by the relevant Spanish authorities.

**SUPPLEMENTARY TO QUESTION NOS 948 and 949 OF 2001**

**HON J C PEREZ:**

Of the four since February am I right?

**HON J J HOLLIDAY:**

Yes the question says since February 2001.

**HON J C PEREZ:**

No the first question does not put a date on it. He has taken them together but I have not put them together I have said, "Have all persons who recorded their cases with the

Government and been fined by the Spanish policemen for non-recognition have their fines refunded and by whom?”. Not only the four since February.

**HON J J HOLLIDAY:**

I am not too sure about that obviously the fact that we put both questions together we read it as February 2001 so there may be a case before that I am not really sure.

**HON J C PEREZ:**

Could the Minister find out and let me know please?

**HON J J HOLLIDAY:**

Absolutely.

**NO. 950 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – NUMBER OF NEW REGISTRATIONS**

What is the number of new vehicle registrations from 1<sup>st</sup> April 2001 to date?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

The total of new vehicle registrations from 1<sup>st</sup> April 2001 to 30<sup>th</sup> October 2001 is 1799.

**NO. 951 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – MOT BUILDING – EASTERN BEACH**

When do Government expect the MOT station at Eastern Beach to be fully operational?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

Building works on the extension to the MOT Building as per the original scope of works in the contract, achieved Practical Completion on 26<sup>th</sup> October 2001. Some additional works are currently being undertaken and it is envisaged that these will be completed within the next fortnight.

**SUPPLEMENTARY TO QUESTION NO 951 OF 2001**

**HON J C PEREZ:**

Until when does the Minister envisage moving the whole operation from Waterport to the new station?

**HON J J HOLLIDAY:**

We anticipate that this will probably happen before the end of the year.



**NO. 952 OF 2001**

**THE HON J C PEREZ**

**EUROPA ROAD**

When are the road works at Europa Road scheduled to be completed and when is that part of the road expected to be open to vehicular traffic again?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question Nos 942 and 955 of 2001.

**NO. 953 OF 2001**

**THE HON J C PEREZ**

**TRANSPORT – SEAT BELTS**

Can Government state whether any driver or passenger in a vehicle has been fined for not wearing a seat belt since the new regulations were introduced, making the use of seat belts compulsory?

**ANSWER**

**THE HON MINISTER FOR TOURISM AND TRANSPORT**

No.

**NO. 954 OF 2001**

**THE HON J C PEREZ**

**GREEN LANE**

Do Government believe that there are now new grounds for them to argue the case for opening up Green Lane to vehicular traffic with the present leaseholders, following public statements made by Mr James Gaggero?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The Government are aware of comments made by Mr Gaggero and are also aware of development proposals for the area. The question whether Green Lane is open to the public remains one for the leaseholder of that land. Government would welcome it.

**SUPPLEMENTARY TO QUESTION NO 954 OF 2001**

**HON J C PEREZ:**

What I am asking is that independent of the development proposals since the person in question seems now to suggest that there is no problem with noise of traffic going through the Green Lane in trying to push his development, could there be new arguments for the Government to open the negotiations of opening Green Lane to vehicular traffic independent of the development proposals that he has put, because I think that it is very ridiculous for him to have argued all along that one could not have vehicles passing through there because of the noise to the hotel but if one built three blocks of flats there will not be a problem with the noise either to the flats or to the hotel and Green Lane would be open to the general public.

**HON CHIEF MINISTER:**

The hon Member speaks of negotiations with the owners, the Government are not in a position to negotiate with them, these people have a lease over the land, they either open the road or they do not. The hon Member invites the Government to negotiate is he suggesting that we should offer a sum quid pro quo for the privilege.

**HON J C PEREZ:**

I am only following on what the Minister has informed me in answer to questions, that they were involved in negotiations with the leaseholders.

**HON CHIEF MINISTER:**

No, discussions.

**HON J C PEREZ:**

Ah, discussions I see. Perhaps he might consider having new discussions on the basis of the new arguments that he might have at his disposal.

**HON J J HOLLIDAY:**

I do not think there is a need because if one refers to the statements that were made by Mr Gaggero in answer to one of the questions about opening Green Lane to the public he actually does confirm that it would be as a consequence of this project to open up Green Lane, so I do not think there is an issue.

**HON J C PEREZ:**

Well there is an issue because he is suggesting that he will open Green Lane only if his development is accepted and I think it is not proper that after having argued certainly with the Government when I was there that vehicular traffic was not able to pass through Green Lane because it would disturb the people living in the hotel that all of a sudden if his development is accepted that will not disturb the residents of the three blocks he proposes or the residents of the hotel any longer. So I take offence to the fact that he is saying that the perk for Gibraltar is that if they give him a development licence to do this that he will open Green Lane to the public and on top of it that he will be able to pay back the money he owes the Government for the loan of the hotel. I do not think these things should be considered as part of the development and should be separate one from the other.

**HON CHIEF MINISTER:**

Absolutely and so it will be.

**NO. 955 OF 2001**

**THE HON DR R G VALARINO**

**17 EUROPA ROAD**

Can Government state when the road widening scheme at 17 Europa Road is due for completion and what will be the total cost of this project?

**ANSWER**

**THE HON MINISTER FOR TOURISM & TRANSPORT**

The road widening contract at Europa Road was awarded to AMCO, who were the lowest tenderer, in the sum of £336,893.42. The contract commencement date was the 16<sup>th</sup> July 2001 and the programmed completion date, based on a 26 week contract period, is the 26<sup>th</sup> January 2002. The re-opening of Europa Road to through traffic will coincide with the completion of the works.

**SUPPLEMENTARY TO QUESTION NOS 942, 952 AND 955 OF 2001**

**HON J C PEREZ:**

Would the Minister know whether the works are on schedule and the dates expected to be met, the completion dates expected to be met at this stage?

**HON J J HOLLIDAY:**

I understand that the works are currently approximately two weeks behind but the contractors are trying to make up time in order to complete it on time on the 26<sup>th</sup> January 2002.

**NO. 956 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM CO-OPERATION AGREEMENT – LA LINEA**

Can Government say when the tourism co-operation agreement between Gibraltar and La Linea will be signed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

I do not know when or if this Co-operation Agreement between Gibraltar and La Linea will be signed.

**SUPPLEMENTARY TO QUESTION NO 956 OF 2001**

**HON DR J J GARCIA:**

Can the Minister confirm that there is a possibility that it actually might not be signed after all?

**HON J J HOLLIDAY:**

I can not either confirm or not confirm whether this agreement will be signed or not time will tell.

**HON DR J J GARCIA:**

It is clear from previous discussion in this House that this was something that was very much on the cards at one stage is there a reason for the delay or for this now being not so clear to do with our side or to do with the Gibraltar side or to do with the La Linea side?

**HON CHIEF MINISTER:**

There is absolutely no reluctance on the part of the Gibraltar Government, the Gibraltar Government are quite happy to sign co-operation agreements with the Ayuntamientos in the Campo it is more likely to do with the other side, the hon Member may have been following in the press certain political developments on that side which places the administration in La Linea in a different political Camp than the one it used to belong to and that may well be a relevant factor but we are only speculating we have not been told that. There is no impetus for it to be signed from the other side but certainly the Gibraltar Government remain perfectly willing to do it.

**NO. 957 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM CO-OPERATION AGREEMENT – LOS BARRIOS**

Can Government supply a copy of the tourism co-operation agreement entered into with Los Barrios?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

I hand a copy of this to the hon Member.





AYUNTAMIENTO  
DE  
LOS BARRIOS  
(CADIZ)



GOVERNMENT  
OF  
GIBRALTAR

**PLAN GENERAL PARA EL FOMENTO Y DESARROLLO DEL TURISMO**

Al amparo de lo dispuesto en el apartado Segundo del Convenio de Colaboración suscrito por el Gobierno de Gibraltar y el Ayuntamiento de Los Barrios por el que se establece al efecto, el nombramiento por parte del Gobierno de Gibraltar de la entidad GIBRALTAR DEVELOPMENT CORPORATION y por el Ayuntamiento de Los Barrios de la Empresa Municipal INICIATIVAS LOS BARRIOS, y siendo competencia de ambos Organismos el desarrollo formal y la ejecución de los proyectos y objetivos propuestos en el Convenio, ambas partes, de común acuerdo, han elaborado el presente plan general de actividades turísticas para el ejercicio de 1999.

Siguiendo el espíritu de lo expresado en el Convenio de Colaboración suscrito por el Gobierno de Gibraltar y el Ayuntamiento de Los Barrios y en aras de ir concretando algunas de las actividades turísticas que lo vayan dotando de contenido práctico, las partes, representadas por un lado, por D. Manuel Ramírez Tocón, Concejal Delegado de Educación, Cultura, Juventud y Turismo del Excmo. Ayuntamiento de Los Barrios y por otra Dr. Joseph Holliday, Ministro de Turismo y Transporte del Gobierno de Gibraltar.

*[Handwritten signature and stamp area]*

## ACUERDAN

1. Elaborar medidas conjuntas en el ámbito del turismo para combinar las ofertas turísticas de Gibraltar y Los Barrios y de esa manera mejorar dicha oferta turística en beneficio de ambos lugares.

2. Como primera medida en este sentido el Gobierno de Gibraltar, a través de la Gibraltar Development Corporation y la Junta de Turismo de Gibraltar, pone a disposición del Ayuntamiento de Los Barrios su oficina de Turismo en Madrid con todos sus recursos para la promoción del turismo rural en Los Barrios. Así como el Ayuntamiento de Los Barrios se compromete a publicitar la oferta turística del Gobierno de Gibraltar en todos los eventos en que dicho Ayuntamiento participe.

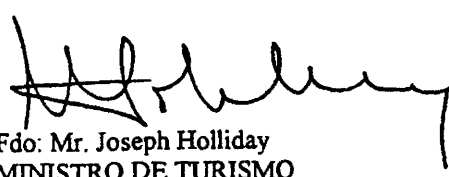
3. Dar a conocer la gastronomía propia de cada comunidad mediante la celebración de encuentros gastronómicos, con la participación de hosteleros y restauradores de ambas poblaciones.

Estando conformes ambas partes con lo estipulado en el presente documento y para que conste a los fines procedentes, aun solo efecto, se firman los preceptivos ejemplares.

Gibraltar, a 15 de Diciembre de 1998



Fdo: D. Manuel Ramirez Tocón  
CONCEJAL DE TURISMO



Fdo: Mr. Joseph Holliday  
MINISTRO DE TURISMO

**NO. 958 OF 2001**

**THE HON DR J J GARCIA**

**GOVERNMENT ASSISTANCE TO CONFERENCES**

Can Government say how many conferences they have assisted, sponsored or co-sponsored since April 2001 to date, giving the dates, venue, the number of participants, and the subject matter of each conference?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Since April 2001 to date the Government have sponsored or co-sponsored the following conferences and these are under various ministries:

CALPE 2001

Annual Young Leaders' Meeting of the Liberal and Radical Youth Movement of the European Union

Forced Migration Conference Of The Mancomunidad

Bird Life

Duke Of Edinburgh

The Gibraltar Tourist Board obviously does assist a number of entities in the logistics of organising certain conferences but does not actually sponsor or co-sponsor them.

**NO. 959 OF 2001**

**THE HON DR J J GARCIA**

**UPPER ROCK – ADMISSION FEES**

How much revenue has been raised to date, on a monthly basis, since the admission fees to the Upper Rock were increased earlier this year?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

For the period April 2001 to September 2001 the revenue raised from admissions fees to the Upper Rock has been £1,474,768.50 as compared to £1,014,455.00 the previous year representing an increase in revenue of £460,313.50. The information sought on a monthly basis is too voluminous to be read out in this House, nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested.

**Answer to Question No 959 of 2001**

<b>REVENUE COMPARISON FROM APRIL TO SEPTEMBER 2000 &amp; 2001</b>					
<b>2000</b>	<b>Revenue per month £</b>	<b>2001</b>	<b>Revenue per month £</b>		<b>Increase in Revenue per Month £</b>
April	172,147.00	April	234,201.50		62,054.50
May	177,106.50	May	262,500.50		85,394.00
June	154,377.00	June	227,459.00		73,082.00
July	171,586.50	July	241,163.00		69,576.50
August	152,982.50	August	249,666.50		96,684.00
September	186,255.50	September	259,778.00		73,522.50
<b>Total Revenue</b>	<b>1,014,455.00</b>	<b>Total Revenue</b>	<b>1,474,768.50</b>	<b>Total Increase</b>	<b>£460,313.50</b>

**NO. 960 OF 2001****THE HON DR J J GARCIA****COACH PARK CHARGES**

How much revenue has been raised to date, on a monthly basis, by charging coaches that use the coach park since April 2001 inclusive?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The revenue that has been raised from April 2001 to date by charging coaches that use the coach park is £80,300 as compared to £41,910 for the same period last year. The information sought in this question is too voluminous to be read out in this House, nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested.

**Answer to Question No 960 of 2001**

<b>COACH PARK CASH REVENUE FOR THE YEAR 2001</b>	
<b>Week Ending</b>	<b>Revenue Amount £</b>
01-April	50.00
08-April	2,610.00
15-April	2,200.00
22-April	2,700.00
29-April	3,220.00
<b>TOTAL</b>	<b>10,780.00</b>

<b>COACH PARK CASH REVENUE FOR THE YEAR 2001</b>	
<b>Week Ending</b>	<b>Revenue Amount £</b>
06-May 13-May 20-May 27-May	2,620.00 2,990.00 3,050.00 2,890.00
<b>TOTAL</b>	<b>11,550.00</b>
03-Jun 10-Jun 17-Jun 24-Jun	2,700.00 2,770.00 3,130.00 2,640.00
<b>TOTAL</b>	<b>11,240.00</b>
01-July 08-July 15-July 22-July 29-July	2,540.00 2,520.00 2,470.00 2,500.07 2,430.00
<b>TOTAL</b>	<b>12,460.07</b>
05-August 12-August 19-August 26-August	2,480.00 2,370.00 2,350.00 2,480.00
<b>TOTAL</b>	<b>9,680.00</b>
02-September 09-September 16-September 23-September 30-September	2,130.00 2,490.00 2,920.00 2,680.00 2,820.00
<b>TOTAL</b>	<b>13,040.00</b>
07-October 14-October 21-October 28-October 29-October	3,120.00 2,960.00 2,330.00 2,770.00 370.00
<b>TOTAL</b>	<b>11,550.00</b>
<b>GRAND TOTAL</b>	<b>80,300.07</b>

**NO. 961 OF 2001**

**THE HON DR J J GARCIA**

**ROSIA BAY**

Have Government completed their assessment of the heritage impact of some of the pre-tender proposals submitted for the development of Rosia Bay?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Yes.

**SUPPLEMENTARY TO QUESTION NO 961 OF 2001**

**HON DR J J GARCIA:**

Can the Minister tell the House what the results of that examination has been?

**HON J J HOLLIDAY:**

The heritage impact of some of the pre-tender proposals that were assessed have shown that they were of significance from the heritage point of view, however, the Government acknowledge that certain aspects of the proposals require to be included in these projects in order to make these commercially viable, therefore the Government are increasing the scope of the project and a public announcement will be made in this respect very shortly.

**HON DR J J GARCIA:**

Could the Minister say what aspect of heritage were being examined that has taken so long to conduct the examination?



**HON J J HOLLIDAY:**

Each project has had to be considered on its merit and the relevant heritage impact of each project has had to be assessed. Rosia Bay is a very heritage orientated area, it has got Parsons Lodge and it has a number of walls and therefore the whole impact has had to be assessed and put together with the details of every individual proposal. We realise that some of the aspects of these proposals have an impact on heritage and at the same time are a necessary part of the project in order to be able to make it commercially viable for the whole project to be sustainable and so therefore we have enlarged the scope of the project to include a wider area and therefore give the project the commercial viability that it needs and at the same time protect the heritage aspects of the case.

**HON DR J J GARCIA:**

Can the Minister give an indication of the length of time before the actual tender itself is announced or made public?

**HON J J HOLLIDAY:**

At the moment this issue is being handled by my colleague the Minister for Trade, Industry and Telecommunications who has responsibility for heritage but we are working on this in order to be able to may be able to make a public announcement which will actually be the announcement of the project going forward and putting it to tender quite shortly but it would be difficult for me to commit myself as the work is being undertaken by another department.

**NO. 962 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF GOODS VEHICLES**

What was the value and number of goods vehicles imported by licensed dealers for each month in 2000 and 2001 to date?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question Nos 963 to 965 of 2001.

**NO. 963 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF GOODS VEHICLES**

What was the value and number of goods vehicles imported by individuals for each month in 2000 and 2001 to date?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM & TRANSPORT**

Answered together with Question Nos 962, 964 and 965 of 2001.

**NO. 964 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF PRIVATE MOTOR VEHICLES**

What was the value and the number of private motor vehicles imported by licensed dealers for each month from April 2001 onwards?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 962, 963 and 965 of 2001.

**NO. 965 OF 2001****THE HON DR J J GARCIA****NUMBER OF PRIVATE MOTOR VEHICLES**

What was the value and number of private motor vehicles imported by individuals for each month from April 2001 onwards?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The information sought in these questions is too voluminous to be read out in this House nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested in the question.

**Answer to Question No 962/2001**

	<b>Licensed Dealers</b>			
	<b>2000</b>		<b>2001</b>	
	<b>Quantity</b>	<b>£ (thousands)</b>	<b>Quantity</b>	<b>£ (thousands)</b>
<b>January</b>	12	78	24	179
<b>February</b>	8	61	5	31
<b>March</b>	21	83	8	54
<b>April</b>	12	45	5	19
<b>May</b>	19	141	11	87
<b>June</b>	11	88	8	40
<b>July</b>	11	100	6	20
<b>August</b>	22	127	2	8

<b>September</b>	23	143	-	-
<b>October</b>	11	72	-	-
<b>November</b>	9	56	-	-
<b>December</b>	12	476	-	-
<b>Total</b>	<b>171</b>	<b>1470</b>	<b>69</b>	<b>438</b>

**Answer to Question No 963 of 2001**

	<b>Individuals</b>			
	<b>2000</b>		<b>2001</b>	
	<b>Quantity</b>	<b>£ (thousands)</b>	<b>Quantity</b>	<b>£ (thousands)</b>
<b>January</b>	3	9	1	2
<b>February</b>	1	1	0	0
<b>March</b>	1	0	1	0
<b>April</b>	3	17	0	0
<b>May</b>	0	0	1	15
<b>June</b>	3	29	2	12
<b>July</b>	1	1	0	0
<b>August</b>	0	0	0	0
<b>September</b>	3	27	0	0
<b>October</b>	4	38	-	-
<b>November</b>	1	5	-	-
<b>December</b>	1	2	-	-
<b>Total</b>	<b>21</b>	<b>129</b>	<b>5</b>	<b>29</b>

**Answer to Question No 964 of 2001**

	<b>Licensed Dealers</b>	
	<b>Quantity</b>	<b>£ (Million)</b>
<b>April</b>	639	6.3
<b>May</b>	660	8.2
<b>June</b>	659	7.9
<b>July</b>	551	5.5
<b>August</b>	493	4.0
<b>September</b>	479	4.0
<b>Total</b>	<b>3,481</b>	<b>35.9</b>

**Answer to Question No 965 of 2001**

	<b>Individuals</b>	
	<b>Quantity</b>	<b>£ (thousands)</b>
<b>April</b>	15	64
<b>May</b>	24	89
<b>June</b>	20	63
<b>July</b>	16	47
<b>August</b>	11	19
<b>September</b>	18	66
<b>Total</b>	<b>104</b>	<b>348</b>

**NO. 966 OF 2001****THE HON DR J J GARCIA****AIRLINE ASSISTANCE SCHEME**

How much has been paid from the Airline Assistance Scheme and to what airlines since April 2001 giving the amounts and dates when the payments were made?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

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

**Answer to Question No 966 of 2001**

<b>Date</b>	<b>DPV</b>	<b>Airline</b>	<b>Amount</b>
26.04.01	39	Bland LGW	1500
26.04.01	40	Monarch	21500
30.06.01	292	GB Airways LHR	24572
01.08.01	438	Bland LGW	15000
21.09.01	637	Monarch	26700
01.10.01	678	GB Airways LHR	36160
30.10.01		Bland LGW	15000
<b>Total</b>			<b>153,932</b>



**NO. 967 OF 2001**

**THE HON DR J J GARCIA**

**NEW AIRLINES**

With how many airlines interested in flying to Gibraltar are Government currently having discussion?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 968 to 971 of 2001.

**NO. 968 OF 2001**

**THE HON DR J J GARCIA**

**REGIONAL AIR LINES**

Has the draft Memorandum of Understanding with Regional Air Lines now been agreed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 967, 969 to 971 of 2001.

**NO. 969 OF 2001**

**THE HON DR J J GARCIA**

**MONARCH AIRLINES**

Can Government say whether Monarch Airlines remain interested in re-establishing flights between Gibraltar and Manchester airport and if so how far has this interest developed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 967, 968, 970 and 971 of 2001.

**NO. 970 OF 2001**

**THE HON DR J J GARCIA**

**NEW AIRLINES**

At what stage are discussions between the Government and the new operator who was interested in establishing a twice daily service by air between Gibraltar and Tangier?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 967 to 969 and 971 of 2001.

**NO. 971 OF 2001**

**THE HON DR J J GARCIA**

**FLY EUROPA**

Can Government say what type of aircraft Fly Europa intend to use in their flights to Gibraltar from Manchester and London Stanstead airports?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 967 of 2001**

The Government of Gibraltar are currently in discussion with four airlines that are interested in flying to Gibraltar.

**Answer to Question No 968 of 2001**

No.

**Answer to Question 969 of 2001**

Monarch Airlines still remains interested in re-establishing flights between Gibraltar and Manchester Airport. However this is subject to the availability of aircraft. The recent developments post 11<sup>th</sup> September have added an extra dimension to this.

**Answer to Question 970 of 2001**

Discussions with the proposed operator, Mediterranean Express, have discontinued. As a result of the events of 11<sup>th</sup> September 2001 investors in the project have reconsidered their position and have decided not to proceed. The plans for this service have been shelved for the time being.

### **Answer to Question No 971 of 2001**

Fly Europa will be using Boeing 737-200 in these flights to Gibraltar.

### **SUPPLEMENTARY TO QUESTION NOS 967, 968, 969, 970 AND 971 OF 2001**

**HON DR J J GARCIA:**

The Minister has highlighted the events of the 11<sup>th</sup> September twice in the various answers which have been given in relation to airlines whereas in his comments in relation to the Gibraltar Day in London the Minister was able to report that hotels and airlines had seen a relatively small impact from the world crisis. Can the Minister explain perhaps at what point these airlines discontinued their interest in Gibraltar?

**HON J J HOLLIDAY:**

I think that the hon Member has to realise that when he is quoting me from the Gibraltar Chronicle about the Gibraltar Day in London, I am addressing a number of journalists who are asking me about air services to Gibraltar and what the impact has been. The reality is that the impact has been very little as the statistics that I have sent him on a monthly basis show. I think that the month of October showed a decrease of something like 384 passengers which is absolutely nothing compared to the drops that are being reported around the world, so therefore that is on the context under which I am reported in the Chronicle. Obviously if I go to a Gibraltar Day and I face the media I am not going to quote them on the fact that Monarch Airlines is looking at Manchester or not and is looking at air-crafts at the 11<sup>th</sup> of September. It is something that does not really come into the equation neither does Mediterranean Express on the ten-seater aircraft that they were looking at to fly from Tangier to Gibraltar. No matter how important both developments are, and I would welcome those immensely, I think it had to be seen under context of what they were reporting.

**HON DR J J GARCIA:**

In relation to the four airlines that are now interested is one of those Fly Europa and are the other three completely new ones?

**HON J J HOLLIDAY:**

Yes indeed the four that I mentioned one of them is still Fly Europa. Until I see them flying into Gibraltar Airport they will continue to be 'interested' in flying in.

**HON DR J J GARCIA:**

That was going to be the subject of my next supplementary question. Could the Minister tell the House the reason for the delay in Fly Europa commencing operations given that the objection by GB Airways was lifted in June?

**HON J J HOLLIDAY:**

My understanding is that obviously Fly Europa has to meet certain conditions set by the CAA and they are in the process of trying to meet these requirements. In addition the events of the 11<sup>th</sup> September has had an influence generally in the airline business and in addition to that the fact that starting a new route half-way through their autumn season is not particularly the best of times to start, so in fact it was before the 11<sup>th</sup> September that Fly Europa gave an indication that they would probably not be in until the end of March beginning of April when they would start operating the route to Gibraltar. At the same time it gives them more time to actually market the product and be able to promote their services and therefore I think the timing is more adequate anyway.

**HON DR J J GARCIA:**

In relation to the question on regional airlines, the Minister has discussed this matter with me in the past and obviously if it is related to that issue I am sure he can explain that to me outside this House. Can he explain why this has still not been agreed given that it was very close to being agreed last time we were told in April?

**HON J J HOLLIDAY:**

In the latest discussions I have had with them rather than have the airline flying to Gibraltar from Casablanca and us having to carry a commercial risk at that, because they were flying from Casablanca to Tangier anyway on four flights a day, they would use that connection to fly on to Gibraltar twice a day and therefore we would try and co-operate with them commercially on just that leg and eliminate the risk of the Casablanca side of things. That was accepted and therefore we thought we were near but then when they came up with the sort of figures, we have not been able to accept them and we are now number crunching on both sides to see how and when this thing can be considered. I am of the view that it would be a good development to have Tangier by air connected with Gibraltar but at the same time it has to be weighed out against the cost and therefore I think that it is something that unless the agreement meets our expectations obviously we cannot proceed with them.

**NO. 972 OF 2001****THE HON DR J J GARCIA****HOTEL ARREARS**

What amounts are due and owing to Government by hotels broken down by item and in respect of which periods these monies become due as at the end of September 2001?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The arrears due by hotels stood at £639,000 as at 30<sup>th</sup> September 2001. These arrears are in respect of amounts due over a number of years dated as far back as 1991. The breakdown is as follows:-

Social Insurance	£117,000
PAYE Tax	£227,000
Electricity	£272,000
Rates	£ 23,000
	—————
Total	£639,000
	—————

Arrangements were entered into the repayment of most of these arrears as well as for ensuring that current bills are settled as and when due.



**NO. 973 OF 2001**

**THE HON DR J J GARCIA**

**HOTEL ASSISTANCE SCHEME**

Have any hotels requested loans, grants or Government assistance of any kind since the information given to this House at the last question time indicating that the Hotel Assistance Scheme was closed for the time being?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 974 and 975 of 2001.

**NO. 974 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF HOTEL BEDS**

Have any new parties expressed an interest to the Government in increasing the number of hotel beds in Gibraltar except the six given in answer to questions in April?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 973 and 975 of 2001.

**NO. 975 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF HOTEL BEDS**

At what stage are discussions with the six parties who have expressed an interest in making proposals to increase the number of hotel beds in Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 973 of 2001**

No hotel has requested a loan, grant or Government assistance.

**Answer to Question No 974 of 2001**

Yes, three new parties have expressed an interest in increasing the number of hotel beds.

**Answer to Question No 975 of 2001**

There has been no further discussion with one of the parties. The other five parties are awaiting news on the Government's proposals for the East Side and have been regularly kept informed of progress, whilst feasibility study is being undertaken.

**SUPPLEMENTARY TO QUESTION NOS 973, 974 AND 975 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether although the answer to Question No 973 of 2001 was none, that no hotels had requested loans or grants under the Hotel Assistance Scheme, can the Minister say whether any hotel has requested loans or grants outside the Hotel Assistance Scheme?

**HON J J HOLLIDAY:**

No there has not.

**NO. 976 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM – PERSON'S INTERVIEWED**

Can Government say how many interviews with persons who said that they had stayed at a hotel have been carried out since April 2001 inclusive, on a monthly basis, giving the number interviewed each month and where they were interviewed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 977, 978 and 979 of 2001.

**NO. 977 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government state of the number of persons who have been interviewed since April 2001 inclusive, who said that they had stayed at a hotel, how many were interviewed at the airport, how many were interviewed at the land frontier, and how many were interviewed elsewhere, and in each case what was the average length of stay in hotels?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 976, 978 and 979 of 2001.

**NO. 978 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government state how many interviews with persons who said that they had not stayed at a hotel have been carried out since April 2001 inclusive, on a monthly basis, giving the number interviewed each month and where they were interviewed?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 976, 977, and 979 of 2001.

**NO. 979 OF 2001****THE HON DR J J GARCIA****TOURISM – PERSONS INTERVIEWED**

Can Government state of the number of persons who have been interviewed since April 2001 inclusive, who had not stayed at a hotel, how many were interviewed at the land frontier, how many were interviewed at the airport and how many were interviewed elsewhere?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The information sought in these questions is too voluminous to be read out in this House, nor would the hon Member be able to note the information for the purposes of formulating supplementaries if it were read out. I therefore now hand the hon Member the information requested.

**Answer to Question No 976**

Month	No of Interviews	Stayed at Hotel	Place of Interview		
			Airport	Frontier	Waterport
April	1,064	65	56	9	0
May	1,099	36	36	0	0
June	1,178	20	17	1	2
July	1,211	19	18	1	0
August*	936	21	21	0	0
<b>Total</b>	<b>5,488</b>	<b>161</b>	<b>148</b>	<b>11</b>	<b>2</b>

*\*not fully inputted as yet on computer*



**Answer to Question No 977 of 2001**

The provisional figures are as follows:

Month	No of Interviews of those staying at hotels	Airport	Average length of stay	Frontier	Average length of stay	Waterport	Average length of stay
April	65	56	5.1	9	2.7	-	-
May	36	36	5.3	-	-	-	-
June	20	17	6.1	1	2.0	2	2.0
July	19	18	4.5	1	2.0	-	-
August*	21	21	6.3	-	-	-	-

\* Partly inputted into computer

**Answer to Question No 978 and 979 of 2001**

The provisional information is as follows:

Month	Interviews Not stayed at hotel	Place of Interview						Total
		Airport	Port	Frontier	Waterport	Marina	Coach Park	
April	999	65	110	597	1	-	226	999
May	1063	29	155	611	-	-	268	1063
June	1158	29	165	594	-	-	370	1158
July	1192	18	221	555	-	-	398	1192
August*	915	28	152	533	-	-	202	915
<b>Total</b>	<b>5327</b>	<b>169</b>	<b>803</b>	<b>2890</b>	<b>1</b>	<b>-</b>	<b>1464</b>	<b>5327</b>

**NO. 980 OF 2001**

**THE HON DR J J GARCIA**

**MISS GIBRALTAR CONTEST 2001**

Can Government list the names and the amounts bid by each of the parties that expressed an interest in staging the Miss Gibraltar Contest 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Three companies expressed an interest in staging the Miss Gibraltar Contest 2001:-

Chromis Entertainment Ltd  
Film Exhibitors Ltd  
Mount Productions

It is Government practice only to divulge the amount bid by the successful tenderer, which in this case was Mount Productions Ltd with a bid of £15,900.00.

**SUPPLEMENTARY TO QUESTION NO 980 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether that bid was the lowest of the three?

**HON J J HOLLIDAY:**

No it was not the lowest.

**HON DR J J GARCIA:**

Could the Minister perhaps explain why this tender did not go to the lowest bidder in this case?

**HON J J HOLLIDAY:**

The Tender Board that assessed the three proposals obviously based these on what is being proposed and presented as part of a package not all three proposals are exactly the same. They obviously stage the Miss Gibraltar contest but they may be in different forums, different activities and what is being offered and therefore they need to assess what is best and good value for money, what we feel is going to deliver the sort of product that we would like. It was on that basis that the Tender Board decided that the award was to be given to Mount Productions.

**NO. 981 OF 2001**

**THE HON DR J J GARCIA**

**FEASIBILITY STUDY – EASTERN BEACH/CATALAN BAY**

When was the report/feasibility study into the extension of Eastern Beach and Catalan Bay submitted to the Government and at what cost as at 30<sup>st</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The report/feasibility study into the extension of Eastern Beach and Catalan Bay has not yet been submitted to Government in its totality. The cost as at 30<sup>th</sup> September 2001 since the project begun in 1999 is £490,848.23.

**SUPPLEMENTARY TO QUESTION NO 981 OF 2001**

**HON DR J J GARCIA:**

Can the Minister give the House an indication as to when they expect the report to be submitted?

**HON J J HOLLIDAY:**

My understanding is that the final part of the report, there is only one section of the report that still remains to come, from an expert in a particular field, will approximately take about seven weeks more and that would complete the whole total feasibility study. Obviously what has already been submitted to us gives a good indication of what is possible but one of the aspects that still has to come is an important aspect of the report and does have a bearing on the final outcome and therefore I would not avoid making public comments which may be misleading.

**HON DR J J GARCIA:**

The amounts spent to-date for these kind of reports is nearly £500,000 which seems particularly high. Can the Minister explain what the experts have been doing?

**HON J J HOLLIDAY:**

I can give you an idea of the sort of issues that have been looked at. Obviously they have carried out a topographical survey an in-survey, a borehole test, beaches and burrow pit, model testing, study and design, work mat at planning, tender documents and contracts which obviously is a stage within the cost an ordinance search, extra investigations of the beach, less rubble tip area, up-date on land topographical survey adapt finalised design of groynes to new bung wall on the rubble tip area, final design of protection at runway and Caleta Hotel, design of shore protection of the rubble tip area, and up-date of relevant information for tender documents and management fees.

**HON J J BOSSANO:**

Can the Minister say what is the work on the tender documents and contracts which he is referring to given that presumably the feasibility study is decide whether the development should proceed or not.

**HON J J HOLLIDAY:**

No, I am reading from a budget list which basically composes all the costs to the total project pre-tender stage, the tender documents are not done because the Government have not decided to proceed with the project until we see the outcome of the total feasibility study that is being undertaken.

**HON J J BOSSANO:**

I think the question was on the breakdown of the money that has been spent, I take it that nothing has been spent on that that is not part of the £400,000.

**HON J J HOLLIDAY:**

The total expenditure of this is £515,000, that is the total budget that was submitted at Budget time. That will achieve the project to which will include the tender documents as well. We have not spent that money in its totality because we are still waiting for the last section of the report which will then give the Government the possibility and the opportunity to decide whether they wish to proceed with the next phase of the project.

**NO. 982 OF 2001**

**THE HON DR J J GARCIA**

**TENDER – BEAUTIFICATION OF CATALAN BAY**

How many parties have expressed an interest in the tender for the beautification of Catalan Bay following the publication of a Government official notice on 3<sup>rd</sup> July 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Two parties expressed an interest in the Tender for the beautification of Catalan Bay.

**SUPPLEMENTARY TO QUESTION NO 982 OF 2001**

**HON DR J J GARCIA:**

Is the Minister in a position to say who the two parties are and when this matter is expected to be adjudicated?

**HON J J HOLLIDAY:**

The tender was awarded to Sharrock Shand and work commenced on the 16<sup>th</sup> October.

**HON DR J J GARCIA:**

Can the Minister say whether the successful tenderer was in fact the lowest bidder in this case.

**HON J J HOLLIDAY:**

Yes.

**NO. 983 OF 2001**

**THE HON DR J J GARCIA**

**TENDER – PLOT AT CATALAN BAY**

How many parties submitted a tender for the plot at Catalan Bay in response to the Government official notice published on 28<sup>th</sup> March 2001, giving names of the parties involved and the amount bid by each prospective tenderer?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Six parties submitted a tender for the plot at Catalan Bay. These are as follows:-

1.	H L Wilkie/Montagu Group	£354,000
2.	Sharrock Shand	£450,000
3.	Taylor Woodrow	£510,000
4.	Catalan Bay Investments	£400,000
5.	Skanska Construction/RLS Properties Ltd	£431,950
6.	Rison Ltd/ Fitzpatrick Contractors Ltd	£126,500

The tender was adjudicated to Skanska Construction and RLS Properties Ltd in the sum of £431,950.



## SUPPLEMENTARY TO QUESTION NO 983 OF 2001

**HON DR J J GARCIA:**

Why is it the policy of the Government to release all the information and amount bid by the tenderers who did not get the tender in this particular case and not in all the others we have had this afternoon?

**HON CHIEF MINISTER:**

The Government take the view that when the tender is for the sale of a Government asset that it is appropriate to give the details of the bids as opposed to the adjudication of a commercial contract which raises other commercial considerations which do not arise on the disposal of Government assets.

**HON J J BOSSANO:**

The tender accepted in fact was lower than that submitted by Sharrock Shand and Taylor Woodrow was there something about the nature of the development that made the Government prepare to sell the land for less?

**HON CHIEF MINISTER:**

Yes this was not just a tender for the sale of a plot of land. This was a tender for the submission of particular design concepts for that site, does the hon Member know where that site is? It is that green area between the end of Catalan Bay Village and the hotel itself, a sort of wedge that comes down from the road down to the beach and although the Government are in principle wanting to raise as much money as possible, we have to balance the amount of money we are going to get with the design concept of what it is proposed to do there especially given the sensitivity of the location and this particular bid was actually the preferred design concept and that it was also the third highest bid is coincidental. The Government may well have been minded to accept one that was even less in terms of financial consideration if the design bid decision had required it but in the event the design, architectural, density and all the other features of this property were much more in keeping with Catalan Bay Village and much more in keeping with the other modern developments at the top there than the others.

**HON J J BOSSANO:**

In terms of the element of density can the Government say how many, I take it these are housing units that are going to be put up for sale, can he say how the number of units in the one that was accepted compare with the other two that were offering more?

**HON CHIEF MINISTER:**

That information is available, I do not have it here. I remember it was one of the factors that was taken into account as well as the aesthetic design elements but I cannot now from memory tell him what the relative density elements were in each bid.

**NO. 984 OF 2001**

**THE HON DR J J GARCIA**

**NUN'S WELL**

How many parties have expressed an interest in the tender for the improvement and development of Nun's Well (Europa Point) and what is the nature of the submissions made?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Only one party expressed an interest in the Tender for the Improvement and Development of Nun's Well (Europa Point). The nature of the submission was in accordance with the specification requirements in the tender documentation and the scope of works comprised in the demolition of existing structures, re-levelling by earth movement around the site, construction of a new building to house visitor facilities and the definition of existing areas ready to receive future landscaping.

**SUPPLEMENTARY TO QUESTION NO 984 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say by when this work is expected to commence and what is the estimated time of completion?

**HON J J HOLLIDAY:**

The Government on advice from the Tender Board have decided not to adjudicate this tender basically because there was only one party that expressed an interest in this particular project and the submission was almost double, I think it was over double, the budget that we had originally anticipated and so therefore the Government have

put this project on standstill for the time being until we decide whether we would go out to tender again in the future.

**HON DR J J GARCIA:**

Is it possible to say who the tenderer was in this case?

**HON J J HOLLIDAY:**

The tenderer was Profield Construct but I dare not say the amount as I believe that to be commercial-in-confidence.

**NO. 985 OF 2001**

**THE HON DR J J GARCIA**

**WORLD WAR II TUNNELS**

Who were the two tenderers who submitted a bid to develop a visitor attraction within the World War II tunnels and how much did each bid?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The two tenderers who submitted bids to develop a visitor attraction within the World War II Tunnels were Amco (Gibraltar) Ltd and Sharrock Shand. It is Government practice only to divulge the amount bid by the successful tenderer which in this case was Amco (Gibraltar) Ltd in the sum of £980,478.00.

**SUPPLEMENTARY TO QUESTION NO 985 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether this was higher or lower than the other tenderer?

**HON J J HOLLIDAY:**

The successful tenderer was the lower of the two tenderers.

**NO. 986 OF 2001**

**THE HON DR J J GARCIA**

**LA LINEA'S TECHNICAL DIRECTOR FOR TOURISM**

What was the purpose of the visit to Gibraltar of La Linea's technical director for Tourism on 14<sup>th</sup> May 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

I am not aware that La Linea's technical director for Tourism visited Gibraltar on 14<sup>th</sup> May 2001.

**SUPPLEMENTARY TO QUESTION NO 986 OF 2001**

**HON DR J J GARCIA:**

He was not here for official business?

**HON J J HOLLIDAY:**

He definitely did not meet me or any of my management structure within the Gibraltar Tourist Board on that particular day.

**NO. 987 OF 2001**

**THE HON DR J J GARCIA**

**VISIT OF TRAVEL JOURNALISTS FROM SPAIN**

What was the cost of bringing and hosting 20 travel journalists from Spain to Gibraltar on or around Tuesday 8<sup>th</sup> May 2001 and what media did they represent?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The cost of bringing and hosting 20 travel journalists from Spain in May 2001 was £3699.71. The media they represented were:-

Mas Viajes  
El Mundo  
Lo Mejor de la Autonomias  
Air Classe  
Gran Hotel  
Diario 16  
Cambio 16  
La Razon  
El Dominical  
Todo Turismo  
Altair/Peninsula  
Dominical  
Diario Malaga/Costa del Sol

**SUPPLEMENTARY TO QUESTION 987 OF 2001**

**HON DR J J GARCIA:**

Did the Minister read out 20 titles for the 20 journalists or were there some from the same newspaper?

**HON J J HOLLIDAY:**

No I read 13 titles however some of these publications bring a journalist and a photographer so maybe there is more than one person that comes because most of these people then go back and prepare a feature on Gibraltar and therefore they need the input from maybe more than one.



**NO. 988 OF 2001**

**THE HON DR J J GARCIA**

**TOURIST BOARDS ROADSHOW – SEVILLE/ CORDOBA**

What was the cost of the Tourist Board's Roadshow to Seville and Cordoba in May?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question No 989 of 2001.

**NO. 989 OF 2001**

**THE HON DR J J GARCIA**

**TOURIST BOARD'S – ROADSHOW – SEVILLE/CORDOBA**

How many persons from Gibraltar attended the Tourist Board's Roadshow in Seville and Cordoba and how many Spanish travel agents and tour operators attended the presentations?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 988 of 2001**

The cost of the Tourist Board's Roadshow to Seville and Cordoba in May 2001 was £5,846.10.

**Answer to Question No 989 of 2001**

I attended together with three officials from the GTB in Gibraltar to Roadshows in Seville and Cordoba. As regard participation by Spanish travel agents and tour operators attending, a total of 39 entities attended the Roadshow in Cordoba and 76 attended in Seville.

**SUPPLEMENTARY TO QUESTION NOS 988 AND 989 OF 2001**

**HON DR J J GARCIA:**

Was the object of the exercise in this case to attract more people for overnight stays, has the Minister in place a mechanism for measuring whether in fact that objective has been achieved or not?

**HON J J HOLLIDAY:**

The objective of this trip basically was to brief Travel Agents, Tour Operators in these particular cities which are near Gibraltar and they can encourage overnight stays for people who come on their own. The introduction of Gibraltar to some of them, some of them obviously knew Gibraltar, in fact some of them are actually operating to Gibraltar already and have contacts here. The follow up to this is that we will now be inviting those that attended these roadshows to Gibraltar itself and at that point establish local contacts and new business by establishing personal business connections.

**HON DR J J GARCIA:**

Can the Minister say whether there is actually any evidence that the overnight stay market has increased as a result of this particular campaign?

**HON J J HOLLIDAY:**

The overnight figures as far as this year is concerned is on the increase, whether they actually are coming over from Spain or from the UK which are our two main source market is still to be seen but I would not attribute any sort of increase to the fact that I go to Seville for one day and another day to Cordoba. It is just part of an on-going strategy which has many, many factors and an on-going campaign in order to achieve our objectives.

**NO. 990 OF 2001**

**THE HON DR J J GARCIA**

**POST OF TERMINAL SUPERVISOR (GRADE II)**

How many persons applied for the post of Terminal Supervisor (Grade II) as advertised on Tuesday 5<sup>th</sup> June, how many vacancies were there and have these now been filled?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 991 and 1000 of 2001.

**NO. 991 OF 2001**

**THE HON DR J J GARCIA**

**POST OF TERMINAL ASSISTANT**

How many persons applied for the post of Terminal Assistant as advertised on Wednesday 13<sup>th</sup> June, how many vacancies were there and have these now been filled?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Answered together with Question Nos 990 and 1000 of 2001.

**NO. 992 OF 2001**

**THE HON DR J J GARCIA**

**TOURISM ADVISORY COUNCIL**

How often and on what dates has the Tourism Advisory Council met after 19<sup>th</sup> April 2001?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The Tourism Advisory Council has met once since 19<sup>th</sup> April 2001. It met on 6<sup>th</sup> July 2001.

**SUPPLEMENTARY TO QUESTION NO 992 OF 2001**

**HON DR J J GARCIA:**

Can the Minister confirm whether the composition of the Council has changed in any of these meetings or is it the same?

**HON J J HOLLIDAY:**

The composition of the Tourism Advisory Council remains the same with the exception of one of its members who at one point advised us that due to pressure of work he was not going to be able to continue. Subsequently when we met on the 6<sup>th</sup> July we discussed amongst us the possibilities of a new appointment, there was not a consensus as to who this should be and then subsequently that person has said that he would like to carry on now and I think it is a good choice to have on side so we have decided although I still have to put it to the Council officially I think it is a good choice to have on side. It actually refers to the UK representative on the Board and I think it is wise to have the input from an outsider. We have intended to meet in September and October and unfortunately at the last minute we have had to postpone the meeting. I think the meeting is now due for the 19<sup>th</sup> November 2001.

**NO. 993 OF 2001****THE HON DR J J GARCIA****MINISTER'S OVERSEAS VISITS**

Can the Minister for tourism give the dates when he has been away from Gibraltar on Government business from 25<sup>th</sup> April 2001 to date, giving the event or function attended, the venue, the city and the country visited?

**ANSWER****THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The information sought in this question is too voluminous to be read out in this House nor would the hon Member be able to note the information given for the purposes of formulating supplementaries if it were read out. I therefore hand the hon Member a table giving the information requested.

**Answer to Question No 993 of 2001**

<b>FROM</b>	<b>TO</b>	<b>CITY/COUNTRY</b>	<b>FUNCTION</b>
14.5.01	14.5.01	London (UK)	<ul style="list-style-type: none"> <li>◆ UKGTA</li> <li>◆ Media Buyer</li> <li>◆ Container Transhipment</li> </ul>
22.5.01	23.5.01	Sevilla (Spain) Cordoba (Spain)	<ul style="list-style-type: none"> <li>◆ Road Show</li> <li>◆ Road Show</li> </ul>
20.7.01	20.7.01	Tangier (Morocco)	<ul style="list-style-type: none"> <li>◆ Regional Airlines</li> </ul>
15.9.01	15.9.01	London (UK)	<ul style="list-style-type: none"> <li>◆ UKGTA</li> </ul>
24.9.01	24.9.01	London (UK)	<ul style="list-style-type: none"> <li>◆ GB Airways</li> </ul>
22.9.01	23.9.01	London (UK)	<ul style="list-style-type: none"> <li>◆ Gibraltar Day</li> </ul>

**NO. 994 OF 2001****THE HON DR J J GARCIA****NUMBER OF LICENSED RESTAURANTS**

Can Government say how many restaurants were licensed in Gibraltar as on 30<sup>th</sup> June 2001 providing a list of names and where they are located?

**ANSWER****THE HON THE CHIEF MINISTER:**

The extensive information sought by the hon Member is contained in the schedule that I now hand to him. Details have been extrapolated from Trade Licensing records and are as accurate as possible but there may be some unintended omissions.

**Answer to Question No 994 of 2001**

<b>LICENSED RESTAURANTS IN GIBRALTAR</b>	
<b>RESTAURANTS</b>	<b>LOCATION</b>
Bacchus	30 John Mackintosh Square
Barbary Ape Bar Restaurant	Boyd Street
Bianca's	6-7 Admiral's Walk, Marina Bay
Bourbon Street	150 Main Street
Buddies Pasta Casa	15 Cannon Lane
Bunters Restaurant	College Lane
Burger King	Casemates Square, 292 Main Street
Café Solo	Unit 1/3 Casemates
Casa Pepe	Unit 18 Queensway Quay
Claus on the Rock Bistro	Unit 14 Queensway Quay
Da Paolo	Unit B The Tower Admiral's Walk Marina Bay



El Patio Restaurant	Unit 11 Casemates Square
Gatsby's Eating House	1, 2 & 3 Ocean Heights Gallery
Happy Landing	6 Lynchs Lane
Healthy Options Vegetarian Bistro	11/12 Ocean Heights Gallery
Hong Kong Restaurant	No 11-13 Market Lane
IL Piccolo Mondo	9 Governor's Parade
Jumpers Wheel Restaurant	Jumper's Bastion Rosia Road
Kerry's	5 Cornwall's Lane
Killick's (Fisherman's Wharf)	Eurotowers
Kowloon Restaurant	No 20 Watergardens III
La Barcina	2/1 Casemates Square
La Bayuca Restaurant	21 Turnbull's Lane
La Cosa Nostra	13.15 Giro's Passage
La Mamela	Catalan Bay Sir Herbert Miles Road
Latinos	Unit 9 Casemates Square
Little Chef	7A Cornwall's Parade
Little Mermaid The	4/5 Admiral's Walk Marina Bay
Little Rock Café Ltd	Unit 1/5 Casemates
Lord nelson	10 Casemates Square
Maasai Grill The	Queensway Quay
Maharaja	5 Tuckey's Lane
McDonald's Gibraltar Ltd	Europort Avenue
Mermaid Bar Restaurant	96 Catalan Bay
Meson Jabugo Bar Restaurant	The Tower Marina Bay
Mini-Moroccan Restaurant	46 Turnbull's Lane
Nuno's Restaurant At The Caleta	Catalan Bay
Pal Court At The Elliott Hotel	2 Governor's Parade
Piazza The	156 Main Street
Picasso's	22A Main Street
Piccadilly Gardens	3B Rosia Road
Pizza hut	Unit G5/6 ICC Casemates Square
Radical Pizza Company Ltd	Units 5/6 Watergardens Block 1
Raffles Restaurant	Queensway Quay Marina
Rock Hotel The	3 Europa Road
Rooks Snack Bar	16 City Mill Lane
Sacarello The House of Café/Restaurant	Irish Town/Tuckey's Lane
Salsa Café Restaurant	4 Cornwall's Parade
Schooner's Bar/Grill	Marina Bay
Simon's Restaurant	44 Cornwall's Lane
Smiths Fish & Chips	295C Main Street
St Michael's Cabin	Upper Rock
Taste of India (Takeaway)	Unit 12 Block 5 Watergardens
The Leanse Restaurant	7 Bomb House Lane
The Terrace Restaurant	International Casino Gibraltar
Viceroy of India	9/11 Horse Barrack Court
Waterfront Restaurant	Queensway Quay Marina
Watergate	1 Fishmarket Road
Yvey's Café Theatre	1 Y&Z Landport Tunnel
Cable Car Restaurant	Upper Rock

<b>BAR/RESTAURANTS</b>	<b>LOCATION</b>
Devil's Bar	Devil's Tower Road 59
The 007 Bar	Eastern Beach
The Angry Friar-Anglo Hispano Co Ltd	Main Street 287
Calpe Hounds Anglo Hispano Co Ltd	Cornwall's Lane 21
Copacabana Ltd Anglo Hispano Co Ltd	Main Street 242
Edinburgh Bar Anglo Hispano Co Ltd	Naval Hospital Road 37
Al Andalus Anglo Hispano Co Ltd	Cornwalls Lane 23
La Parmigiano Anglo Hispano Co Ltd Happy Landing	Lynchs Lane 6
Pickwicks Anglo Hispano Co Ltd	Governors Parade 17
The Royal Calpe Anglo Hispano Co Ltd	Main Street 176
Seawave – J F Robba & D Robba	Catalan Bay 60
The Barn Pub – Jemima Ltd	Rosia Road 16/18 Rosia Saluting Battery
The Anchor Bar	Watergardens Unit 25 Block 1
The Paddock Elitza Properties Ltd	Watergardens Unit 24 Block 3
The Aragon Anglo Hispano Co Ltd	Bell Lane 15
The Coach & Horses Anglo Hispano Co Ltd	South Shed's Place 1
Venture Inn-Anglo Hispano Co Ltd	Lynchs Lane 2/22
The Matchbox Inn – Anglo Hispano Co Ltd	South Barrack Road 4B
Cool Blues Café – Pejojo Ltd	Main Street 310
Casa Antonio- Bahia Caterers Ltd	Queensway 2
The Captains Cabin – Keystar Ltd	John Mackintosh Square 5A
The Three Roses Ltd	Governors Street 60
The Star Bar Ltd	Parliament Lane 12
The Ark Royal – The Star Bar Ltd	Irish Town 36
Gibraltar Arms Ltd	Main Street 184
The Clipper Ltd	Irish Town 78B
Murphy's Bar	City Mill Lane 8
Catholic Community Centre – Francis Matto	Zoca Flank
The Royal Oak – E R Payas	Irish Town 59B & 59C
Queens Hotel – Hotelton	Boyd Street 1
Café Roma	Cornwall's Centre Unit G1
Trafalgar Marketing Ltd – The Rock Café	ICC Unit S1
The Cannon Bar – Alistair Locke	Irish Town 79
The village Inn – Michael Key	Catalan Bay 74
The Horseshoe – Snell Trading Ltd	Main Street 193
Duck & Firking Pub – Pyrrhus Properties Ltd	Europort Block 6
The London Bar – John Smith Co Ltd	Governor's Street 76/78
Hyssop Trading Ltd	Engineer's Lane 1
In Flight Services Ltd	Air Terminal Departure Lounge
California Bar – Birchwood Ltd	Casemates House Shop 1
Buccaneer's Tavern – Buccaneer Ltd	Reclamation Road Buccaneer's Tavern
The Cannonball Pool Palace	West Place of Arms 8
Jolly Parrot	Queensway Quay Unit R7A
Pig & Whistle Pub	Watergardens Unit 18 Block 3
Little Rock Café Ltd	Casemates Square Unit 1/5
Burlaero Ltd	Governor's Parade 5

**NO. 995 OF 2001**

**THE HON DR J J GARCIA**

**FRED OLSEN LINERS – BRAEMER**

What attempts, if any, were made by Government to ensure that the Fred Olsen cruise liner “Braemer” used Gibraltar instead of Malaga as a base for fly/cruises?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

As soon as it was known that Fred Olsen Liners had bought this ship, the Chief Executive of the Port Authority wrote to the Marketing Director of Fred Olsen Liners who he knows personally to congratulate him on this development. The Government are in regular contact with this cruise company. The initial indications were that the ship would be operating from the UK initially to the Baltic and the Mediterranean. It was not until the brochure was published in the summer that it became clear that two round-trip fly-cruises from Malaga to the Eastern Mediterranean had also been programmed into the vessels schedule prior to re-positioning to the Caribbean.

**SUPPLEMENTARY TO QUESTION NO 995 OF 2001**

**HON DR J J GARCIA:**

Is it the case then that before the publication of the brochure this issue was not raised or discussed with the cruise liner?

**HON J J HOLLIDAY:**

No.

**HON DR J J GARCIA:**

Just for clarification, no that it was not raised with the cruise liner?

**HON J J HOLLIDAY:**

No, why should the Chief Executive of the Port Authority have contacted Fred Olsen and raised the issue of them selecting Malaga as a base for fly/cruise?

**HON DR J J GARCIA:**

No the issue being the possibility of having used Gibraltar instead of Malaga if that were an option.

**HON J J HOLLIDAY:**

Malaga has certain advantages over Gibraltar especially for fly/cruises. I do not know what the position is today but obviously the cruise was very much intended for the American Market with 747's flying in to Malaga airport rather than to Gibraltar. It makes it a bit difficult for us to compete in that sort of scenario and therefore we find ourselves not being able to sell Gibraltar when this sort of scenarios are created within the market base.

**NO. 996 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF PORT OPERATORS**

Can Government now say how many port operators there are under the new licensing regime that the House was told in April would be put in place shortly?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The new licensing regime is scheduled to come into operation in January 2002.

**SUPPLEMENTARY TO QUESTION NO 996 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say what the reason for that delay is?

**HON J J HOLLIDAY:**

The reason is two-fold, one is because of the necessary legislation that needs to be put in place in order to be able to implement the new licence regime for port operators and secondly because we believe that January 2002 was an appropriate time to be able to start this regime and allow those operators in the market to acquaint themselves with the new regime that will come in place then.

**NO. 997 OF 2001**

**THE HON DR J J GARCIA**

**CONTAINER TRANSHIPMENT PROJECT**

When were the final reports into the Container Transhipment Project for the Port submitted to the Government, have these now been examined, and what conclusions have been reached as a result?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The final reports with the Container Transhipment Project for the Port were submitted in June 2001 and have already been examined. As a result of the recommendations contained in the report, it is unlikely that the Government will proceed with this project.

**SUPPLEMENTARY TO QUESTION NO 997 OF 2001**

**HON DR J J GARCIA:**

Can the Minister elaborate on the answer as to why the Government now think that the project is no longer feasible?

**HON J J HOLLIDAY:**

The report does identify Gibraltar as being strategically located and suitable in its location for a project such as this and definitely does identify that there are operators and investors with the appetite for low cost Mediterranean based transhipment facilities. However, in order for this project to become commercially viable and I am summing up in a very simplistic way obviously this is a very complex and long report. The report shows that there must be a capacity of between 800,000 to one million containers through put in order for it to be commercially viable for an operation such

as this. The financial analysis indicates that the project suffers from the availability of suitable land allocation in order to have a project this big situated in Gibraltar. The House may recall that initially, when the report was commissioned, Government were looking at a project of about half a million containers through put which we thought was a big enough project for Gibraltar and in fact that has been proved to be the case. The only thing is that obviously numbers do not back up because the through put of containers has to be a minimum of about 800,000 to one million containers for that to be feasible. Obviously the project identifies seven possible locations around Gibraltar where this could be possible but obviously clearly indicates that in order to have a facility that caters for say one million containers the only area that would be suitable would be on the east side of Gibraltar and therefore Government have had to take a view as to the use of land on the east side which they feel is more better suited for leisure and beaches et cetera and so therefore the whole project is really not possible under the current constraints and the numbers that I have made public. Obviously the other aspect is the consultants do conclude that unless the Government are prepared to subsidise a development with grants and possible loans et cetera to a particular investor they would not be an investor that would consider this because of the level of investment that would have to go into it considering the constraints of the actual size of the project and so therefore at this stage the Government are unwilling or unable to consider this project any further.

**HON J J BOSSANO:**

Was it not the case that initially there seemed to be people who were interested from the private sector independent of the fact that the Government themselves have commissioned a study, if there were, what has happened to them?

**HON J J HOLLIDAY:**

Indeed it is true, there were some operators, developers in the private sector but I think that there interests and I think I pointed out at the beginning that there is an appetite for transshipment facilities in this area of the Mediterranean. However I think that when these investors would have sat down and actually considered the infrastructural expenditure and costs that needs to be gone into then they would have realised that the project does not become viable unless the level of through put of containers reaches the one million and there are graphs which clearly point out the exponential return on the investment over a period of time and I think it is a similar situation to what has happened in Tangier.

**HON J J BOSSANO:**

Would the Government investment be in the creation and provision of the land through things like reclamation or are we talking about something more than that actually helping to finance the business?

**HON J J HOLLIDAY:**

I think there is possibly investment in the actual creation of the facility itself and then there would actually be some on-going recurrent expenditure that would need assistance and so therefore the project is not really viable with the numbers that we have in front of us and we have looked at a lot of opportunities and options open to us

with EU funding with a number of other and is really is a non-starter with the climate and the physical restrictions that we have in Gibraltar at the moment.

**HON J J BOSSANO:**

In the question of reclamation on the east side is there a political problem in that area?

**HON J J HOLLIDAY:**

The reality is that I have not addressed the political constraints that may arise and I wanted to see whether the project was viable in the first place and then the other obstacles would have had to be thought afterwards. There was no point in confronting that until we knew whether the whole project was viable and it has not been viable and therefore the second obstacle has not really been an issue.



**NO. 998 OF 2001**

**THE HON DR J J GARCIA**

**LAND FRONTIER REFURBISHMENT WORKS**

Are the beautification and refurbishment works at the land frontier on schedule for completion as originally envisaged?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

No.

**SUPPLEMENTARY TO QUESTION NO 998 OF 2001**

**HON DR J J GARCIA:**

I think the Minister originally had said that this could be ready by September can he elaborate on the reasons for the delay and secondly whether the delay would mean added costs to the tax payer?

**HON J J HOLLIDAY:**

The original completion date was the 10<sup>th</sup> August 2001 however as a the result of numerous delays in respect of the unforeseen existing services in the area were the proposed extension to the building and the time it has taken to obtain service clearance only hand digging has been permitted. This has unfortunately led to a disproportionate extension of time having been to be granted. The estimated time of completion is March 2002.

**HON J J BOSSANO:**

I think the Minister mentioned hand-digging?

**HON J J HOLLIDAY:**

That is right.

**HON J J BOSSANO:**

Does that mean that there will be additional costs because there has been more labour intensive methods used than mechanical ones?

**HON J J HOLLIDAY:**

That may be the case, I could not really give the hon Member a true answer to that, I suspect that this is probably going to be the case. Unfortunately what has happened is that as a result of the fact that we have extended the what is known as the Customs Hall at the frontier westwards, in other words into MOD land, we only discovered or the contractors only discovered after they moved that there were certain services and electrical lines in there which were not available in the plans that we had of the area, possibly they were MOD related and that has led to certain delays in very, very, delicate circumstances and so we know that the extension that we had to grant to the contractors is not going to incur any penalty from the point of view of delay but I am sure that they may claim for possible delays as the result of the fact that information that should have been presented to them as contractors was not, but I would not be able to answer the question without trying to seek further information.

**HON J J BOSSANO:**

Has there then had to be variations to the contract as a result other than the date?

**HON J J HOLLIDAY:**

No, there has not been any variation to the contract what has happened is that obviously in order to extend the building and having to dig and to place new foundations to the extension in the digging there was obviously services underneath that needed to be taken care of and so they have had to act on a very careful and cautious way because I am told that the services there are fairly delicate and do form part of the major communication network between Gibraltar and the mainland not to Spain but further afield and so therefore we have had to be extremely careful not to damage these in any way.

**NO. 999 OF 2001**

**THE HON DR J J GARCIA**

**THE UPPER ROCK NATURE RESERVE (ADMISSION FEES) REGULATION 1993**

Can Government say on what date were the Nature Conservation Area (Upper Rock Nature Reserve) (Fees and Admission) Regulations, 1993, revoked or amended?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

The Upper Rock Nature Reserve (Admission Fees) Regulation 1993 have not been revoked or amended.

**SUPPLEMENTARY TO QUESTION NO 999 OF 2001**

**HON DR J J GARCIA:**

Given that these regulations cover the increase in fees to the Upper Rock which the Government announced in April can the Minister explain how fees were increased in April without amending or revoking these regulations?

**HON J J HOLLIDAY:**

I have been advised that I should not comment on that because of the matter being sub judice and that is as far as I can go.

**HON J J BOSSANO:**

What exactly is sub judice, what is being challenged the way the fees were increased or implemented?

**HON CHIEF MINISTER:**

Choosing my words very carefully and tiptoeing around this matter, initially the challenges based on whether the Government are free given the term of the lease of the cable car facility to impose higher charges by law but there are arguments in the alternative and the challenge is a general one capable of being developed to take in additional arguments, suffice it to say that the Government's entitlement to have introduced the fee increases is being challenged.

**HON J J BOSSANO:**

I take it that it is being challenged only by the cable car not by other people. I think that when the amending legislation was brought to the House the Government said that it was a sort of belt and braces to make sure that if something failed something else was there, in terms of the use of that legislation has the question of the fees now been done under the new legislation the legislation that was brought to the House?

**HON CHIEF MINISTER:**

The position appears to be, so I am told, that there is not as yet any legislation in place.

**NO.1000 OF 2001**

**THE HON DR J J GARCIA**

**POST OF UPPER ROCK SITE OFFICER**

How many persons applied for the post of Upper Rock Site Officer as advertised in a Government Official Notice at the beginning of September and how many vacancies are there?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

**Answer to Question No 990 of 2001**

Twenty persons applied for the one vacant post of Terminal Supervisor (Grade II). The successful applicant commenced work on 1<sup>st</sup> August 2001.

**Answer to Question No 991 of 2001**

One vacancy for the post of Terminal Assistant was advertised. There were 16 applicants for this post, one person was selected and commenced work on 13<sup>th</sup> August 2001.

**Answer to Question 1000 of 2001**

One vacancy was advertised for the post of Upper Rock Site Officer and a total of 15 persons applied for the job.

**SUPPLEMENTARY TO QUESTION NOS 990, 991 AND 1000 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say in respect of these vacancies and in respect of the people who were successful whether they came from the unemployment list or they moved from other employments?

**HON J J HOLLIDAY:**

There was a cross section of applicants both employed and unemployed. The post of Terminal Supervisor was adjudicated to somebody who was already employed also the Terminal Assistant and then the Upper Rock Site Officer was adjudicated to somebody who was unemployed.

**HON DR J J GARCIA:**

Where the two who were employed, employed by the Government or the GDC?

**HON J J HOLLIDAY:**

Both that were employed for Terminal Assistant and Terminal Supervisor came from within the Gibraltar Tourist Board itself and that obviously has opened up opportunities for officers lower down the grade.

**NO. 1001 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister say whether the maintenance of any student opting to study in Andalucia is the same as students studying in UK?

**ANSWER**

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

Answered together with Question Nos 1002,1003 to 1004 of 2001.

**NO. 1002 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister state whether he or any other Government official has signed any formal agreement to allow to send students from Gibraltar to study in the University of Cadiz or any other institution in Andalucia?

**ANSWER**

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

Answered together with Question Nos 1001, 1003 and 1004 of 2001.



**NO. 1003 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister say what is the level of tuition fee in Andalucia and how this compares with the tuition fee in UK?

**ANSWER**

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

Answered together with Question Nos 1001, 1002 and 1004 of 2001.

**NO. 1004 OF 2001**

**THE HON S E LINARES**

**STUDENTS WISHING TO STUDY IN SPAIN**

Can the Minister state whether any of the students who have applied for a grant been asked by the Department of Education whether they wish to study in UK or Spain?

**ANSWER**

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

**Answer to Question No 1001 of 2001**

The maintenance grant for any student opting to study in Spain is the same as the UK (outside London) allowance.

**Answer to Question No 1002 of 2001**

No such formal agreement has been signed.

**Answer to Question No 1003 of 2001**

No.

**Answer to Question No 1004 of 2001**

The Department of Education has not asked any student whether they wish to study in UK or Spain.

**SUPPLEMENTARY TO QUESTION NOS 1001, 1002, 1003, AND 1004 OF 2001**

**HON S E LINARES:**

Can the Minister say what discussions were held then with the Rector and Professors of the University of Cadiz when the Minister visited them?

**HON DR B A LINARES:**

One of the subjects discussed was the provision by the University of Cadiz of a diploma course which they have offered to us and lectures are held in Los Barrios as the faculty delegated by the University of Cadiz in what they call, "Experto Universitario En Comercio Internacional." The idea was that the University would offer two places to Gibraltar students and if the Gibraltar Government would match the offer but there have been no takers locally but one feature of the course now which is very welcome by the University is the lecturing in the course by Mr Leon Abecasis of the College of Further Education, who after his working hours locally is being seconded and is being paid by the University. That is one area of discussion apart from that as educators and academics we talked methodologies in the different Universities, matters of general interest but no specifics at entrance.

**HON S E LINARES:**

When the Minister says that there has been an offer of two places for this diploma, is there any difference in tuition fees or anything or is it that they send two and we send two and no fees either way. Is there any money involved that is what I am going on about?

**HON DR B A LINARES:**

There is no money involved.

**HON J J BOSSANO:**

Under EU Law is a Gibraltar student not treated as a national in Spain if they apply for a place in any course not just here but anywhere in Spain under Spanish law?

**HON DR B A LINARES:**

Yes.

**HON J J BOSSANO:**

Presumably if two Gibraltar students wanted to attend this course there would have been nothing to have stopped them from applying in the first instance and being entitled to equal treatment?

**HON DR B A LINARES:**

Yes but they would have been dispensed of the Spanish tuition fees.

**HON J J BOSSANO:**

But is it not the case in Spain as it is in the whole of Europe, in the whole Union that in fact all EU students have to be charged the same fee as national students. This is the problem that we had in UK originally when they did not want to accept us paying EU fees as opposed to Commonwealth fees, so if anybody from Gibraltar wants to study in Spain why do we need an agreement with them, is it not something that is available to anybody?

**HON DR B A LINARES:**

The agreement was that the fees that those students would have had to pay, which were the Spanish standard fees, would have been waived by the University.

**HON J J BOSSANO:**

So it is not really the number of places, it is the number of scholarships that we are talking about.

**HON DR B A LINARES:**

Yes.

**NO. 1005 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – MANDATORY SCHOLARSHIPS**

Can the Minister state how many mandatory scholarships have been awarded this year?

**ANSWER**

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

Answered together with Question No 1006 of 2001.

**NO. 1006 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – MANDATORY SCHOLARSHIPS**

Can the Minister give a breakdown of the subjects initially chosen by students who already have a mandatory scholarship this year?

**ANSWER**

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

**Answer to Question No 1005 of 2001**

One hundred and thirty eight mandatory scholarships have been awarded this year.

**Answer to Question No 1006 of 2001**

In answering this ambiguously worded question, I am assuming that the hon Member requires details of the subjects chosen by those students who have obtained a mandatory award this year. The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand him.

ANSWER TO QUESTION 1006 of 2001

COURSE	QUAL	PLACE OF STUDY
Politics & Spanish	BA	Kingston University
Applied Physics	MPHYS	University of Portsmouth
Law with European Studies	LLB	Exeter University
Industrial Design	BA	Cardiff Institute
Primary Education	BA(QTS)	University of Brighton
Primary Teaching	BA QTS	Kingston University
Medicine	MB BCH	University of Wales College of Medicine
computers and networking	Bsc	Southampton University
Politics & Spanish	BA	Kingston University
Dental Technology	BSC	Manchester Metropolitan University
Business Management	BA(HONS)	Southampton Institute
Music & Italian	BA	Anglia Polytechnic University
Business Studies	BA	Buckinghamshire Chilterns University College
Business Management	BA	Southampton Institute
Electrical & Electronic Engineering	BEng	University of Leicester
Law with French	BA	Nottingham University
Biomedical Sciences	BSC	University of Aberdeen
Hotel Catering & Institutional Management	HND	Sheffield Hallam University
Biomedical Sciences	Bsc	King's College London
Media Technology	BSC	Glamorgan University
International Business	BA(HONS)	Southampton Institute
Design & Construction Management with information Tech	BSC	University of Greenwich
Medicine	MB BCH	University of Wales
Tourism Management	HND	Leeds Metropolita University
Business Information Systems	BSC	University of Wales Cardiff Institute
Business Management	BA	Kingston University
Primary Teaching	BA QTS	Christ Church College - Canterbury
Computing	BSC(HONS)	Leeds Metropolitan University
Building & Surveying	BSc(Hons)	Luton University
Computer Science	BSC	Cardiff University
Information Sciences	BSC	University of Hertfordshire
Accounting & Finance	BSC	University of London

Microbiology  
 English  
 & European Comparative Literacy Studies  
 Business Studies  
 Architectural technology and the Environment  
 Marine Environmental Science  
 Law  
 Law  
 Primary Education  
 Computer Science  
 Pharmacy  
 Pharmaceutical Studies  
 Medicine  
 Marine Navigation  
 Psychology  
 Creative Writing & Writing for Performance  
 Computer Network Management  
 Pharmacy  
 International Business Management French  
 History of Ideas & Politics  
 Medicine  
 Law  
 Graphic Design  
 Psychology  
 Philosophy  
 Sociology & Social Work  
 Law & French  
 Exercise Health Sociology  
 Hospitality Management  
 Disaster Management & Engineering  
 International Business  
 Primary Teaching  
 History & Politics  
 Medicine  
 Law  
 Exercise Physiology  
 Law with Legal Studies in Europe

BSc  
 PHD  
 MA  
 BA  
 BA  
 BSC  
 LLB  
 LLB  
 BA with Qts  
 BSc  
 MPharm  
 BSC  
 MBBS  
 BSC  
 BSc  
 BA(HONS)  
 BSC(HONS)  
 MPharm  
 Bsc  
 BA(HONS)  
 MBChB  
 LLB  
 BA  
 BSC  
 BA  
 BA  
 LLB  
 BSc Hons  
 BA Hons  
 BSC  
 BA(HONS)  
 BA(QTS)  
 BA  
 MBBS  
 LLB  
 MPHIL  
 LLB Hons

Wolverhampton University  
 University of Leeds  
 University of Canterbury  
 Kingston University  
 University of Plymouth  
 University of Portsmouth  
 University of Glamorgan  
 Southampton University  
 Brighton University  
 University of Kent  
 Liverpool University  
 Kingston University  
 University College London  
 University of Plymouth  
 Loughborough University  
 Bolton Institute  
 Southampton Institute  
 University of London  
 Manchester Umist  
 Kingston University  
 University of Cardiff  
 University of Greenwich  
 Southampton Institute  
 University of Essex  
 Reading University  
 Northampton University  
 University of Cardiff  
 Oxford Brookes University  
 University of Abertay Dundee  
 Coventry University  
 Southampton Institute  
 St Mary's College  
 University of Kent Canterbury  
 Kings College London  
 Southampton University  
 Kingston University  
 University of Reading



Electronic Engineering  
International Business with Spanish  
International Business  
Law  
Oceanography with Marine Biology  
Dentistry  
Orthoptics  
Business Studies & Management  
Art & Design  
Modern History and Politics  
French & Spanish  
Computing  
Architecture  
Media Production

Teaching  
English Literature & Theatre Studies  
Biomolecular Sciences  
Art Therapy  
Law & Spanish  
Graphic Design  
Criminology/Psychology  
Applied Linguistics & Advanced French Language Studies  
Philosophy  
Sports Science & Physiology  
French & Management Studies  
International Marketing Management & Spanish  
Computer Network Management  
Computer Science  
Health Care Ethics  
Engineering with Business Finance  
Architecture  
Law & Italian  
Law  
Biochemistry  
Travel & Tourism  
Business Study

B ENG  
BA  
BA  
LLB  
BSC  
Bchd  
BSC  
BA  
BTec  
MA  
BA  
BSC(\*HONS)  
MA RIBA RTPI  
BA

BAQTS  
BA (HONS)  
BSC  
BA  
BA(HONS)  
BA (HONS)  
BSc  
MA  
BA(HONS)  
BSC  
BA  
BA  
Bsc  
Hnd  
BSc  
M. ENG  
BA  
LLB  
BA  
BSC  
HND  
BA Hons

Glamorgan University  
Sheffield Hallam University  
Nottingham Trent University  
University of Greenwich  
Southampton University  
University of Leeds  
Sheffield University  
Middlesex University  
Surrey Institute  
University of Glasgow  
Kingston University  
Oxford Brookes University  
The Bartlet University College  
University of Lincolnshire &  
Humberside  
Trinity & All Saints - Leeds  
University of Leeds  
University of Glasgow  
Derby University  
Anglia Polytechnic University  
University of Leeds  
Cardiff University  
Oxford Brookes University  
University of Wolverhampton  
University of Leeds  
University of Reading  
Bournemouth University  
Southampton Institute  
Northampton University  
University of Leeds  
University College London  
Plymouth University  
University of Wales - Cardiff  
Coventry University  
University of Wales - Cardiff  
University of Leeds  
Southampton Institute

Animation	BA(HONS)	Surrey Institute
Primary Teaching	BA(QTS)	St Mary's Collegè
Environmental Health	BSC (HONS)	University of Bristol
English Lit and Spanish	BA	Kingston University
Media Studies with Spanish	BA	University of Leeds
Mathematics	BSC	University of Edinburgh
French & Spanish for Translating	BA	Heriot - Watt University
Nursing	HIGHER DIPLOMA	Sheffield University
Accounting & Finance	BA	University of Kent at Canterbury
Psychology with Spanish	BA/BSC	Kingston University
Psychology & Italian	BSc	Plymouth University
Natural Sciences	BSC	University of Bath
Law + French Law	LLB(HONS)	University of Durham
Criminology	BA(HONS)	Southampton Institute
Fashion	BA	Southampton Institute
Environmental Sciences	BSc	Southampton University
Automotive systems technology	Beng	Kingston University
Quantity Surveying	BSc	Kingston University
Nursing Studies	BA (HONS)	Sheffield Hallam University
Business Administration	BA	Middlesex University
Sport & Society	Bsc(Hons)	Sheffield Hallam University
Medicine	MBBS	University of London
Sport Science & Physical Education with Spanish	BSc	Chester University
Accounting	BSC	Cardiff University
Maritime Studies	BA	Southampton Institute
Business & Management	HND	Southampton Institute
Primary Teaching	BA	University of Brighton
Dance Performance	BA	Middlesex University
Law	LLB	Bradford College
Law & Business	LLB(HONS)	Southampton Institute
Law	BA	Kingston University
Computing	BSC	Canterbury Christchurch College

**NO. 1007 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – MANDATORY SCHOLARSHIPS**

Can the Minister give this House a breakdown of the subjects studied and institutions in which they are studied of students who currently hold a mandatory grant from Government?

**ANSWER**

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

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

ANSWER TO QUESTION 1007 of 2001

COURSE	QUAL	PLACE OF STUDY
Occupational Therapy	Bsc	Brunel University
Business & Spanish	BA	nottingham Trent University
Bussiness Administration	BA	Colchester Institute
Business Studies	HND	Greenwich University
English & Sociology	BA	University of Bristol
Law	LLB	Nottingham Trent University
Tourism Management	BA	Southampton Institute
Chemistry & Biochemistry	MChem	University of Southampton
Primary Education - Early Years	BA(HONS) QTS	University of Brighton
Communications Engineering	Beng(HONS)	University of Portsmouth
Network Administration	HND	University of Glamorgan
English & Spanish Law	LLB	University of Kent at Canterbury
Media & Spanish	BA(HONS)	Trinity & All Saints University College - Leeds
English Literature	BA	The University of Sheffield
Teaching	BA(QTS)	University of Greenwich
Law	LLB	Middlesex University
History of Art & Spanish	BA	Kingston University
Computing & Maths	BSC (HONS)	Cardiff University
Law	BA	Oxford College
Law	LLB	Nottingham Trent
Language for Business	BA(HONS)	Oxford Brookes
Accounting & Financial Studies	BA (HONS)	University of Central Lancashire
Accounting & Finance	BA	University of Leeds
Education Studies	BA(HONS)	Sheffield Hallam University
English & Media	BA	Leeds Trinity & All Saints University College
Law & French	LLB	Cardiff University
English & Spanish Law	LLB	University of Kent
Biology	BSC Hons	University of Sheffield
Design & technology Education	BA	University of Brighton
Social anthropology spanish	BA	University of Sussex
Dance & Business Studies	BA/Bsc	Middlesex University
Accounting & Finance	BA	Leeds University
Business Information Technology	HND	Southampton Institute

Accounting & French  
 Mathematics with Philosophy of Mathematics  
 Tourism & Hospital Management  
 History  
 Economics/Sociology  
 Business Studies  
 Law  
 Sport Science  
 Electrical & Electronics Engineering  
 Business Management  
 Spanish & Women Studies  
 French & Spanish  
 Spanish & Education  
 Electrical & Electronic Eng  
 Primary Teaching  
 Dance Performance  
 Psychology & Spanish  
 Geography  
 Building Studies  
 International Tourism  
 Physical Education/Sports Science  
 Business Administration  
 Teaching  
 Spanish Studies  
 Accounting & Finance  
 Tourism & Management  
 Broadcast Journalism  
 Primary English & Drama  
 Consumer Product Sciences  
 Architecture  
 Politics & Spanish  
 Accounting & Economics  
 Music Technology & Arts Management  
 Computer Network Management  
 Dental Technology  
 Ancient History & Spanish  
 Education & English

BSC/AFA  
 MSc  
 BSc  
 BA(HONS)  
 BSC  
 BA  
 LLB  
 BSC  
 HND  
 BSc  
 BA (HONS)  
 BA  
 BA  
 Hnd  
 BA(QTS)  
 BA  
 BA  
 BA(HONS)  
 HND  
 BA  
 BA  
 BA  
 BA(Qts)  
 BA  
 BA(ECON)  
 BSC  
 BA(Hons)  
 B ED  
 HND  
 B Arch  
 BA  
 Bsc  
 BA  
 BSC  
 BSC  
 BA  
 BA/BSc

Warwick University  
 Kings College London  
 University of Surrey at Guildford  
 Brunel University  
 London City University  
 Southampton Institute  
 University of Reading  
 University of Hertfordshire  
 Manchester Metropolitan University  
 Greenwich School of Management  
 Anglia Polytechnic University  
 Kingston University  
 University of Surrey  
 Brighton University  
 Canterbury Christ Church University  
 Middlesex University  
 Kingston University  
 University of Coventry  
 Lewisham College  
 Lincoln University  
 Chester College  
 Manchester Metropolitan University  
 St.Marys University  
 University of Portsmouth  
 University of Manchester  
 University of Plymouth  
 The Nottingham Trent University  
 Kingston University  
 Manchester Metropolitan University  
 Manchester School of Architecture  
 Kingston University  
 Cardiff University  
 De Montfort University  
 Southampton Institute  
 Manchester Metropolitan University  
 University of Wales Swansea  
 St Mary's College

English & Spanish Law  
 International Hospitality Management  
 European & International Studies  
 Law  
 Travel Tourism Management  
 Accounting & Finance  
 Counselling Studies  
 Business Studies  
 Modern Languages  
 Marketing Management  
 English Literature & Philosophy  
 Electrical & Electronic Engineering  
 Archaeology  
 Music  
 Information Management  
 Business Information Technology  
 Design Technology  
 Accountancy & French  
 Law  
 Adventure Tourism  
 Marine Technology  
 Environmental Biology  
 Hospitality Management  
 Sport Rehabilitation & Sport Science  
 Law  
 Nursing Studies  
 Computer Network Communications  
 Psychology  
 English Literature & Theatre Studies  
 Media & Dance  
 Retailing  
 Tourism Management  
 International Tourism Management  
 Teaching  
 Education & Spanish Studies  
 Dance & Theatre Arts  
 Law & Spanish

LLB(HONS)  
 BA(HONS)  
 BA  
 LLB  
 HND  
 BA  
 BA  
 BA  
 BA  
 MA  
 BA  
 B ENG  
 BA  
 BMus HONS  
 BSC  
 Hnd  
 BA(QTS)  
 BSC  
 LLB  
 BA(HONS)  
 MSC  
 BSC  
 BA(HONS)  
 BSc/BA  
 LLB  
 BA (HONS)  
 BA  
 Bsc  
 (MA)  
 BA  
 BA(HONS)  
 HND  
 BA(Hons)  
 BA QTS  
 BA  
 BA(HONS)  
 LLB

University of Kent at Canterbury  
 Bournemouth University  
 University of Glamorgan  
 Southampton Institute  
 Highbury College, Portsmouth  
 Nottingham Trent University  
 College of Ripon & York  
 Southampton Institute  
 Nottingham Trent University  
 Southampton Institute  
 Edinburgh University  
 University of Surrey  
 Birmingham University  
 University of Surrey  
 University College London  
 Southampton Institute  
 University of Greenwich  
 Southampton University  
 Kingston University  
 University of Birmingham  
 University of Newcastle  
 University of Nottingham  
 University of Portsmouth  
 St Mary's College  
 University of Kent  
 Sheffield Hallam University  
 Southampton Institute  
 Southampton Institute  
 University Of Glasgow  
 University College of Chichester  
 Leeds Metropolitan University  
 Sheffield College  
 University of Luton  
 University of Brighton  
 Middlesex University  
 De Montfort University  
 Kingston University

Primary Education	BA (HONS) QTS	University of Brighton
Sports Science & Exercise	BA	Coventry University
Business with Languages	BA Hons	Kingston University
Business & Management	BA	Oxford Brookes University
English & French	BA	University of Reading
Law	LLB	Nottingham Trent University
Multimedia Communications	BSC	Bournemouth
Banking & Finance with Spanish	BSC	University of Cardiff
American Studies & Sociology	BSC(ECON)	University of Swansea
		Bournemouth University
Environment Economics and Ecology	Bsc	The University of York
Nautical Studies	HND	Warsash Maritime Centre
Music	BA QTS	King Alfred's College
Primary Teaching	BA(QTS)	Roehampton Institute
Taxation & Law	LLB(HONS)/BA(HONS)	Bournemouth University
Child Care and Education	BA	Chichester College
Law	LLB	Southampton Institute
Psychology	BSC	Nottingham Trent University
Management Sciences & Accounting	BSC	University of Southampton
Computer Science	Bsc	University of Kent at Canterbury
Business Administration	BA	Greenwich University
Geograph & Geology	BSc	University of Manchester
Environmental Science	BSC(HONS)	Nottingham Trent University
Computer Science & Spanish	BA/BSC	University of Sussex - Brighton
Sociology/Psycology	Bsc	University of Roehampton
Computer Science with Management	BSC	King's College London University
Spanish Management	BA	Trinity & All Saints University
Architecture	BSC	University College London
Primary Teaching & P.E.	BA(HONS)QTS	Trinity & All Saints College
Interior Architecture & Design	BA(HONS)	Nottingham Trent University
Computer Science	Bsc	Middlesex University
International Hospitality & Tourism Management	BSC	University of Surrey
Accounting & Finance with French	BA	Oxford Brookes University
Multimedia Technology	Bsc	University of Birmingham
Psychology	BSC	University of Warwick
Geophysics	BSC	Durham University
International Hospitality & Tourism Management	BSC	University of Surrey

Aerospace Engineering	Beng	University of Manchester Institute
Business & Finance	Hnd	Southampton Institute
Urban Estate Management	BSC	Greenwich University
Psychology with Spanish	BA	Kingston University
Accounting & Finance	BA	Middlesex University
Sheffield Hallam University	BA	International Business & languages
Business	HND	Southampton Institute
Psychology with Spanish	BA	Kingston University
French & Spanish	BA(HONS)	Kingston University
Aquatic Ecotoxicology	Mres	University of Plymouth
Mechanical Engineering	B Eng	Loughborough University
French and Hispanic Studies	BA	King's College London
Pharmacy	M.PHARM	Portsmouth University
Accounting & Finance	BA	Nottingham Trent University
Environmental Science	BSC	Bristol University
Intelligence & Strategic Studies	MSC ECON	University of Wales
Business Information Technology	HND	Southampton Institute
Philisophy	BA	College of London
Dance Performance	BA (HONS)	Middlesex University
Chemistry	PHD	University of Nottingham
Business & Finance	HND	Salford University
Geography	BA	University of Portsmouth
Art & Design	BA(HONS)	Reigate School of Art East Surrey
Marine Industry	Yatch Master	United Kingdon Sailing Academy
Sports Science	BSC	Kingston University
Product Design	BSC	Anglia Polytechnic University
Spanish & Latin American Studies	BA(HONS)	Portsmouth University
Osteopathy	BSC	European School of Osteopathy
Business Studies	BA	University of Huddersfield
Law	LLB/EU LEG	University of Kent
Multimedia Information Technology	HND	Cheltenham & Gloucester College
Theatre Dance & Trchnical Theatre	HND	New College Nottingham
Midwifery	Bsc	University of Sheffield
Drama Research	MA	University of Kent
Recreation & Tourism Management	BA	Bournemouth University
Art Media & Design	BA(HONS)	University of the West of England
Community Care & Youth Studies	BA (HONS)	Leeds Metropolitan University



Psychology  
 Dentistry  
 Medicine  
 Spanish & Italian  
 Spanish with Italian  
 European Management Studies  
 Electronic Music  
 Social Work  
 Visual Communication Design  
 English & Comparative Literature  
 Computer Information Systems Design  
 Computer Science  
 Business & Finance  
 Computing  
 Medicine  
 Theatre Studies  
 Writing  
 Philosophy/Spanish  
 Accounting & Business Information Systems  
 Psychology  
 Legal Studies  
 Sports Science  
 Law with European Law  
 Medicine & Surgery  
 Mechanical Engineering  
 Primary Education  
 English Literature & Spanish  
 Business with Spanish  
 Electronics  
 Pharmacy  
 Psychology  
 History & Ancient History  
 Law  
 Business Studies  
 Legal Studies  
 Financial Services  
 Surface Design

BSC  
 BDS  
 Mb BCH  
 BA  
 BA  
 MA  
 BSC  
 BA  
 BA  
 BA  
 Bsc  
 Bsc  
 HND  
 HND  
 MB ChB  
 BA  
 MA  
 BA  
 BA/BSC  
 BSC  
 BA  
 BSC(HONS)  
 BA  
 MB/ChB  
 HND  
 BA (QTS)  
 BA  
 BA(HONS)  
 HND  
 M Pharm  
 BSC  
 BA  
 LLB  
 BA  
 BA  
 BA  
 BA(HONS)  
 BA(HONS)

Nottingham Trent University  
 Leeds University  
 University of Wales  
 Portsmouth University  
 Nottingham Trent University  
 Aberdeen University  
 University of Hertfordshire  
 Sheffield Hallam University  
 Middlesex University  
 University of East Anglia  
 Kingston University  
 University of Leeds  
 University of Wales Institute Cardiff  
 Buckingham Chilterns College  
 University of Sheffield  
 Bristol University  
 Middlesex University  
 Bristol University  
 Middlesex University  
 University of Southampton  
 Kingston University  
 Canterbury Christchurch College  
 University of Nottingham  
 Aberdeen University  
 Southampton Institute  
 Nottingham Trent University  
 Kingston University  
 Kingston University  
 University of Glamorgan  
 University of Portsmouth  
 University of Hertfordshire  
 Exeter University  
 Southampton Institute  
 Southampton Institute  
 The College of Law  
 Sheffield Hallam University  
 London College of Printing

Medical Biochemistry	BSc	University of Surrey
Art & Design	BA(HONS)	Middlesex University
Combined Subject Programme	BA/BSC	University of Derby
Human Geography Leisure & Recreational St.	BA	De Montfort University
Molecular Biology & Genetics	BSc	University of Wolverhampton
Biological Sciences	BSC	University of Wales
Law	LLB(HONS)	Kingston University
Animation	BA	Surrey Institute
Biomedical Science	BSc	University of Portsmouth
History & Italian	BA	University of Leeds
Teaching	BA (HONS) QTS	University of Brighton
Business	HND	University of Portsmouth
Art & Design	BA	Leeds College of Art & Design
Media Studies	BA	De Montfort University
History of Art & Spanish	HND	University of Leeds
Business Studies	BA	Liverpool John Moores University
Primary Art	BA	University of the West of England
Education	BA (HONS) QTS	Bath Spa University
Computing & Business Information	BSC	University of East London
Medicine	MBChB/Med	University of Birmingham
Law	LLB	University of Hertfordshire
Dance with Primary QTS	BA QTS	University College Chichester
Information Technology	MSc	University of Dundee
Forensic Science	BSc	Lincoln University
European Business Studies	BA	Portsmouth University
Counselling & Therapeutic studies	Bsc	Leeds Metropolitan University
Physical Activity, Exercise & Health	BSC	Leeds Metropolitan
Psychology	BSc	University of Manchester
Business Studies	BSC(HONS)	Manchester Metropolitan University
Dietetics	Bsc	Queen Margaret University
Music	BMus(Hons)	Trinity College of Music London
Spanish	BA	Bristol University
Applied Social Science	BA	Sheffield Hallam University
Psychology	BSC	Nottingham University
Psychology	BSC	University of Warwick
Spanish & Psychology	BA (HONS)	Kingston University
Sports & Fitness Science	BSC(HONS)	Luton University

Tourism Management	BA Hons	Southampton Institute
Spanish & Management	BA	Trinity and all Saints
Business & Finance Admin	HND	University of Wales Institute
Business Studies	BA	Swansea
Business Studies	BSc	University of Swansea
Business Studies	BA	Nottingham Trent University
Accountancy with Spanish	MA	Heriot Watt University Edinburgh
Veterinary Nursing	BSc	Napier University Edinburgh
Business Management	BSc	University of Sussex
Multimedia Technology	HND	University of Glamorgan
Performing Arts	BA	King Alfreds College
Accounting (International)	BSc	University of Hull
Business Studies	BA	University of Hertfordshire
Banking & Finance	BSC ECON	University of Cardiff
Pharmaceutical Sciences	BSc	De Mont Fort University
Information Technology and Business	HND	University of Hertfordshire
Electronic Engineering	B ENG (HONS)	University of Lancaster
Medical Engineering & Bio Mechanics	MSC	Leeds University
Business Property Management	BSc	Sheffield Hallam University
Management & Spanish	BA	Canterbury Christchurch College
Business Studies	BA	Southampton Institute
Accounting & Economics	BSc	Cardiff University
Economics	BA	Pembroke College
Tourism Studies	BA(HONS)	Bournemouth University
Mechanical Engineering	MEng	University of Nottingham
Ancient History & Archeology	BA	University of Reading
Building Studies	HND	Leeds Metropolitan University
Tourism & Languages	BA (HONS)	University of Wales
International Business	BA (HONS)	Southampton Institute
Medicine	MB/ChB	University of Aberdeen
Accounting & Finance	BA	University of Southampton
Law	LLb	Nottingham Trent University
Tourism Management	BA	Swansea Institute
Social with clinical psychology	Bsc	University of Kent at Canterbury
Business	HND	Southampton Institute
English Language Studies	BA(HONS)	University of Cardiff
Architecture	BSC	University College London

Tourism Management	BA Hons	Southampton Institute
Spanish & Management	BA	Trinity and all Saints
Business & Finance Admin	HND	University of Wales Institute
Business Studies	BA	Swansea
Business Studies	BSc	University of Swansea
Business Studies	BA	Nottingham Trent University
Accountancy with Spanish	MA	Heriot Watt University Edinburgh
Veterinary Nursing	BSC	Napier University Edinburgh
Business Management	BSc	University of Sussex
Multimedia Technology	HND	University of Glamorgan
Performing Arts	BA	King Alfreds College
Accounting (International)	BSC	University of Hull
Business Studies	BA	University of Hertfordshire
Banking & Finance	BSC ECON	University of Cardiff
Pharmaceutical Sciences	BSc	De Mont Fort University
Information Technology and Business	HND	University of Hertfordshire
Electronic Engineering	B ENG (HONS)	University of Lancaster
Medical Engineering & Bio Mechanics	MSC	Leeds University
Business Property Management	BSc	Sheffield Hallam University
Management & Spanish	BA	Canterbury Christchurch College
Business Studies	BA	Southampton Institute
Accounting & Economics	BSC	Cardiff University
Economics	BA	Pembroke College
Tourism Studies	BA(HONS)	Bournemouth University
Mechanical Engineering	MEng	University of Nottingham
Ancient History & Archeology	BA	University of Reading
Building Studies	HND	Leeds Metropolitan University
Tourism & Languages	BA (HONS)	University of Wales
International Business	BA (HONS)	Southampton Institute
Medicine	MB/ChB	University of Aberdeen
Accounting & Finance	BA	University of Southampton
Law	LLb	Nottingham Trent University
Tourism Management	BA	Swansea Institute
Social with clinical psychology	Bsc	University of Kent at Canterbury
Business	HND	Southampton Institute
English Language Studies	BA(HONS)	University of Cardiff
Architecture	BSC	University College London

French & Italian	BA Joint Honours	University of Leeds
Marketing Communication	BA	Greenwich University
Humanities	BA	University of Essex
Business & Marketing	HND	Southampton Institute
Dance	BA	The Northern School Of Contemporary Dance
Business Information Systems	BSc	University of Wales Institute - Cardiff
Business Law	LLB	Bournemouth University
Law	LLB	Leeds Metropolitan University
Educational Studies	BSC(ED)HONS QTS	University of Exeter
Marketing & English	BA	Canterbury Christ Church University College
Medicine	M.B.Ch B	University of Manchester
Animation	BA(HONS)	North East Wales Institute of F.E.
Architecture	Dip	Architectural Assoc
Accountancy	BA	Essex University
Business & Law	BA Hons	Southampton Institute
Financial Services	BAHONS	Nottingham Trent University
Primary Teaching	BA Qts	St Marys College
Engineering	B ENG	Sheffield Hallam University
Business	HND	Southampton Institute
Retail Bussiness Management	BA	Oxford Brookes University
Accounting & Finance	BSC	London School of Economics
Journalism & Editorial Design	BA	University of Wolverhampton
Electronis & Electrical Engineering	BEng	Nottingham Trent University
Psychology	BSc/Psy	University of Greenwich
Painting & Printmaking	BA(Hons)	University of Wolverhampton
Music	BA	Canterbury Christ Church College
Sports Therapy	BSC	Luton University
Computer Technology	BEng	Portsmouth University
Applied Physics	MPHYS	University of Portsmouth
Social Science	BSc	Southampton Institute
History & Spanish	BA(HONS)	University of Manchester
Primary Education & Religious Stidies	BEd	Liverpool Hope University
Physics	BSC	University of Reading
Geography	MA	University of Aberdeen
Dentistry	BDS	University of Wales, Cardiff
Business & Management	HND	Southampton Institute
Computer Science	BSc(HONS)	Kingston University

Modern Chinese Studies	BA	University of Leeds
Computing	HND	Southampton Institute
English & European Law	LLB (HONS)	University of the West of England
Law	LLB	Kingston University
Accounting & Finance	BA(HONS)	University of Wolverhampton
Accounting & Finance	BA	University of Manchester
Spanish Italian	BA	Portsmouth University
Geography	BA(QTS)	St Mary's University College
English	BA	University of Leeds
Pharmacy	MPharm/PHA	University of Brighton
Law	LLB	Southampton Institute
Medicine	MB CHB	Aberdeen University
English Literature & Language Studies	BA	University of Cardiff
Sociology	BA	Southampton Institute
International Business with Language (Spanish)	BA(HONS)	Sheffield Hallam University
Geography	BSC	University of Leicester
Business with Spanish	BAHons	Kingston University
Business Information Technology	HND	Southampton Institute
Multi Media Design	BA	De Montfort University
Automotive Design & Manufacture	BENG/MENG	University of Sunderland
Accountancy & Finance	BA	University of Leeds
Art	BA & BTEC	Eastbourne College of Art
Accounting & Finance	BA(HONS)	Nottingham Trent University
Tourism	BA(HONS)	Bournemouth University
Business & Media Studies	BA	North East Wales Institute
Mechanical Engineering	BEng(HONS)	Brighton University
Mechanical Engineering	M ENG	Exeter University
Business Information Technology	HND	Southampton Institute
Dentistry	BDS	Bristol University
Accounting & Financing	BA	Bournemouth University
Business Management	BA	Southampton Institute
Computer Science	BSC (Hons)	Staffordshire University
Business Studies	BA	University of Luton
Accounting & Finance	BA(HONS)	Kingston University
Dance Performance	BA	Middlesex University
Philosophy & Spanish	BA	Bristol University
Accounting	BA(HONS)	Southampton Institute

Business & Economics	BA	University College London
Primary Teaching & English	BA QTS	St Mary's University
Primary Teaching	BA(QTS)	Kingston University
International Business	BA(HONS)	Southampton University
International Business	BA Hons	Southampton Institute
Recreation & Leisure Management	BA	Cardiff University
Art & Design	BA(HONS)	Dundee University
Biomedicine (extended)	BSC	Kingston University
Quantity Surveying	BSC(HONS)	University of Abertay
Architectural & Building Conservation	HND	Pembrokeshire College
Industrial Design	BSc (Hons)	University of Luton
Law	LLB	University of Leeds
Tourism & Leisure Management	HND	Bournemouth University
Industrial Design	BA(Hons)	Sheffield Hallam University
Business Studies	BA(Hons)	Southampton Institute
Business Economics	BA	Nottingham Trent University
Medicine	MB BCH & BSC	University of Wales - Cardiff
Spanish & Psychology	BA(HONS)	Middlesex University
Law	LLB	Southampton University
English	BA	St.Mary's University
Law with European Legal Systems	LLB	University of East Anglia
Management Studies & French	BA	University of Reading
Art & Design	BA(HONS)	College of Brighton
Art & Design	BA(HONS)	University of Salford
Primary Teaching ( Special Educational Needs)	BA (QTS)	Canterbury Christchurch University
Secondary English	PGCE	University of London
Philosophy & Sociology	BA	University of Kent
Business Studies	BA	University of Glamorgan
Tourism Management	HND	Southampton Institute
Law	LLB	Nottingham Trent University
Microbiology & Spanish	BSC (HONS)	University of Manchester
Primary Teaching	BA QTS	University of Brighton
Spanish & Italian	BA	Coventry University
Leisure Management	HND	Sheffield Hallam University
Leisure & Sports Studies	BA(HONS)	Leeds Metropolitan University
Primary Teaching with PE	BA(QTS)	St Mary's College
Marketing Design	BA	Southampton Institute

Leisures Studies Travel & Tourism Management  
 Computer Systems & Networks  
 Building Surveying  
 Musical Instrument/Woodwind Making/Repair  
 Architecture  
 Spanish & Italian  
 Business Information Technology  
 Law with French  
 Law with European Studies  
 Industrial Design  
 Primary Education  
 Primary Teaching  
 Medicine  
 computers and networking  
 Politics & Spanish  
 Dental Technology  
 Business Management  
 Music & Italian  
 Business Studies  
 Business Management  
 Electrical & Electronic Engineering  
 Law with French  
 Biomedical Sciences  
 Hotel Catering & Institutional Management  
 Biomedical Sciences  
 Media Technology  
 International Business  
 Design & Construction Management with IT  
 Medicine  
 Tourism Management  
 Business Information Systems  
 Business Management  
 Primary Teaching  
 Computing  
 Building & Surveying  
 Computer Science  
 Information Sciences

HND  
 BSC  
 Bsc  
 Coll Dip/ City & Guilds  
 BA  
 BA(HONS)  
 MSC  
 LLB  
 LLB  
 BA  
 BA(QTS)  
 BA QTS  
 MB BCH  
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 MB BCH  
 HND  
 BSC  
 BA  
 BA QTS  
 BSC(HONS)  
 BSc(Hons)  
 BSC  
 BSC

Farnborough College of Technology  
 University of Plymouth  
 Nottingham Trent University  
 Newark & Sherwood College  
 De Montfort University  
 Portsmouth University  
 Kingston University  
 University of Leeds  
 Exeter University  
 Cardiff Institute  
 University of Brighton  
 Kingston University  
 University of Wales College of Medicine  
 Southampton University  
 Kingston University  
 Manchester Metropolitan University  
 Southampton Institute  
 Anglia Polytechnic University  
 Buckinghamshire Chilterns University College  
 Southampton Institute  
 University of Leceister  
 Nottingham University  
 University of Aberdeen  
 Sheffield Hallam University  
 King's College London  
 Glamorgan University  
 Southampton Institute  
 University of Greenwich  
 University of Wales  
 Leeds Metropolita University  
 University of Wales Cardiff Institute  
 Kingston University  
 Christ Church College - Canterbury  
 Leeds Metropolitan University  
 Luton University  
 Cardiff University  
 University of Hertfordshire



Accounting & Finance	BSC	University of London
Microbiology	BSc	Wolverhampton University
English	PHD	University of Leeds
& European Comparative Literacy Studies	MA	University of Canterbury
Business Studies	BA	Kingston University
Architectural technology and the Environment	BA	University of Plymouth
Marine Environmental Science	BSC	University of Portsmouth
Law	LLB	University of Glamorgan
Law	LLB	Southampton University
Primary Education	BA with Qts	Brighton University
Computer Science	BSc	University of Kent
Pharmacy	MPharm	Liverpool University
Pharmaceutical Studies	BSC	Kingston University
Medicine	MBBS	University College London
Marine Navigation	BSC	University of Plymouth
Psychology	BSc	Loughborough University
Creative Writing & Writing for Performance	BA(HONS)	Bolton Institute
Computer Network Management	BSC(HONS)	Southampton Institute
Pharmacy	MPharm	University of London
International Business Management French	Bsc	Manchester Umist
History of Ideas & Politics	BA(HONS)	Kingston University
Medicine	MBChB	University of Cardiff
Law	LLB	University of Greenwich
Graphic Design	BA	Southampton Institute
Psychology	BSC	University of Essex
Philosophy	BA	Reading University
Sociology & Social Work	BA	Northampton University
Law & French	LLB	University of Cardiff
Exercise Health Sociology	BSc Hons	Oxford Brookes University
Hospitality Management	BA Hons	University of Abertay Dundee
Disaster Management & Engineering	BSC	Coventry University
International Business	BA(HONS)	Southampton Institute
Primary Teaching	BA(QTS)	St Mary's College
History & Politics	BA	University of Kent Canterbury
Medicine	MBBS	Kings College London
Law	LLB	Southampton University
Exercise Physiology	MPHIL	Kingston University

Law with Legal Studies in Europe  
 Electronic Engineering  
 International Business with Spanish  
 International Business  
 Law  
 Oceanography with Marine Biology  
 Dentistry  
 Orthoptics  
 Business Studies & Management  
 Art & Design  
 Modern History and Politics  
 French & Spanish  
 Computing  
 Architecture  
 Media Production  
 Teaching  
 English Literature & Theatre Studies  
 Biomolecular Sciences  
 Art Therapy  
 Law & Spanish  
 Graphic Design  
 Criminology/Psychology  
 Applied Linguistics & Advanced French Lang. St.  
 Philosophy  
 Sports Science & Physiology  
 French & Management Studies  
 International Marketing Management & Spanish  
 Computer Network Management  
 Computer Science  
 Health Care Ethics  
 Engineering with Business Finance  
 Architecture  
 Law & Italian  
 Law  
 Biochemistry  
 Travel & Tourism  
 Business Study

LLB Hons  
 B ENG  
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 BSC  
 Bchd  
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 BTec  
 MA  
 BA  
 BSC(\*HONS)  
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 BA Hons

University of Reading  
 Glamorgan University  
 Sheffield Hallam University  
 Nottingham Trent University  
 University of Greenwich  
 Southampton University  
 University of Leeds  
 Sheffield University  
 Middlesex University  
 Surrey Institute  
 University of Glasgow  
 Kingston University  
 Oxford Brookes University  
 The Bartlet University College  
 University of Lincolnshire & Humberside  
 Trinity & All Saints - Leeds  
 University of Leeds  
 University of Glasgow  
 Derby University  
 Anglia Polytechnic University  
 University of Leeds  
 Cardiff University  
 Oxford Brookes University  
 University of Wolverhampton  
 University of Leeds  
 University of Reading  
 Bournemouth University  
 Southampton Institute  
 Northampton University  
 University of Leeds  
 University College London  
 Plymouth University  
 University of Wales - Cardiff  
 Coventry University  
 University of Wales - Cardiff  
 University of Leeds  
 Southampton Institute

Animation	BA(HONS)	Surrey Institute
Primary Teaching	BA(QTS)	St Mary's College
Environmental Health	BSC (HONS)	University of Bristol
English Lit and Spanish	BA	Kingston University
Media Studies with Spanish	BA	University of Leeds
Mathematics	BSC	University of Edinburgh
French & Spanish for Translating	BA	Heriot - Watt University
Nursing	HIGHER DIPLOMA	Sheffield University
Accounting & Finance	BA	University of Kent at Canterbury
Psychology with Spanish	BA/BSC	Kingston University
Psychology & Italian	BSc	Plymouth University
Natural Sciences	BSC	University of Bath
Law + French Law	LLB(HONS)	University of Durham
Criminology	BA(HONS)	Southampton Institute
Fashion	BA	Southampton Institute
Environmental Sciences	BSc	Southampton University
Automotive systems technology	Beng	Kingston University
Quantity Surveying	BSc	Kingston University
Nursing Studies	BA (HONS)	Sheffield Hallam University
Business Administration	BA	Middlesex University
Sport & Society	Bsc(Hons)	Sheffield Hallam University
Medicine	MBBS	University of London
Sport Science & PE with Spanish	BSc	Chester University
Accounting	BSC	Cardiff University
Maritime Studies	BA	Southampton Institute
Business & Management	HND	Southampton Institute
Primary Teaching	BA	University of Brighton
Dance Performance	BA	Middlesex University
Law	LLB	Bradford College
Law & Business	LLB(HONS)	Southampton Institute
Law	BA	Kingston University
Computing	BSC	Canterbury Christchurch College

**ORAL**

**NO. 1008 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – DISCRETIONARY GRANTS**

Can the Minister give a breakdown of the subjects initially chosen by students who already hold or have applied for discretionary grants this year?

**ANSWER**

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

Answered together with Question No 1009 of 2001.

**NO. 1009 OF 2001****THE HON S E LINARES:****EDUCATION – DISCRETIONARY GRANTS**

Can the Minister give this House a breakdown of subjects studied and institutions in which they are studied of students who currently hold a discretionary grant from Government?

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

In answer to Question No 1008 of 2001 I assume that when the hon Member speaks of subjects initially chosen I am not too sure whether he means those subjects they took for their first degree initially or whether he means those which have been chosen now for the subsequent discretionary award for a further second degree. But anyway the information which I now hand to him gives the hon Member both.

**Answer to Question No 1008 of 2001**

<b>Breakdown of subjects studied by students as a first degree and who have been awarded a discretionary grant.</b>			
<b>Course</b>	<b>Qualification</b>	<b>Place of Study</b>	<b>Previous Degree</b>
Secondary Teaching	PGCE	Oxford Brookes University	BSc Biology & Computing
Social Work	Dip	North East Wales Institute	BSc Psychology & Communication
Secondary Teaching	PGCE	University of Wales	BA Italian
French & Spanish	PGCE	Kingston University	BA French/Spanish
Teaching	PGCE	University of Southampton	BSc Biology
BVC	LPC	College of Law	LLB(Hons) Law
Translation & Linguistics	MA	University of Westminster	MA Arabic (First Degree)
Teaching	PGCE	University of Hull	BA(Hons) Geography

BVC	Barrister	University of Northumbria	BA Accounting & Finance
Medical Law	LLM	University of Kent	LLB English/Spanish Law
Bar Vocational Course	LPC	Inns of Court School of Law	LLBLaw
Secondary Teaching	PGCE	St Mary's College	BA French/Spanish
Archaeology	Mphil	Cambridge University	BA Archaeology
Teaching (Primary)	PGCE	St Mary's College	BA English & Sociology
Music Coaching	Dip	USA New York	BA(Hons) Music
Vocal Training	P Dip vt	Guilhall of Music Drama	BA Art/Music
Architecture	M Arch RIBA	Nottingham University	BA Architecture
Law	CPE PG Dip Law	Inns Court of School Law	BA English
Music	MMUS	Indiana University School of Music	BA Music
Teaching	PGCE	Oxford Brookes University	BA (Hons) Music
Dietetics	Post Grad Dip	Leeds Metropolitan University	BSc Nutrition & Food Science
Primary Teaching	PGCE	University of Hertfordshire	BA(Hons)Education/Spanish
Secondary Teaching	PGCE	Loughborough University	BSc Sports Science
Primary Teaching	PGCE	University of Leeds	BA (Hons) Dance Theatre
Secondary Teaching	PGCE	University of Reading	BA French
Occupational Therapy	PG	University of Brighton	HND Pulic Administration
PGCE Science	PGCE	University of Warwick	MSci Physics
Secondary Teaching	PGCE	University of Surrey	BA English/Psychology
Public Law	LLM	University of Bristol	BA Estate Management/Law Conversion Centre
Primary Teaching	PGCE	University of Wales Institute Car	BA Social Science
Language Pathology	MSC	University of Newcastle	BSc Human Comm.
Teaching	PGCE	King Alfred's College	BA History/sports Science
Biodiversity & Conservation	MSc	University of Leeds	BSc Zoology
Medicine	MBChB	Bristol University	BscOsteopathy
French & Philosophy	MA	University of St Andrews (Scotland)	First Degree in Scotland
Master of Business Administrator	MBA	University of Cardiff	BSc Accountancy & Management
Research in Environment & Earth Science	Phd & MPhil	Imperial College	BSc Geography

Breakdown of subjects studied by students as a first degree who were unsuccessful in their application for a discretionary award this year (2001/2002).

COURSE	QUALIFICATION	DEGREE
Childcare	NVQ2/3	-
Choreography	MA	BA Dance
Philosophy	MA	BA Philosophy
Business Information Technology	MSc	BA Business Studies with European Prog
Education	Mphil	BSc Education Studies in Management
Systems Engineering	MSc	Beng Computer Systems Engineering
Certificate in Reflexology	Certificate	-
Music Exercise	NVQ2	-
Portfolio Management	Masters	BA in Economics with Spanish
Optometry	BSc	BSc Biochemistry
Physiotherapy	BSc	BSc Physiotherapy
Manufacturing	Masters	BSc Mechanical Engineering
Music	National Diploma	-
Sports medicine	MSc	MBBCH
Education	MA	BAGg
Healthcare	MA	LLB Law

**Answer to Question No 1009 of 2001**

Course	Qualification	Place of Study
Business & Finance	HND	Southampton Institute
Computer Science & Physics	BSC	Nottingham Trent University
Mathematics	BSC	University of Brighton
International Hospitality Management	BA(HONS)	Nottingham Trent University
Ecology & Conservation	BSC (HONS)	University of Roehampton
English Literature & Philosophy	BA	Cardiff University
Biodiversity & Conservation	MSC	University of Leeds
Business	BA/BSC	University of Hertfordshire
Mechanical Engineering	BSC	University of Reading
Linguistics & Language Pathology	BSC	University of Reading
Sport Studies with Business	BA	Southampton institute
Pharmacy	MPHARM	De Monfort University
Business Studies	BA	University of Wales Cardiff Institute
English & European Law	LLB (HONS)	University of Bristol
E-Commerce	BA	University of Northampton
Law	LLB	Nottingham Trent University
Medicine	MBChB	Bristol University

Accountancy	BA(HONS)	Hertfordshire University
Technology & Management	BSC	Leeds Metropolitan University
Osteopathic Medicine	BSC	British College of Naturopathy & Osteopathy
Business Studies	BA(HONS)	Coventry University
International Business	BA	Southampton Institute
Construction	BSC	Nottingham Trent University
French & Philosophy	MA	University of St Andrews (Scotland)
Master of Business Administration	MBA	University of Cardiff
Business & Finance	HND	Cardiff University
Medicine	BMBS	University of Nottingham
Educational Studies and Biology	BScEd/Secs	University of Exeter
Art & Design Foundation	BA(HONS)	Southampton University
Law	LLB	Kingston University
Philosophy	BA	University of York
Social Work	BA(HONS)	Southampton Institute
Psychology	BSC	Southampton Institute
Architecture	BAHONS	Greenwich University
Sport Exercise Health & Nutrition	BSC	Leeds Trinity & All Saints College
Computer Science	HND	University of Wales
Philosophy	Single Honours Degree	Southampton University
Sport Health & Leisure with Media	BA	Trinity & All Saints Leeds
Information Systems Engineering	M ENG	London University
International Business Studies	BA	Brighton University
Speech Science	BSC	University College London
Chemistry	BSC	University of Kent – Canterbury
Sport & Science	BSC	University of Brighton
International Business	BA	University of Hertfordshire
Research in Environment & Earth Science	Phd & Mphil	Imperial college
Sociology	BSC(HONS)	University of Abertay
Music	BA	Chichester
Primary Teaching	BAQts	Leeds Metropolitan University
International Business Studies/Spanish	BA	Buckinghamshire University College
Business and the Environment	BSc	Imperial College at Wye
Primary Education	BA(QTs)	University of Brighton
Computing and Administration	BSc	Kent at Canterbury
Business Management	BA	Napier University
Art & Design	BA	Falmouth College of Arts
Modern Languages	BA	University of Wales
Accounting & Information Systems	BSC(HONS)	University of Glamorgan
Primary Teaching	BA(Qts)	St Mary's College
Business Studies	BA	Nottingham Trent University
Architecture	BSC	Cardiff University
Teaching Primary	BA QTs	Bath Spa University College
Computer Studies	BSC(HONS)	Southampton Institute
Law	LLB	Nottingham Trent University
Nursery Nurse	NNEB	New College Nottingham
Secondary Teaching	PGCE	Oxford Brookes University



Social Work	Dip	North East Wales Institute
Secondary Teaching	PGCE	University of Wales
French & Spanish	PGCE	Kingston University
Professional Dance	DIP	Laine Theatre Arts
Teaching	PGCE	University of Southampton
BVC	LPC	College of Law
Overseas Resort Operations	Edexcel Dip	Hendon College
Translation & Linguistics	MA	University of Westminster
Teaching	PGCE	University of Hull
Officers in Charge of Navigational Watch	NVQ	Warsash Maritime Centre
BVC	Barrister	University of Northumbria
Medical Law	LLM	University of Kent
Bar Vocational Centre	LPC	Inns of Court School of Law
Secondary Teaching	PGCE	St Mary's College
Archaeology	Mphil	Cambridge University
Teaching (Primary)	PGCE	St Mary's College
Law	Barrister	The College of Law
Music Coaching	Dip	USA New York
Vocal Training	P Dip vt	Guilhall School of Music & Drama
Architecture	M.Arch,RIBA	Nottingham University
Law	CPE PGDip Law	Inns Court School of Law
Toni & Guy Academy	NVQ	Toni & Guy Academy
Catering	NVQ3	University of Surrey
Music	MMUS	Indiana University School of Music
Teaching	PGCE	Oxford Brookes University
Beauty Therapy	NVQ3	College of Hull
Dietetics	Post Grad Dip	Leeds Metropolitan University
Primary Teaching	PGCE	University of Hertfordshire
Secondary Teaching	PGCE	Loughborough University
Primary Teaching	PGCE	University of Leeds
Health & Social Care Practice	PG Diploma Ma	Sheffield University
Secondary Teaching	PGCE	University of Reading
Occupational Therapy	PG	University of Brighton
PGCE Science	PGCE	University of Warwick
Secondary Teaching	PGCE	University of Surrey
Public Law	LLM	University of Bristol
Primary Teaching	PGCE	University of Wales Institute Cardiff
Beauty therapy NVQ Level 2	NVQ Level 2	Eastleigh College
Language Pathology	MSC	University of Newcastle
Teaching	PGCE	King Alfred's College

**NO. 1010 OF 2001**

**THE HON S E LINARES**

**EDUCATIONAL GRANTS**

Can the Minister state how many students are not getting a full grant and of these how many are getting the minimum and further give a breakdown of those getting between the minimum and the maximum?

**ANSWER**

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

427 students are not getting a full grant. Of these, 69 are receiving the minimum grant. 358 are in receipt of a grant between the minimum and the maximum.

**SUPPLEMENTARY TO QUESTION NO 1010 OF 2001**

**HON S E LINARES:**

Is it possible to get a breakdown of this in relation from the minimum to the maximum?

**HON DR B A LINARES :**

Does the Member mean the different grants within the maximum and the minimum? I have not got that. It is logged in the department but I have not got the information.

**HON S E LINARES:**

Is it possible that the Minister could pass it to me?

**HON DR B A LINARES:**

Yes, by all means.

**HON S E LINARES:**

Can the Minister state how many, if there are any this year that are being investigated like last year after having applied, or having taken in the means testing that is done, is there any initial ones that he has seen that needs investigating?

**HON DR B A LINARES:**

I have seen quite a few that need investigating but we have now made an arrangement with the Income Tax Department which actually enables us to pass responsibility to the Income Tax to ascertain whether the declared income of these suspicious cases are acceptable to them or not. It has removed the responsibility from this department where we really did not have adequate resources to carry out full detailed investigations but as we trust the Income Tax office has.

**HON S E LINARES:**

When means testing, is it solely on the tax returns or are there other considerations that could be assessed when means testing is it all what is declared through the Income Tax on the parent as a person or their company, this is what I am not sure about whether the Income Tax will investigate the parent as the person or what the parent owns, whether it is a company or any other?

**HON DR B A LINARES:**

The Ordinance speaks of income from all sources it is pretty comprehensive but as I say now what we get is a declared income, the form of application for the award to the Department there is a declared income from both parents or guardians and this when we see it is not entirely acceptable to us on prima facie we pass it on to Income Tax Department for further investigation.

**HON J J BOSSANO:**

Is that not in contradiction with the argument that was used previously that the reason why the department was taking in a second look at persons whose income had already been confirmed by the Income Tax Department was because the Tax Department's definition of income under the Ordinance was narrower than the definition in the Scholarships Regulation, I think that was the argument the Minister used the last time round to argue the opposite of what he is arguing now?

**HON DR B A LINARES:**

That is why we held discussions with the Income Tax Office to see if they could broaden their approach to their investigations and advise us accordingly by using their own resources.

**HON J J BOSSANO:**

I understood that the Tax Office was bound by the Ordinance, by the Income Tax Ordinance, and that they were constrained as we understood the explanation last time they were constrained because of the definition of income in the Ordinance, but the Education Department could take a broader view that is what we were told and then it was up to the parent to complain if they did not accept and I think the Minister told us that in fact so far those who had been reduced had taken it on the chin as it were, so what has changed since that explanation was given?

**HON DR B A LINARES:**

What has changed is simply a practical affair in that the Income Tax Department has been kind enough to say that they will put their resources to follow their investigations along the lines that we want them to follow beyond the constraints of the Ordinance. They have resources that can help us in examining audited accounts and advise us accordingly.

**HON J J BOSSANO:**

Would that mean then that if the Tax Office came to the conclusion that the income declared would that affect the tax liability as well or it would just affect the scholarship, the impression we were given before was that it was not a question of catching people it is that the income that they declare to pay tax was not something that they were doing something wrong?

**HON CHIEF MINISTER:**

In the case of the Education Ordinance there is discretion regardless of the return to assess to a higher level of contribution, the Commissioner of Income Tax did not take the same view without being able to demonstrate that there is a proper charge to tax under the Income Tax Ordinance. Income Tax is not raised on a discretionary basis although there is provision in the Income Tax Ordinance to assess people in the absence of a return. Once the return is submitted to the Commissioner of Income Tax for income tax purposes he may reject the return and then conduct an enquiry on the basis of challenging the return that has been submitted.

**HON J J BOSSANO:**

Yes, that is consistent with the explanation given the last time not the explanation given this time which seems to be in the opposite direction in the sense that the department has delegated the function to the Tax Office and I am not clear how, presumably independent whether the tax payer has a child applying for a grant or not, if the Tax Office was unhappy with the return they would pursue it anyway that is what

the law says that they may do. In these cases were it is the Education Department that feels that there is reason to doubt the veracity of the income declared by the parent it is not something that has occurred to the Tax Office. Now, is the Tax Office then doing something for the Education Department which is not necessarily what they would do if they were doing it for themselves that is the point I am trying to establish?

**HON DR B A LINARES:**

I think so, to a great extent they are being advisory, they are being helpful, we the department still keep the discretion in terms of the power that the department has within the Ordinance to assess even beyond the narrow confines of the Income Tax Declarations into income from all sources, we are still holding on to that but operationally and in terms of practical procedures the Income Tax Office is being very helpful.

**HON J J BOSSANO:**

We are talking about cases presumably arising out of the grants in September can we know how many cases there are?

**HON DR B A LINARES:**

I do not have the information with me.

**NO. 1011 OF 2001****THE HON S E LINARES****CHANGE OF SCHOOL HOURS**

Can the Minister give this House all the results of the last questionnaire in relation to the change of school hours?

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

The Government have already published the overall results of the survey which was an aide to Government's decision making process. The Government do not consider it appropriate to publish the full survey results. The Government can provide the hon Member with the overall results of the parents' questionnaire which I will now hand over.

**SCHOOL HOURS****RESULTS OF PARENTS QUESTIONNAIRE**

Number of Questionnaires issued	-	5017
Number of Questionnaires returned	-	3159 (63per cent)
Number of parents expressing approval for one-hour lunch break	-	2283 (72.2per cent)
Number of parents expressing preference for one-hour lunch break	-	1846 (58.4per cent)
Number of Parents expressing approval & preference for a 20 minutes lunch break	-	1175 (37.2 per cent)

**NO. 1012 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister confirm that the change of school hours will take place in January 2002?

**ANSWER**

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

Answered together with Question Nos 1013 and 1014 of 2001.

**NO. 1013 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state whether the works in schools to accommodate children for lunch will be completed before the change of school hours takes place?

**ANSWER**

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

Answered together with Question Nos 1012 and 1014 of 2001.



**NO. 1014 OF 2001****THE HON S E LINARES:****CHANGE OF SCHOOL HOURS**

Can the Minister give a breakdown of the amount of money spent to date in each school to provide for children to have their lunch break?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1012 of 2001**

I confirm that the change of school hours will take place in January 2002.

**Answer to Question No 1013 of 2001**

The works in schools to accommodate children for lunch are progressing well. We are assured by GJBS that all dining facilities will be in place by January 2002.

**Answer to Question No 1014 of 2001**

The position in respect of the cost involved, to date, at each school is as follows:-

St Paul's First School	-	£ 55,550
Notre Dame First School	-	£165,000
St Mary's First School	-	£ 10,000
St Joseph's First & Middle School	-	£760,000
Sacred Heart Middle School	-	£100,000
Bayside	-	£305,000

**SUPPLEMENTARY TO QUESTION NOS 1012, 1013 AND 1014 OF 2001**

**HON S E LINARES:**

In the list the Minister has given some of the schools have no expenditure whatsoever, can he explain what provisions have been made in these schools?

**HON DR B A LINARES:**

Provision has been made in all schools but they are not listed. I have another document here which states the cost of other works carried out in other schools. Money which has already been paid out to the contractors but invoices still pending payment are as follows, Governor's Meadow School £13,500, Notre Dame First School £37,500, St Joseph's First and Middle £265,000 and Bayside £48,857.

**HON S E LINARES:**

There are some schools which have not been mentioned. There are 15 schools in Gibraltar and as far as I can see the Minister has given me six schools. For example, to mention one, St Bernard's School, there is no expenditure whatsoever. Can the Minister say what provisions will they have for the lunch break this is the question?

**HON DR B A LINARES:**

The provisions at St Bernard's will be as stipulated and as required by the Headteacher and she has made it clear that within the present provision of the school physically she can manage, it is a small school remember, she can manage the lunching of children quite adequately. Remember that the school underwent a refurbishment, a great expenditure in refurbishment only a year ago which had in the mind of the Headteacher made the school very adequate for the lunch break.

**HON S E LINARES:**

Is this the case with the other schools that have not been mentioned, St Anne's, Westside...?

**HON DR B A LINARES:**

No it is not the case. Actually I think the hon Member has a point that the list that has been provided of expenditure from the Department does not coincide with another document of information which I have got here which also states the expenditure due in other schools.

**NO. 1015 OF 2001**

**THE HON S E LINARES:**

**CHANGE OF SCHOOL HOURS**

Can the Minister confirm that one of the objectives set for the Headteachers in relation to the performance management is that they must make the lunch break work?

**ANSWER**

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

I can confirm that one of the leadership/management objectives set for Headteachers in relation to performance management is that they should effectively manage the change of school hours.

**SUPPLEMENTARY TO QUESTION NO 1015 OF 2001**

**HON S E LINARES:**

Can the Minister state whether this has been negotiated with their Heads themselves and who is going to assess whether they have performed the lunch break or not, taking into consideration that different schools have been given different type of resources, that is, the question asked previously in which some schools have spent £760,000 in some cases and £13,000 in others, how will this be assessed, how will the Head reach that objective as a successful one when resources are completely different in different schools, what criteria will be used?

**HON DR B A LINARES:**

It is not the right perspective to say resources are different in different schools as if we are actually favouring some schools as opposed to others. It is a question of responding to the needs of the school in order to be able to manage successfully the

lunch break for children. Some schools have required a greater provision in terms of building and construction, other schools as I have mentioned the example of St Bernard's have required nothing at all because they already had an extensive refurbishment last year and they think that the school is perfectly adequate from every point of view to carry the lunch break provision. It is rather invidious to say that some schools have been given a lot of resources and others have not because it is simply related to the needs as already negotiated with the Headteachers but in answer to the main thrust of the question whether this setting off managing the change of school hours as one of the performance management objectives this indeed has been discussed with the Headteachers. The hon Member will know that in the Performance Management Scheme, Headteachers have been called to negotiate with their appraisers two objectives, one is personal and one is school based, the personal one for them has been either professional development or pupil progress. The school based objective has been management of the school, now that has to be specified more in detail and they have all agreed that at this moment of time it is crucial that the implementation of the school hours be managed successfully and they have all agreed to make that one of their management school based objectives.

**HON S E LINARES:**

Who will be assessing this?

**HON DR B A LINARES:**

Headteachers are assessed by the Director of Education.

**NO. 1016 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state how many children will be staying for the lunch break in each School in relation to the number of pupils in the School itself?

**ANSWER**

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

Answered together with Question Nos 1017 and 1018 of 2001.

**NO. 1017 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister explain what will happen if a parent decides half-way through the term that they wish to change their minds whether they do or do not want their child/children to stay in school or not?

**ANSWER**

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

Answered together with Question Nos 1016 and 1018 of 2001.

**NO. 1018 OF 2001****THE HON S E LINARES****CHANGE OF SCHOOL HOURS**

Can the Minister state what sort of hygiene arrangement has been put in place for children staying for the lunch break?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1016 of 2001**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

<b>PUPILS STAYING IN SCHOOL FOR LUNCH AS AT 26<sup>TH</sup> OCTOBER 2001</b>				
<b>School</b>	<b>Yes</b>	<b>No</b>	<b>Total No of Respondents</b>	<b>Total No of Pupils</b>
St Paul's First	219	40	259	265
Notre Dame First	182	21	203	243
St Joseph's First	254	34	288	305
St Bernard's First	99	24	123	124
St Mary's First	120	21	141	180
Governor's Meadow	274	42	316	336
Hebrew Primary	32	22	54	57
St Anne's Middle	347	44	391	440
Bishop Fitzgerald	396	43	438	458
Sacred Heart Middle	241	32	273	284
St Joseph's Middle	280	29	309	333
Bayside Comprehensive	559	165	724	871
Westside Comprehensive	432	203	635	923

**Answer to Question No 1017 of 2001**

Parents have every right to change their minds whether their child/children continue to stay in school during the lunch hour. Parents should inform their child's/children's Headteacher(s) of their decision so that the child may be removed from the lunch-hour register. Once withdrawn, the child will not be re-admitted for the remainder of the term. Parents can, of course, apply to the Headteacher for re-admittance for the following term and other than in exceptional circumstances and at the discretion of the Headteacher children will not be admitted during the school term.

**Answer to Question No 1018 of 2001**

Schools will be encouraging children to wash their hands prior to having their lunch. Where necessary, schools have been provided with extra hand washing facilities, this has been part of the construction works as well. In addition, and when specifically requested by Headteachers, the Department will be supplying schools with wet tissues to enable children to wipe their hands clean after lunch and of course suitable furniture is being purchased in consultation with the Headteachers.

**SUPPLEMENTARY TO QUESTION NOS 1016, 1017 AND 1018 OF 2001**

**HON S E LINARES:**

Is the Minister aware that some schools have a policy of not allowing children during the lunch break to go into schools to use the toilet facilities in order to wash their hands, and in some schools they have to use wipes to wash their hands in order to have their food before or even after, is the Minister satisfied at this situation?

**HON DR B A LINARES:**

The Minister is satisfied that Headteachers will know how to manage these particular situations adequately.

**HON S E LINARES:**

What about where the facilities are not in place, the Head will have to use the wipe and the parents will probably complain I presume, is the Minister satisfied?

**HON DR B A LINARES:**

I can only give the answer that I gave before but these are practical living situations that I am sure Headteachers will know how to manage to the best interests of the pupil.



**NO. 1019 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state how many companies or agencies have applied to provide persons for the supervision of the children during the lunch break?

**ANSWER**

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

Answered together with Question Nos 1020 to 1023 of 2001.

**NO. 1020 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state how many persons will be needed as school meals supervisors in each school?

**ANSWER**

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

Answered together with Question Nos 1019, 1021, 1022 and 1023 of 2001.

**NO. 1021 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Will the Minister state what initial qualifications should persons have who seek employment as school meals supervisors?

**ANSWER**

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

Answered together with Question Nos 1019, 1020, 1022 and 1023 of 2001.

**NO. 1022 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister state what will be the nature of the courses given to the supervisors before they are actually employed?

**ANSWER**

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

Answered together with Question Nos 1019 to 1021 and 1023 of 2001.

**NO. 1023 OF 2001**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can the Minister confirm whether he or any Government Official has been negotiating or even discussing with private firms to provide meals for children in Schools?

**ANSWER**

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

**Answer to Question No 1019 of 2001**

Three companies/agencies have applied to carry out the administrative duties in relation to the employment and management of luncheon supervisors.

**Answer to Question No 1020 of 2001**

The Department is not in a position to state the exact number given that some parents have not responded to the Director's letter requesting parents to state their intention whether their child/children will be staying in school for lunch, until we know the total number we will not be able to gauge the required number of supervisors. A further letter will be sent to those who have not replied. Failure to respond on this second occasion will be interpreted as parents not wishing to leave children in school for lunch. The Department will then be in a position to state the exact number of persons required.

**Answer to Question No 1021 of 2001**

There are no set academic qualifications being demanded for those persons seeking to work as luncheon supervisors. The Department will ensure that those taken on have no police record in terms of drugs or child abuse, that they can speak English and that they are persons of sound character and education or background and otherwise suitable to undertake these duties.

### **Answer to Question No 1022 of 2001**

The Department, in consultation with Headteachers, is in the process of drawing up details of the training course that luncheon supervisors will undertake. It is envisaged that this course will consist of a general course on basic skills related to children, followed by a one week placement in each school to be inducted into the school policies and practices. Additionally, each school will have a 'luncheon supervisor-in-charge' who will be trained in basic first aid as well.

### **Answer to Question No 1023 of 2001**

No negotiations or discussions have been undertaken by me or any officer in my Department with private firms to provide meals for children in schools.

### **SUPPLEMENTARY TO QUESTION NOS 1019, 1020, 1021, 1022 & 1023 OF 2001**

#### **HON S E LINARES:**

The Minister stated in answer to Question No 1020 of 2001 that the Director does still not know how many supervisors will be employed, is it still the policy of Government to have one supervisor per 35 children as stated previously in this House?

#### **HON DR B A LINARES:**

I cannot recollect that that figure was stated in this House but I will yield and accept my bad memory in that respect, but certainly there is no fixed ratio as yet, it is being considered, there will have to be different ratios in different schools as well. These matters will also have to be negotiated, discussed with Headteachers because different schools will have again different requirements. In special circumstances one school may not be the same as those of other schools and certainly the obvious distinctions will have to be made between First Schools and more Senior pupils. No there are no figures as yet carved in stone.

#### **HON S E LINARES:**

Was not the return date of these questionnaires the 10<sup>th</sup> October and if parents do not respond before January how is Government going to know how many children will be staying for lunch?

#### **HON DR B A LINARES:**

A further letter has been prepared to be sent to parents who have not replied and they will be told in no uncertain terms that failure to respond on this second occasion will be interpreted as parents not wishing to leave children in school for lunch. Then the Department will know after that having discarded that eventuality that we will have a definite figure of children staying in each school.

**NO. 1024 OF 2001**

**THE HON S E LINARES**

**EDUCATION – BLEAK HOUSE**

Can Government give a breakdown of the training courses that have been completed at Bleak House, since September 2000 and the number of students completing each course?

**ANSWER**

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

Answered together with Question Nos 1025 to 1027 of 2001.

**NO. 1025 OF 2001**

**THE HON S E LINARES**

**EDUCATION – BLEAK HOUSE**

Of the 523 students enrolled for training courses at Bleak House in September 2000 how many have completed their course?

**ANSWER**

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

Answered together with Question Nos 1024, 1026 and 1027 of 2001.



**NO. 1026 OF 2001**

**THE HON S E LINARES:**

**EDUCATION – BLEAK HOUSE**

Can the Minister give this House a breakdown of the nature or name of the courses that the 523 students initially enrolled for?

**ANSWER**

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

Answered together with Question Nos 1024, 1025 and 1027 of 2001.

**NO. 1027 OF 2001**

**THE HON S E LINARES**

**EDUCATION – BLEAK HOUSE**

Of the students that completed the training courses can the Minister state how many completed each course?

**ANSWER**

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

**Answer to Question No 1025 of 2001**

The figure of 523 represents the total number of people who attended Bleak House during September 2000. This includes those attending courses, meetings, presentations, interviews et cetera. Of this total 272 completed training courses.

**Answer to Question No 1026 of 2001**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 1027 of 2001**

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question 1026**

<b>BLEAK HOUSE – SEPTEMBER 2000 TRAINING COURSES</b>			
	<b>PROVIDER</b>	<b>COURSE NAME</b>	<b>NO. OF PERSONS</b>
1.	(A.C.C.A.)	Association of Certified & Chartered Accountants – Audit Framework	3
2.	Bayside School	Year 12 - IT	12
3.	Bayside School	Year 13 - IT	9
4.	Central School for Counselling and Training	Diploma in Counselling	8
5.	Chamber of Commerce	NVQ in Customer Care	15
6.	City Fire Brigade	Officers Seminar	25
7.	Department of Education and Training	INSET – Literacy Strategy Training Programme	30
8.	Department of Education and Training	INSET – Visual Impairment	12
9.	Department of Education and Training	Student Teachers	15
10.	G.C.F.E.	(A.A.T.) – Accounting Technicians	15
11.	G.C.F.E.	Alternatives Therapies & Massage	9
12.	G.C.F.E.	I.T. Course - Access	10
13.	G.C.F.E.	I.T. Course - Excel	10
14.	G.C.F.E.	I.T. Course - Word	10
15.	G.C.F.E.	Secretarial & Business Administration Scheme	16
16.	Health and Safety	Working Safely	26
17.	Institute of Management	Group Activities Day	20
18.	Norwich Union	Customer Care Course	6
19.	School of Health Studies	Diploma in Nursing Course	12
20.	School of Health Studies	Registered Nurses Course	9
21.	School of Tourism	Intake 4 - Interviewing Skills and Interviews	9
22.	School of Tourism	Intake 4 - Presentation Skills	9
23.	School of Tourism	Intake 4 - Tourism and Marketing Course	9
24.	School of Tourism	Intake 4 – Welcome Host Course	9
25.	School of Tourism	Intake 5	10
<b>TOTAL NO. OF PERSONS:-</b>			<b>318</b>

**OTHER ACTIVITIES (Exams, meetings, interviews and visits.)**

	<b>ORGANISATION</b>	<b>SUBJECT</b>	<b>NO. OF PERSONS</b>
1.	Department of Education and Training	Head Teachers Meeting	12
2.	Department of Education and Training	NCWG Meeting - English	16
3.	Department of Education and Training	NCWG Meeting - Geography	16
4.	Department of Education and Training	NCWG Meeting - Science	16
5.	Gibraltar Health Authority	KGV – Mental Health Services Planning Group Meeting	12
6.	I.L.E.X. – (Institute of Legal Executives)	Meeting	20
7.	School of Health Studies	Meeting x 2	6 + 15
8.	School of Tourism	Interviews for Intake 6	20
9.	School of Tourism	Graduation – Intake 4	50
10.	Training Advisory Council	Sub-Group Meeting	7
11.	Training Advisory Council	Meeting	15
			<b>TOTAL NO. OF PERSONS:-</b> 205
			<b>GRAND TOTAL:-</b> 523

Answer to Question 1027

**BLEAK HOUSE TRAINING COURSES**

	<u>Date Completed</u>	<u>No. of Students</u>
<b>1. <u>School of Tourism (1 year course)</u></b>		
Intake 4	Oct 2000	10
Intake 5	Feb 2001	8
Intake 6	Sep 2001	8
<b>2. <u>Secretarial &amp; Business Administration Scheme (1 year)</u></b>		
Intake 1	Dec 2000	11
<b>3. <u>School of Health Studies</u></b>		
Pre-Registration Nursing Course May 2001		
ENB 998 Course – Group 1	Feb 2000	5
ENB 998 Course – Group 2	June 2001	9
<b>4. <u>Counselling Courses (Central School of Counselling Training)</u></b>		
Diploma In Counselling	Sept 2000	8
Introduction to Counselling Skills	Dec 2000	9
Certificate in Counselling Theory	May 2001	36
Certificate in Counselling Skills	June 2001	16
<b>5. <u>Accounting Courses (Association of Chartered Certified Accountants)</u></b>		
Accounting & Audit Practice	May 2001	4
Audit Framework	May 2001	3
<b>6. <u>JGA Group (In association with the Chamber of Commerce)</u></b>		
NVQ in Customer Care	March 2001	13
<b>7. <u>AAT (Association of Accounting Technicians)</u></b>		
Technicians Level	April 2001	15

## Contd Answer to Question 1027

### **8. Computer Courses**

#### Microsoft Word

Group 1	Dec 2000	12
Group 2	April 2001	13

#### Microsoft Word (Advanced)

Group 1	April 2001	10
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#### Microsoft Excel

Group 1	Dec 2000	10
Group 2	March 2001	11

#### Microsoft Access

Group 1	Dec 2000	7
Group 2	April 2001	9

### **9. Alternative Therapies & Massage**

Group 1	Dec 2000	9
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### **10. Bayside School**

#### (Use of Computer Suites)

Year 12 – 'A' Level ICT	May 2001	12
Year 13 – 'A' Level ICT	April 2001	9

### Contd Answer to Question 1027

In addition to the above training programmes, the following short courses/training workshops have taken place since September 2000 and range from 1 day/evening session to 1 week's duration.

	<b>September 2000</b>		<b>Participants</b>
1.	City Fire Brigade	Officers' Seminar	25
2.	Norwich Union	Customer Care Course	6
3.	Safety Services	Working Safely Course (IOSH)	20
4.	Institute of Management	Diploma Group Activities Day	20
5.	Department of Education & Training	INSET – Literacy Strategy	30
6.	Department of Education & Training	INSET – Visual Impairment	12
7.	Department of Education & Training	Student Teachers Programme	15

	<b>October 2000</b>		<b>Participants</b>
1.	Institute of Management	Diploma Group Activities Day	15
2.	Chamber of Commerce/JGA	Developing Your Telephone Skills	19
3.	Chamber of Commerce/JGA	Making the Most of Managing	17
4.	Chamber of Commerce/JGA	Making Your Customers Count (1)	20
5.	Chamber of Commerce/JGA	Making Your Customer Count (2)	18
6.	Chamber of Commerce/JGA	Managing Your Customer Care for Profit	15
7.	Chartered Inst of Bankers	Certificate for Financial Advisers Revision Course	14
8.	Dept of Education & Trg.	INSET on School Improvement	30
9.	Dept of Education & Trg.	INSET – SEN Diploma	25
10.	Dept of Education & Trg.	INSET – Numeracy Training	12
11.	Dept of Education & Trg.	Student Teacher Programme	15
12.	NASUWT	Management Training	50
13.	Norwich Union	Customer Care Course	6
14.	Safety Services	Working Safely Course (x2)	32
15.	School of Health Studies	Cancer Care Course	60
16.	Skills & Learning Centre (MOD)	Controlling Your Stress	14
17.	Skills & Learning Centre (MOD)	Discipline & Restoring Efficiency	12
18.	Skills & Learning Centre (MOD)	Performance Appraisal	16
19.	Skills & Learning Centre (MOD)	Selection Interviewing	10
20.	Skills & Learning Centre (MOD)	Customer Service Concepts	12

Cont ...

**Contd Answer to Question 1027**

	<b>November 2000</b>		<b>Participants</b>
1.	Dept. of Education & Trg	INSET – Literacy Strategy	20
2.	Dept. of Education & Trg	INSET – SEN Diploma	25
3.	Dept. of Education & Trg	INSET – Numeracy Training	12
4.	Environmental Agency	Basic Health & Safety Certificate for VTS Trainees (x3)	45
5.	Norwich Union	Customer Care Course	10
6.	Safety Services	Working Safely Course (IOSH)	12
7.	Skills & Learning Centre (MOD)	Discipline & Restoring Efficiency	16
8.	Skills & Learning Centre (MOD)	Selection Interviewing	12
9.	Skills & Learning Centre (MOD)	Team Building (x3)	45
10.	Skills & Learning Centre (MOD)	Performance Appraisal	16
11.	Skills & Learning Centre (MOD)	Budgetary Skills Training	15

	<b>December 2000</b>		<b>Participants</b>
1.	Chartered Insurance Institute	Technical Fire Insurance Course	10
2.	Chartered Insurance Institute	Technical Business Interruption Course	10
3.	Gib College of F.E.	ICT Training	10
4.	Dept. of Education & Trg	Student Teacher Programme	10
5.	Dept. of Education & Trg	INSET – Numeracy Training	12
6.	Dept. of Education & Trg	INSET – Consultation Skills	6
7.	Gib. Tourist Board	Welcome Host Course	15
8.	Environmental Agency	Risk Assessment Course	8

	<b>January 2001</b>		<b>Participants</b>
1.	Chartered Inst. of Bankers	Certificate for Financial Advisers Revision Course	18
2.	Dept of Education & Trg	INSET – Literacy Strategy	20
3.	Dept of Education & Trg	INSET – Numeracy Training	12
4.	Dept of Education & Trg	INSET – SEN Diploma (Makaton)	12
5.	Environmental Agency	Health & Safety Course	12
6.	Environmental Agency	Food Hygiene Course	10
7.	Gib. College of F.E.	Working Safely Course (IOSH)	15
8.	Gib. Counselling Service	Conflict Resolution for Counsellors	12
9.	Gib. Tourist Board	Welcome Host Course	15
10.	Norwich Union	Customer Care Course	6
11.	School of Health Studies	Diabetes Care Course	110

Cont ...



**Contd Answer to Question 1027**

	<b>February 2001</b>		<b>Participants</b>
1.	Safety Services	Manual Handling/Office Safety	15
2.	Dept of Education & Trg	INSET – Literacy Strategy	20
3.	Dept of Education & Trg	INSET – SEN Diploma	15
4.	Dept of Education & Trg	Supply Classroom Aides Foundation Course	12
5.	Environmental Agency	Food Hygiene Course	10
6.	Gib. College of F.E.	Working Safely Course (IOSH)	15
7.	Gib. Tourist Board	Welcome Host Course	10
8.	Interbuild Ltd.	Staff Training Course (ICT – CAD)	6
9.	Norwich Union	Customer Care Course	6
10.	Skills & Learning Centre (MOD)	Child Protection Awareness Training	20
11.	Skills & Learning Centre (MOD)	Controlling Your Stress	14

	<b>March 2001</b>		<b>Participants</b>
1.	Chamber of Commerce	Making Your Customers Count	15
2.	Chamber of Commerce	Getting Your Message Across	15
3.	Chamber of Commerce	Writing Better Business Letters	15
4.	Chamber of Commerce	Effective Team Working	15
5.	Chamber of Commerce	Making the Most of Managing (4)	15
6.	Dept of Education & Trg.	INSET – Literacy Strategy	15
7.	Dept of Education & Trg.	INSET- Numeracy Training	12
8.	Dept of Education & Trg.	Supply Classroom Aides Foundation Course	12
9.	Dept of Education & Trg.	INSET on Visual Impairment	15
10.	Environmental Agency	Food Hygiene Course	10
11.	Gib. College of F.E.	Working Safely Course (IOSH)	15
12.	Gib. Tourist Board	Welcome Host Course	10
13.	Natwest Bank	Effective Team Working	9
14.	Norwich Union	Customer Care Course	6
15.	Royal Gibraltar Police	IT Training Course for new recruits	8
16.	Skills & Learning Centre (MOD)	Child Protection Awareness Training	20
17.	Skills & Learning Centre (MOD)	Equal Opportunities Awareness Course	16
18.	Skills & Learning Centre (MOD)	Health & Safety Course	15
19.	Skills & Learning Centre (MOD)	Team Building	16

Cont ...

**Contd Answer to Question 1027**

<b>April 2001</b>			<b>Participants</b>
1.	Chartered Inst. of Bankers	Cefa Revision Course	16
2.	Dept. of Education & Trg.	INSET – Numeracy Training	12
3.	Dept. of Education & Trg.	Student Teacher Programme	15
4.	DET/Gib. Tourist Board	Welcome Host Course for VTS Trainees	16
5.	Environmental Agency	Office Safety Course	12
6.	Gib. College of F.E.	Working Safely (IOSH)	15
7.	Gib. Tourist Board	Welcome Host Course	10
8.	Norwich Union	Customer Care Course	6
9.	Royal Gibraltar Police	IT Training for new recruits	8
10.	Russell & Associates	Introduction to Financial Markets	10
11.	Russell & Associates	Introduction to Banking	10
12.	Russell & Associates	Understanding Company Reports & Accounts	10
13.	Russell & Associates	Introduction to Treasury	10
14.	Russell & Associates	Money Laundering Avoidance	10
15.	School of Health Studies	Management of Lymphoedema	16
16.	Skills & Learning Centre (MOD)	Hazmat Training Course	16
17.	Skills & Learning Centre (MOD)	Community Volunteers Training	15

<b>May 2001</b>			<b>Participants</b>
1.	Chartered Inst. of Bankers	Cefa/Cemap Revision Course	16
2.	Dept. of Education & Trg.	INSET – Baseline Assessment & Inclusion	40
3.	Dept. of Education & Trg.	INSET – Headteachers Training	16
4.	Environmental Agency	Health & Safety Course (x2)	32
5.	Environmental Agency	Food Hygiene Course	15
6.	Gib. College of F.E.	Managing Safely Course (IOSH)	18
7.	Russell & Associates	Introduction to Derivatives	10
8.	Russell & Associates	Introduction to Capital Markets	10
9.	Russell & Associates	Introduction to Portfolio Management	10
10.	Russell & Associates	Introduction to Technical Analysis	10
11.	Russell & Associates	Introduction to Risk Management	10
12.	Skills & Learning Centre (MOD)	Environmental Protection Training	28
13.	Skills & Learning Centre (MOD)	Induction Course	40

<b>June 2001</b>			<b>Participants</b>
1.	Counselling & Training Services (Western Europe)	Supervision Course	12
2.	Dept. of Education & Trg.	INSET for Teachers	30
3.	Dept. of Education & Trg.	INSET – Health Seminar	30
4.	Environmental Agency	Health & Safety Course for VTS Trainees	14
5.	Environmental Agency	Food Hygiene Course	12
6.	Gib. College of F.E.	Managing Safely Course (IOSH)	18
7.	Milbury Care Services	Child Protection Training	75

Cont ...

**Contd Answer to Question 1027**

<b>July 2001</b>			<b>Participants</b>
1.	Gib. Tourist Board	Welcome Host Trainers Course	3
2.	Natwest Bank	"Understanding Projects" Workshop	7

<b>August 2001</b>			<b>Participants</b>
1.	Environmental Agency	Pest Control Operatives Course	6

**SUPPLEMENTARY TO QUESTION NOS 1024, 1025, 1026 & 1027 OF 2001**

**HON S E LINARES:**

The Minister said in answer to the Question that the 523 people that have, can he clarify the usage of Bleak House or students enrolled in Bleak House. There is a difference between a person going to a meeting in Bleak House just for the sake of having a meeting with somebody for educational purposes than enrolling in courses?

**HON DR B A LINARES:**

The hon Member is perfectly right, the word enrolled came out in a leaflet that was produced by a lady who was a Dutch placement student in the Department of Trade and Industry and she used the word enrolled in a rather vague sense. The 523 included those who attended a course of training definitely and I mentioned a figure of 272 who actually completed a structured course of training there, used the facilities for the purposes of work related meetings as suggested, attended certificate presentation ceremonies, attended interviews for Government supported training schemes, so it is very much a global figure for which we are not entirely responsible. Nevertheless the 272 and the schedule of courses being carried out in Bleak House is quite impressive, I am sure the hon Member must admit.

**HON S E LINARES:**

I was really, really impressed when I read in the Gibraltar in Europa of 523 enrolments and that is why I posed the question. I am glad that the Minister cleared it up because it is not clear it does give the wrong impression of this School of Excellency in Bleak House. One thing is agreeing that 272 is a good number but nearly double that number would be twice as good if it were true.

**HON DR B A LINARES:**

I have given the hon Member a straightforward and honest answer but if the thrust of his question is to try to minimise the importance of the progress of the work being done in Bleak House I must certainly reject that but I am sure that it is not.

**HON S E LINARES:**

The Minister can be sure that it is not.

**NO. 1028 OF 2001**

**THE HON S E LINARES**

**ST MARTIN'S SCHOOL**

Can the Minister give this House an explanation as to why St Martin's School was without five Classroom Aides and one teacher on the first two days at the beginning of the term, that is, on the 30<sup>th</sup> August and the 31<sup>st</sup> August 2001?

**ANSWER**

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

During the academic year 2000/2001 two pupils at St Martin's were presenting very severe behavioural and emotional problems. After trying out a number of educational programmes, it was decided to enhance provision by deploying an extra teacher over and above the complement. Additionally, by five part-time classroom aides were required for this and for the outreach programme. This situation was to be reviewed at the end of the academic year. The decision taken as a result of the review took place at the start of the academic year. It is felt that for the school to have been for two half days at the start of the school year without considerable extra resources was not detrimental to the pupils concerned, especially given that during half days, the school enjoyed the full complement of classroom aides, that is, those who are normally employed in the morning and those employed in the afternoon. So the complement of classroom aides was actually doubled for that particular early period in the start of the term. As soon as we went to full time schooling the classroom aides have been supplied.

**SUPPLEMENTARY TO QUESTION NO 1028 OF 2001**

**HON S E LINARES:**

I have asked this question because those two days the Head did not even know what was happening on those two days because suddenly she found herself with five less classroom aides and one less teacher and therefore I have posed this question, I know the Minister has said about doubling, but I pose this question because it created a lot of anxiety within the teaching of St Martin's the Headteacher and especially parents.

**HON DR B A LINARES:**

The Headteacher when she made representations to this effect to the Director of Education and the Director of Education actually pointed out to her that she was now having during those half days five extra aides, those who work in the afternoon working for the half day, she apologised in no uncertain terms to the Director of Education, so the hon Member has only heard half the story from the Headteacher not the full story.

**HON CHIEF MINISTER:**

I will just add to that, the Headteachers in Gibraltar Government Schools are employees of the Government, it is not appropriate if the hon Member's supplementary suggests that the Headteacher, yes the hon Member says "much anxiety amongst the Headteacher" as if he had had a conversation with the Headteacher about it. If the hon Member's supplementary suggests that the Headteacher has gone to him as Opposition Spokesman to raise with her Minister a question about her then all I can say is that there is a gross breakdown of the proprieties of the relationship between master and servant in this case. I cannot believe that that is the case, I can only assume that the hon Member is asking questions on the basis of tittle-tattle. I can not believe that the Headteacher of St Martin's would act in this way.

**HON S E LINARES:**

It is incredible that the Chief Minister can accuse a Headteacher of such thing when I have not and I repeat I have not got this information from the Headteacher. It is though the role of the Opposition in any democratic country to find out the information from the school. I have not gone to the Headteacher or any of the staff it has been parents who have all the right to come to me, all the right to inform me and it is fact that this did happen so I did get my sources correct, not from the Headteacher, I did not need to, and the parents came to me and told me this information and therefore I am now posing the question because of the anxiety that it created and I am sure it created to all of the staff and the Head about not having this staff in place for the first two days of the school. What I am saying is that I cannot believe that the Chief Minister can stand and say that a civil servant has told me the information even if they have which they have not, it is the Government who should be answering the question that I have posed not where I get the information, it is totally irrelevant where I get the information, it is totally irrelevant where I get the information.....

**HON CHIEF MINISTER:**

It might be irrelevant to you.....

**HON S E LINARES:**

.....so therefore, Mr Speaker, I still have not finished.

**HON CHIEF MINISTER:**

But you have got to ask a question

**HON S E LINARES:**

Yes, and I will.

**MR SPEAKER:**

He will be allowed to finish.

**HON S E LINARES:**

Yes and I will ask the question. The question is that although the Minister has said that these five classroom aides and one teacher is over and above can the Minister give an explanation why those two days, those two days those were not there, there seemed to have been cross administrative errors somewhere, is that correct?

**HON CHIEF MINISTER:**

The Minister for Education has given him the answer to that question and he is not going to repeat it. In my own response to you I said to the hon Member that there can only be two sources of information either the Headteacher or tittle-tattle and now he confirms that it is tittle-tattle.

**HON S E LINARES:**

Well it is not tittle-tattle it is a fact.

**HON CHIEF MINISTER:**

No, when the hon Member first formulated this question he gave the distinct impression that he was representing the views put to him by the Headteacher and it now transpires that that is wholly inaccurate that he has not spoken to the Headteacher about this. So, he is asking questions in this House attributing sentiment views, anxieties and position to the Headteacher without having spoken to the Headteacher, so my doubt that any Headteacher could have acted in that way is entirely sustained, no, the Headteacher did not act in that way. It now transpires that the hon Member asks questions in this House on the basis of statements made to him by parents about what they think the Headteacher feels.

**HON S E LINARES:**

A fact which the Minister has confirmed.

**HON CHIEF MINISTER:**

No, it is not a fact the Minister has given an explanation that this is not a school being short of resources, this is a school being short for two days of additional resources that they have not traditionally had and which we gave them, [*HON S E LINARES: Disgraceful* ] and that what we are talking about, if the hon Member is so flippant that he is not interested in the serious answers to the questions that he poses he will be treated in that basis. The subject matter of the hon Member's question is trivial in the extreme. The problem is that the hon Member has already established clearly in this House that he brings everybody's complaint to this House without even first having taken the trouble to do his homework about the nature of the matter, so any disgruntled teacher or any disgruntled parent that mentions something to him in the street he just brings it to this House. Fine, he is free to do that if he wishes, he cannot purport to put doubt, concerns, statements, in the mouths of Headteachers and eventually it transpires that he is not quoting Headteachers at all, that is all I am saying.

**NO. 1029 OF 2001**

**THE HON S E LINARES**

**ST MARTIN'S SCHOOL**

Can the Minister state whether the refurbishment of St Martin's playground scheduled for this financial year has commenced?

**ANSWER**

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

The refurbishment of St Martin's playground scheduled for this financial year has not yet commenced.

**SUPPLEMENTARY TO QUESTION NO 1029 OF 2001**

**HON S E LINARES:**

Can the Minister state when more or less it will start?

**HON DR B A LINARES:**

These works will commence as soon as the works being undertaken in relation to the change of school hours are completed by GJBS who have been unable to cope with this extra work.



**NO. 1030 OF 2001****THE HON S E LINARES****INCIDENTS OF BULLYING**

Can the Minister state how many incidents of bullying have been reported to the Department of Education?

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

The extensive factual and statistical information requested by the hon Member is set out below.

**INCIDENTS OF BULLYING REPORTED IN WRITING TO THE DEPARTMENT OF  
EDUCATION**

Year	No of Cases	Schools
1993	1	Bishop Fitzgerald
1994	1	St Anne's Middle
1995	-	-
1996	-	-
1997	3	St Paul's First Sacred Heart Middle St Joseph Middle
1998	4	St Mary's First (2) Bishop Fitzgerald Middle Sacred Heart
1999	1	St Anne's Middle
2000	3	Sacred Heart Middle (3)
2001	-	-

**NO. 1031 OF 2001**

**THE HON S E LINARES**

**EDUCATION – ASSESSMENT PANEL**

Can the Minister state how many times the Assessment Panel for Special Educational Needs have met in 1999/2000 and 2000/2001 to date?

**ANSWER**

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

The Assessment Panel met on four occasions during the school year 1999/2000 and on four occasions during the school year 2000/2001.

**NO. 1032 OF 2001**

**THE HON S E LINARES**

**ST MARY'S SCHOOL**

Can the Minister confirm that the new school at the Fleet Pavilion will now not materialise within this Government's term of office?

**ANSWER**

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

It is Government's intention to relocate St Mary's School from its present location in Town Range to a site nearer Westside area to ease the pressure on schools in that area. Fleet Pavilion was identified as a suitable site but it is still in MOD hands. No decision has yet been taken on a possible new first and middle school for the Westside area or its location. I cannot therefore say whether it will materialise during this term of office.

**SUPPLEMENTARY TO QUESTION NO 1032 OF 2001**

**HON J J BOSSANO:**

Is the Minister not able to say whether it will be at Fleet Pavilion or he is not able to say whether it will happen at all, I am not sure which of the two interpretations of his answer is the correct one?

**HON DR B A LINARES:**

No definite decision has been made yet either way.

**HON J J BOSSANO:**

The original question was whether it would be at the Fleet Pavilion and the answer is it may not be in Fleet Pavilion and it may not be at all.

**HON DR B A LINARES:**

Well when no definite decision the word definite means that there is no definite decision which does not mean however that no decision will be taken.

**HON J J BOSSANO:**

I understand the problem of Fleet Pavilion what I am trying to establish is whether if the option of Fleet Pavilion does not materialise will the Government be looking at an alternative to Fleet Pavilion or is it that it may not happen at all in this term of office which of the two is it?

**HON CHIEF MINISTER:**

Both, it may not happen at Fleet Pavilion nor anywhere else during this term of office although the Government would like it to happen, both to happen in this term of office or at least in some other site for it to happen in this term of office, but we cannot be sure that either will happen in this term of office. Certainly the need in the short to medium term for a First and Second Middle School in that area is one that the educationalists make strongly and therefore the decision can be postponed more or less for a period of time but it cannot be put off indefinitely.

**NO. 1033 OF 2001**

**THE HON S E LINARES**

**EDUCATION – EXTRA PERIPATETIC TEACHER**

Can the Minister confirm whether the Department of Education has employed an extra peripatetic teacher for the current academic year?

**ANSWER**

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

Yes, Mrs Christine Lawrence an ex-headteacher of the Special School in the UK has been employed as a peripatetic teacher to support children with emotional and behavioural problems, she joins Mrs Sandra Licudi who has been carrying out this job for a number of years.

NO. 1034 OF 2001

THE HON S E LINARES

**NURSERIES**

Can the Minister state whether the Council of Ministers have considered the draft legislation to regulate nurseries?

ANSWER

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

No.

SUPPLEMENTARY TO QUESTION NO 1034 OF 2001

**HON S E LINARES:**

Does the Minister have any indication as to when it will materialise since I have been posing this question three times in this House and I seem to get the same answer?

**HON DR B A LINARES:**

It is pending.

**HON S E LINARES:**

Is it still at the Council of Ministers stage because the question I asked last time which was the same the Minister stated, "It is in the process of being considered by the Council of Ministers" that the Legislative Support Unit had already passed it to the

Council of Ministers so when or what list of priorities has the Council of Ministers got this draft legislation?

**HON DR B A LINARES:**

Legislation has been drafted by the drafting people but it is still pending consideration by the Council of Ministers.

**NO. 1035 OF 2001**

**THE HON S E LINARES**

**NURSERIES**

Can the Minister give a list of criteria used for the enrolment of children into Government Nurseries?

**ANSWER**

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

The criteria used for the selection of children into Government Nurseries are :-

- (i) Employment details of both parents;
- (ii) Marital status of parent;
- (iii) Number of other children in the family;
- (iv) Special medical needs of the child;
- (v) Special educational needs of the child;
- (vi) Special circumstances (eg unemployment, low income)

**SUPPLEMENTARY TO QUESTION NO 1035 OF 2001**

**HON J J BOSSANO:**

Is that list in any order of importance or priority or does it not matter?

**HON DR B A LINARES:**

No there is no order of importance in that list they are all living existential factors that the assessment panel made up of experts who understand these issues in real life assess globally and try to prioritise and balance one factor against the other. These decisions and



assessments are difficult to make in a purely mathematical sort of way, they have to be assessed by consideration, of course the parents of children are always invited to make representations to the assessment panel and it is a process of experts, involving the education psychologist, special needs advisor, social workers, they will actually give an assessment and set priorities but let me say in terms of actually providing placements in nurseries all applicants are actually offered a nursery place in Gibraltar. We have now 325 places available in nurseries as opposed to 190 in 1996, we have opened up three nurseries, Notre Dame, St Joseph's, St Paul's and a pre-school unit in St Martin's and now we are able to provide every applicant for nursery placement, the problem is the demand for the morning sessions and that of course is a problem in satisfying everybody and this is where the tension arises when people say, "I am more deserving than somebody else," which is a situation that often arises in many other areas where a choice has to be made.

**HON S E LINARES:**

Arising from that answer can the Minister state, is there any other extra criteria used to decide whether a child goes in the morning or in the afternoon given the fact that children who go in the morning have more tuition, that is, more hours of tuition and there is an imbalance were, for example, if one has the morning session the children have a three hour session and in the afternoon they only have two, is there any extra criteria that might be used to decide whether it is the morning or afternoon session?

**HON DR B A LINARES:**

Probably in terms of the special needs children. The operative factor there are special needs where the assessment panel is more inclined to offer the morning session because they get a more intensive tuition.

**NO. 1036 OF 2001**

**THE HON S E LINARES**

**TRUANT CHILDREN**

Can the Minister state whether the Council of Ministers have considered the draft legislation on truant children?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 1036 OF 2001**

**HON S E LINARES:**

Is this Legislation in the same process as the Nursery Legislation?

**HON DR B A LINARES:**

No, this legislation is not in the same process. In this case the legislation has still not been drafted fully.

**NO. 1037 OF 2001**

**THE HON S E LINARES**

**COLLEGE OF FURTHER EDUCATION**

Can the Minister say whether the Resource Room in the Gibraltar College of Further Education is available to students for this academic year?

**ANSWER**

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

Answered together with Question No 1038 of 2001.

**NO. 1038 OF 2001**

**THE HON S E LINARES**

**COLLEGE OF FURTHER EDUCATION**

Can the Minister say whether the library in the Gibraltar College of Further Education is available to students for this academic year?

**ANSWER**

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

The new Student Resource Centre which encompasses the library, is available to students in the College of Further Education for this academic year.

**SUPPLEMENTARY TO QUESTION NOS 1037 AND 1038 OF 2001**

**HON S E LINARES:**

Can the Minister state whether the 130 computers that the College of Further Education have are also available to students?

**HON DR B A LINARES:**

I would have to check whether all of the computers are available but I can say that the Resource Centre is now available and therefore I take it that by definition, resource means computers.

**NO. 1039 OF 2001**

**THE HON S E LINARES**

**SCHOOL ATTENDANTS**

Can the Minister state whether negotiations with the union in relation to School Attendance have concluded?

**ANSWER**

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

Yes, Sir.

**SUPPLEMENTARY TO QUESTION NO 1039 OF 2001**

**HON S E LINARES:**

Can the Minister state what has been the agreement and has the school attendant's claim been met?

**HON DR B A LINARES:**

There has been an agreement but I would not put it exactly that their claim has been met but now satisfied, the Union is satisfied with the settlement, school attendants have agreed to a new job description which meets the needs of all schools and school attendants have been regraded as a result to the following - Bayside and Westside and the College have been upgraded from Band 14 to Band 18 and all other schools the attendants have been upgraded from Band 10 to 14.

**NO. 1040 OF 2001**

**THE HON S E LINARES**

**POST 16 EDUCATION**

Can the Minister state how many times the committee he formed to look into the provision of post 16 Education in Gibraltar have met since it started?

**ANSWER**

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

The Committee formed to look into the provision for post-16 education in Gibraltar has met on two occasions this year.

**SUPPLEMENTARY TO QUESTION NO 1040 OF 2001**

**HON S E LINARES:**

Can the Minister state when it was formed?

**HON DR B A LINARES:**

The committee was formed at the end of the year 2000.

**HON S E LINARES:**

Can the Minister state if there has been any progress made in these two meetings and more importantly when does the Minister envisage that a post-16 educational programme will commence?

**HON DR B A LINARES:**

The work of the committee is very exploratory, in the sense of research, finding out all the different models and developments which are taking part in the UK and indeed in the continent.

**HON S E LINARES:**

Would the Minister not agree that the sooner something gets off the ground people can work round what has already started?

**HON DR B A LINARES:**

This question of datelines is always a dilemma. When the task involved is one of research, of exploration, it is very difficult to set the people doing a definite dateline of target style, nevertheless they are responsible people as I say, they know that there is a certain urgency, that the Government are very committed to this review of post-16 education and of course they are not the type of persons who will drag their feet and waste time.

NO. 1041 OF 2001

THE HON S E LINARES

**BAYSIDE SCHOOL**

Will the Minister confirm that 'A' Level PE is now being offered at Bayside?

ANSWER

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

Answered together with Question Nos 1042 and 1043 of 2001.



**NO. 1042 OF 2001**

**THE HON S E LINARES**

**BAYSIDE SCHOOL**

Can the Minister confirm that the key skills programme is now being offered at Bayside in Year 12?

**ANSWER**

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

Answered together with Questions 1041 and 1043 of 2001.

**NO. 1043 OF 2001**

**THE HON S E LINARES**

**WESTSIDE SCHOOL**

Will the Minister confirm that IT GCSE is now being offered at Westside?

**ANSWER**

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

**Answer to Question No 1041 of 2001**

Yes.

**Answer to Question No 1042 of 2001**

Yes.

**Answer to Question No 1043 of 2001**

No.

**SUPPLEMENTARY TO QUESTION NOS 1041, 1042 & 1043 OF 2001**

**HON S E LINARES:**

Can the Minister state why he has not been able to keep to the commitment given in this House that IT GCSE will be an option in Westside?

**HON DR B A LINARES:**

The commitment is to offer IT as a GCSE option in Westside but I fail to recollect that it was suggested that this would start in September. The options curriculum programme is decided in September of the previous year and the pupils were not offered that option last year necessarily it has not been possible to start the course in September this year. Nevertheless I can tell the hon Member that an IT qualified teacher up to GCSE level has been now deployed to Westside school and the headmaster assures us that the IT GCSE will be put to the pupils in year 9 during the options selection this academic year from next September. I would like nevertheless to put this in context, the fact that GCSE as a subject at GCSE is not being offered as an option as yet in Westside does not mean, and the House must understand, that IT is not taught in Westside, in fact it is one of the compulsory subjects as a separate subject with two periods a week in year 8 and in year 9 in the key stage 3 a period, and then it is taught as an integral part of the Business Studies GCSE course actually in year 10 and year 11 and in the Commercial Studies, RSA Commercial Studies Course for students in years 10 and 11. It is also taught as an optional computer literacy and Information Technology course to resit students in year 12 and to 'AS' and 'A' Level students in years 12 and 13 and the head teacher tells me with the recruitment of the new IT teacher this year it is planned to offer information technology as an optional course in year 10 for next September.

**HON S E LINARES:**

I appreciate the fact that IT is being taught it is just that in Question No 649 of 2001, we had a small debate about GCSE in Westside and the Minister said that the girls in Westside will have every opportunity of doing GCSE and 'A' Level courses in Information Technology and the Minister even went further that if the resources in the schools were not available for this academic year that he would look into sending the girls to the College of Further Education. So why have the girls not been given the option of being able to go to the college for this year until the course is ready for next year for the year 9?

**HON DR B A LINARES:**

Very probably for the lack of demand.

**HON S E LINARES:**

If there is a lack of demand why have the courses in the first place, when the Minister is putting the courses in place it is because there must be a demand. Next year the Minister has just said in year 9 they are going to offer it as an option. If they are going to offer it as an option there must be certain demand already to offer it as an option because in the last Question Time again he said that that is not how Westside works and schools work that it is not to do with the demand, or sorry that they do not put the course in place first without knowing the demand. Is it the case now that they are putting the course first without knowing the demand?

**HON DR B A LINARES:**

I am suggesting that there may have not been a demand to do the course this year in the College of Further Education. Once the course is offered within the time-table curriculum in Westside with an IT qualified GCSE teacher it is perfectly feasible and viable for the school's administration to put this option, and we will wait to see what the demand is, but certainly it is

now viable for the school during the integrated time-table to put in years 10 and 11 an option of IT.

**HON J J BOSSANO:**

Is it that the Minister knows that it was made available and there has been no response or is he just speculating that that might be the reason?

**HON DR B A LINARES:**

I said very probable, I am just simply drawing on my experience of how these things work.

**HON J J BOSSANO:**

Well the Minister can find out in fact what actually happened and tell us.

**HON DR B A LINARES:**

Yes.

**NO. 1044 OF 2001****THE HON S E LINARES****CULTURAL GRANTS**

Can the Minister give a breakdown of the cultural grants awarded with names of groups and amounts given to each group?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1044 of 2001.**

The following is a list of cultural grants awarded to groups and associations up to October of the current financial year:

<b>Group/Association</b>	<b>£</b>
Danza Dance Company	250.00
Fine Arts Association	1,000.00
Gibraltar Amateur Drama Association	500.00
Gibraltar Music Centre	1,450.00
Gibraltar National Dance organisation	4,000.00
Gibraltar Photographic Society	950.00
Gibraltar Youth Band	1,500.00
Metior Saxum d'Gibraltar	750.00
Rock on the Rock Club	2,150.00
Rooke Band	300.00
Tarik Modern Theatre Dance Company	500.00
The Arts Centre	700.00
The Calpe Singers	1,439.00
The Gibraltar Academy of Dance	595.00
<b>Total</b>	<b>16,084.00</b>

**NO. 1045 OF 2001**

**THE HON S E LINARES**

**THEATRE ROYAL**

Now that the Government have publicly announced the extent of the refurbishment of the Theatre Royal, can the Minister give details of the total projected cost to the taxpayer and to the EU?

**ANSWER**

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

Answered together with Question No 1096 of 2001.

**NO. 1046 OF 2001**

**THE HON J C PEREZ**

**DISPOSAL OF HOSPITAL WASTE**

Can Government state what are the arrangements in place for the disposal of Hospital waste whilst the incinerator is out of action and domestic refuse is being disposed at Los Barrios?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH**

Clinical waste is collected in purpose made hard plastic containers, which are then sealed. They are collected from the wards at regular intervals during the day and then deposited in a locked room awaiting collection. Community Projects collect clinical waste from the hospitals six days a week from Monday to Saturday. Once collected they are delivered to a warehouse at the North Mole and from there are transported into Spain where the containers and contents are shredded, sterilised and then disposed of. If the hon Member is referring to Non-Clinical Waste, this is disposed of in large black plastic bags. These bags are collected regularly from the wards during the day and then deposited in a designated blocked up area in the patio. Industrial Cleaners Services Limited collect this refuse every day except Sundays.

**SUPPLEMENTARY TO QUESTION NO 1046 OF 2001**

**HON J C PEREZ:**

The old arrangements whereby clinical waste, that is to say limbs and things like that were incinerated in a small incinerator which was side to side to the incinerator, that has been discontinued?

**HON LT COL E M BRITTO:**

That is correct.

**NO. 1047 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPENSATION CLAIMS**

Can Government give a breakdown of the amount paid in compensation claims in respect of the Gibraltar Health Authority for the Financial Year 1999/2000 showing the sum paid for each claim?

**ANSWER**

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

Answered together with Question Nos 1048 and 1049 of 2001



**NO. 1048 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPENSATION CLAIMS**

Can Government give a breakdown of the amount paid in compensation claims in respect of the Gibraltar Health Authority for the Financial Year 2000/2001 showing the sum paid for each claim?

**ANSWER**

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

Answered together with Question Nos 1047 and 1049 of 2001.

NO. 1049 OF 2001THE HON MISS M I MONTEGRIFFO**GHA – COMPENSATION CLAIMS**

Can Government give a breakdown of the amount paid in compensation claims in respect of the Gibraltar Health Authority for the Financial Year 2001 to date?

ANSWERTHE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTHAnswer to Question Nos 1047, 1048 and 1049 of 2001

<b>Claim</b>	<b>1999/2000</b> £	<b>2000/2001</b> £	<b>2001 to date</b> £
<b>A</b>	206,795.00		
<b>A</b>		248,000.00	
<b>B</b>		30,000.00	
<b>C</b>		18,835.25	
<b>D</b>			16,267.31

SUPPLEMENTARY TO QUESTION NOS 1047, 1048 AND 1049 OF 2001**HON MISS M I MONTEGRIFFO:**

I take it that these figures are referring to compensation as regards medical negligence?

**HON DR B A LINARES:**

Well they are compensations which have been established legally as liabilities by the department, the causes may be varied. These claims go back many years some of them go back as far as 16, 17 years.

**HON MISS M I MONTEGRIFFO:**

Included in these figures do we also have the legal fees or are they shown separately as they are in the subhead that comes out of the Gibraltar Health Authority as legal fees or do those figures also include the legal fees?

**HON DR B A LINARES:**

I do not think those figures include the legal fees, those are the figures that determine the damages which the legal authorities feel are due to the parents or persons concerned.

**HON MISS M I MONTEGRIFFO:**

When the Government have taken advice to compensate people are they taking advice from the Government legal department or are they taking advice from private legal firms?

**HON DR B A LINARES:**

I do not know if in each particular case but I do know that certainly the one that I am familiar with the advice came from the Government Attorney General's Chambers. In that sense there were no legal fees involved.

**HON K AZOPARDI:**

Can I just clarify this last point because my Colleague was saying that there were no fees involved in relation to that big claim but of course in view of the substantial nature of that claim the hon Member may recall even during her time, perhaps not during her time, certainly in my time, there were London Council advising the Government in relation to all issues of liability and quantum in particular in relation to that claim that dates back to 1986 so there are some fees obviously.

**NO. 1050 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPENSATION CLAIMS**

Can Government state how many claims for compensation have been received by the Gibraltar Health Authority in respect of Medical Treatment afforded to GHA Patients?

**ANSWER**

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

Since the introduction of the Complaints Procedure, 26 claims for compensation have been received by the Gibraltar Health Authority in respect of Medical Treatment afforded to GHA Patients.

**SUPPLEMENTARY TO QUESTION NO 1050 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Twenty-six?

**HON DR B A LINARES:**

These are of course claims, not all of them have been met I have not got the details of that. How many have been met, how many are in the process of being considered, and how many have been rejected.

**HON MISS M I MONTEGRIFFO:**

If I understood the Minister correctly is he saying that these claims have actually occurred since the GHA started with their Complaints Procedure?

**HON DR B A LINARES:**

That is the information that I have got. There are more complaints, these are claims for compensation within that global figure of complaints.

**HON J J BOSSANO:**

In the 26 claims the information that has been provided as to claims paid are not included, these are 26 on top of the three that we have down here, is that correct?

**HON DR B A LINARES:**

Yes I asked the same question myself and I was told that they are separate from the figures given earlier in the previous question.

**HON J J BOSSANO:**

So that means that none of the 26 have been met because in answer to the question previously given the last column is 2001 to-date where there is a figure of £16,000 in respect of one claim?

**HON DR B A LINARES:**

I am told that it was not included there, that is a separate claim altogether. I agree with the hon Member that we should have included the total sum of claims which have received compensation in 2001 but that is the way it has been presented.

**HON J J BOSSANO:**

My question is, is the one claim for example paid to-date in 2001 one of the 26 or not and if the answer is no then it should follow that none of the 26 have been paid?

**HON DR B A LINARES:**

They have been paid but they are not recorded in this table, some have been paid, this is the way that it was put to me and I agree with the hon Member it does not quite make sense to me either but certainly the £16,267 does not include monies which have also been paid in respect of the 26 claims that I am now referring to and of which I do not have a figure.

**HON J J BOSSANO:**

Does the Minister know how many of the 26 have been paid and how many are still pending?

**HON DR B A LINARES:**

No, I mentioned before that I do not know how many. I think this is a matter that I shall follow up and clarify and establish very definite information which is I agree not available here and I apologise.

**HON MISS M I MONTEGRIFFO:**

Does the Minister agree to pass on the information once he has cleared the different figures to the Opposition?

**HON DR B A LINARES:**

Of course I will.

**NO. 1051 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPLAINTS PROCEDURE**

Can the Government state the number of complaints that are being received through the GHA's Complaint Procedure, from 1 May to end of October 2001?

**ANSWER**

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

Twenty-five complaints have been registered through the Complaints Procedure from the 1<sup>st</sup> May 2001 to the end of October 2001.

**SUPPLEMENTARY TO QUESTION NO 1051 OF 2001**

**HON MISS M I MONTEGRIFFO:**

In view of the very critical comments made by the Ombudsman in his report about the efficacy of the Complaints Procedure are the Government seriously looking at the recommendations that he stated in his report whereby he said that because none of the clinical complaints had been properly investigated that there should be independent board looking at the complaints of the GHA rather than the GHA looking at their own complaints?

**HON DR B A LINARES:**

No I do not recollect that the Ombudsman said that none of the complaints had been properly investigated, his concern was the fact that the complaints were taking a long time to be responded to. This matter was discussed with the Ombudsman, I think he has a reference to that as well in his report, that this was due to the avalanche of complaints since we opened up the avenue of the complaints procedure and that we

were now looking into providing necessary administrative resources to be able to speed up and be able to meet with this new enterprise of the complaints procedure.

**HON MISS M I MONTEGRIFFO:**

The Ombudsman's report did say that none of the clinical complaints had seen fruition and that there were a lot of people who had not received any reply at all and the Minister of course is correct in saying that the Ombudsman said that lots and lots of people were waiting far too long a time for their complaints to be seen to, therefore does the Minister not agree that the Complaints Procedure in itself should be reviewed and perhaps take on board the comment that I have said of the Ombudsman that it should be an independent body, therefore if it is an independent body they view matters differently and perhaps they have more time in order to be able to look into the complaints.

**HON DR B A LINARES:**

I have discussed this matter with the Ombudsman and he is of agreement that we should now try to expedite within the present system the responses to complaints by providing the necessary administrative resources which we have been lacking up to now but there are also problems of the consultants being able to have sufficient time to do this clerical stuff, seeking up reports, drawing up reports, having them prepared, we have also looked into that matter by giving administrative leave to some of the consultants to be able to attend to this need. There have been technical and practical problems in being able to respond expeditiously to the complaints and I think that is the thrust of the Ombudsman's complaint and criticism. He is in agreement that we should now give a chance to the Complaints Procedure by injecting better resources to see whether we can improve on the product before we start thinking of something much more radical which is to seek an independent type of enquiry.

**HON J J BOSSANO:**

Would there not be some merit in the Complaints being at arms length to the GHA but not necessarily outside the Government, not independent of the Government but independent of the Health Authority.

**HON DR B A LINARES:**

There are arguments for and against that approach. We feel that the designated officer given the necessary resources, the consultants themselves because we are talking about clinical complaints given also sufficient provision and time and opportunity to be able to do the necessary administrative work in seeking reports, drawing reports, that if we can provide this context and this opportunity and this facilities that the Complaints Procedure will probably begin to respond more adequately to its objective which is really to satisfy patients that their complaints and their concerns are being attended to seriously by the Authority. We have decided at the Authority that we should now give some more time and we have discussed this matter as the hon Lady may know that there is a Complaints Board as a sort of watchdog so this perhaps compensates for this arms length. There is a Complaints Board totally independent of the Authority which watches over, looks at the statistics, keeps an eye on the way the Complaints Procedure is working and we have a report



from them in which they also focus on the need to resource and facilitate the operation of the Complaints Procedure if it is going to be successful. So at the moment this agreement is being discussed between the Complaints Board, the Ombudsman and ourselves but given the new resources that we have injected the new opportunities that we have given, perhaps we can achieve what we all obviously want.

**NO. 1052 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**DIALYSIS UNIT**

Have Government now decided what facilities will be provided when they set up the Dialysis Unit?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 1052 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is it Government's intention to provide facilities that will mean that our dialysis patients will not require to go to the La Linea Dialysis Unit?

**HON DR B A LINARES:**

The Government's position is exactly the same as provided in an answer to Question No 680 of 2001 by the Chief Minister where he assured the House that the Government have not fixed their position as to the setting up of a dialysis Unit in Gibraltar Independent of that in La Linea but that there will be some provisional dialysis in the new hospital and we are currently studying a report that we have sought from Professor Terry Feast, the Chairman of the UK Renal Registry, Professor Feast undertook a review of the local renal services in April this year, he also assessed the dialysis unit in La Linea and has provided a technical and advisory report to the Government which is now under consideration.

**HON MISS M I MONTEGRIFFO:**

It seems to be the trend of this Government that whenever they do not want to say 'yes' or 'no' they refer back to previous questions. I am going to try to push the Minister a little bit more and ask him whether even though they are not decided is it not considered by the Government preferable that patients should not go to La Linea, otherwise why have a unit here providing certain services if they will have to go to La Linea anyway, does he not believe that money provided by the Government for a Dialysis Unit is well spent money?

**HON DR B A LINARES:**

I am afraid I cannot commit myself to any of the conclusions which have been put for me on a plate by the hon Lady.

**HON J J BOSSANO:**

How much longer will they need to be studying this report which they have had since April?

**HON DR B A LINARES:**

As I have said in reply to an earlier question it is always a bit of a dilemma to set datelines when these things have to be explored and considered but obviously well before the completion date of the new hospital.

**HON J J BOSSANO:**

Who is studying the report at the moment is it at the level of Ministers or people in the hospital?

**HON DR B A LINARES:**

It has been studied by people in the hospital but now it is being put for consideration by the Ministers.

**NO. 1053 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – HEALTH CENTRE**

Can the Government confirm whether a clinic at the Health Centre had to be closed recently, due to there being a large amount of cockroaches?

**ANSWER**

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

Two cockroaches were found in one of the clinics. The clinic was closed for one day whilst the pest control unit was called in to deal with the situation. The doctors saw the patients in another clinic.

**NO. 1054 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PRESCRIPTION CHARGES**

Can the Government state how much revenue the Gibraltar Health Authority has raised from 1<sup>st</sup> April 2001 to end of October 2001 as a result of their policy to increase prescription charges by 100 per cent?

**ANSWER**

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

Answered together with Questions No 1055 to 1057 of 2001.

**NO. 1055 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NUMBER OF PRESCRIPTIONS**

Can Government give a breakdown of the total number of prescriptions issued, the number of items and the cost of the medicines covered by such prescriptions under the GPMS for the accounting periods in respect of 1,2,3,4,5,6,7 of 2001/2002?

**ANSWER**

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

Answered together with Question Nos 1054, 1056, and 1057 of 2001.

**NO. 1056 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NUMBER OF PRESCRIPTIONS**

Can Government state the total number of prescriptions issued, the number of items, and the cost of the medicines covered by the GPMS prescriptions for periods 1,2,3,4,5,6,7 of 2001/2002, in respect of which £2.50 per item was paid by patients to dispensing pharmacists and the total value of the medicines so dispensed and the comparable figures for the previous year?

**ANSWER**

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

Answered together with Question Nos 1054, 1055 and 1057 of 2001.

**NO. 1057 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**DISPENSING FEES**

Can Government say what was the amount paid to Pharmacists from 1<sup>st</sup> April to end of October 2001 specifying each month, and how much of this was due to prescriptions dispensed during this period and give a breakdown of the yield of 15 per cent on-cost of the basic price of medicines and of the £2.35 and then £1.80 per item prescription charged in respect of the medicines to which the sum applied?

**ANSWER**

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

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I now hand to her, but before doing so I would like to make a couple of points which I have made before actually but the hon Lady keeps ignoring them. The hon Lady keeps referring to the hundred per cent increase in prescriptions, well I understand that she wants to score a political point on this one but if we want to be exact and statistical and mathematical about this it is not correct. The £1.20 charged during her administration applied to any number of items, the £2.50 charged now only applies to three items maximum also pensioners used to pay a 20p charge before, now they do not pay anything at all and when we put all this together it is not correct to make a blanket assertion, prescriptions have been increased by 100 per cent.

Second point is in relation to Question No 1056 of 2001, I have to explain that it is not possible to answer the question as asked by the hon Lady, I have pointed this out before, one prescription may have more than three items and they do not attract the charge of £2.50 yet within the same prescription some items are more expensive than others, so it is not possible to identify which of these items have attracted the £2.50 charge. So I have provided the total cost of the paying prescriptions of the white prescriptions but it is impossible to answer the question as presented but I can see that the point of the question is simply to get the total cost.

**HON MISS M I MONTEGRIFFO:**

Yes.



Answer to Question 1057/2001

**1054/2001**

Year 2001-2002

Period 1 start w/e 1<sup>st</sup> April

Period 8 ends with w/e 28<sup>th</sup> October

Revenue raised for period 1 – 8 inclusive – 70053 @ £2.50 = 175132.50

Before increase in prescription charges revenue raised would be 84340 @ £1.20 = £101208.00

Also approximately 66% of 173194 items would have paid 20p = 22861.60

Total revenue that would have been raised would have been £124069.60

Therefore extra revenue raised would be £51062.90

Periods 5 – 8 incomplete as not all accounts have been submitted.

**1055/2001**

2000/2001

Period	1	2	3	4	5	6	7
Scripts	11715	11913	12391	11927	11441	10431	9256
Items	35934	36688	39322	37313	35280	32278	27886
Cost +15%	358861	365147	399000	388995	367296	336598	142994

**1056/2001**

2001/2002

Period	1	2	3	4	5	6	7
Scripts	5429	5575	5701	5426	5118	4807	4264
Items	11941	12126	12854	12128	11278	10532	9192
Cost	133411	129369	145153	141246	128058	126044	105906

Periods 6 & 7 incomplete

2000/2001

Period	1	2	3	4	5	6	7
Scripts	5145	5217	5473	5027	5219	5298	5594
Items	10732	11073	11617	10881	10820	11085	11801
Cost	103744	109530	118148	113961	111877	114208	121843

**1057/2001**

The amount paid to Pharmacists from 1 April – 30 September 2001 was £2,787,104.45

With regard to the details requested in the second part of the question, it has not been possible to obtain the figures in the short time available and, will give these to the Hon Member as soon as I have received them.

**NO. 1058 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – EXPENDITURE**

Can Government confirm of the amount budgeted for the Gibraltar Health Authority for the financial year, how much has been spent by the end of September, giving a breakdown by head of expenditure?

**ANSWER**

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

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I hand to her.

## Answer to Question 1058/2001

<b>Subhead</b>	<b>Expenditure to Sept 2001</b>
01 PE Basic	5,178,139.45
02 PE Overtime	691,808.63
03 PE Allowances	1,033,325.71
04 PE Gratuity	188,066.08
05 Wages (Basic)	297,018.27
06 Wages (Overtime)	144,407.75
07 Wages (Allowances)	3,248.75
08 Relief Cover	289,307.90
09 Social Insurance	392,306.46
10 GPMS	2,866,421.16
11 Drugs & Pharmaceuticals	428,464.82
12 Medical Departments	96,514.10
13 Medical & Surgical Appliances	148,982.80
14 Hardware, Uniforms & Linen	118,801.82
15 Patients Appliances	31,158.82
16 Dressing Medical Gases & Tests	450,164.00
17 Provisions	97,522.96
18 Laundry	143,530.20
19 Cleaning Expenses	42,909.04
20 Health Centre	88,574.95
21 Expenses of Visiting Cons	38,737.19
22 Recruitment/Contractual Exp	390,729.98
23 Expenses of Motor Vehicles & Fuel	22,999.45
24 General Office Expenses	29,128.28
25 Electricity & Water	106,913.09
26 Telephone Service	77,744.91
27 Printing & Stationery	36,841.56
28 Legal Fees	9,164.10
29 Official Visits Abroad	2,434.10
30 School of Health Studies	33,869.67
32 Sponsored Patients	1,246,921.42
33 General Miscellaneous	48,732.50
34 Contingency Fund	8,000.00
35 Ambulance Service	255,000.00
36 Registration Board	-
37 Repairs & Maintenance	27,677.72
38 Equipment I&DF	110,702.89
39 Major Works I&DF	23,062.58
40 Computerisation	13,329.50
43 Claims	16,267.31
44 Ex Gratia Payments	2,962.34
<b>Total</b>	<b>15,231,892.26</b>

**SUPPLEMENTARY TO QUESTION NO 1058 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether there is indeed a new subhead 43 Claims?

**HON DR B A LINARES:**

I cannot answer that question I am not sure whether it is a new sub head?

**HON MISS M I MONTEGRIFFO:**

It is just that I have the estimates of expenditure here with me and there is no subhead on Claims and there is a new subhead here which is No 43, in fact the subheads in the estimates finish with subhead 40. We have a subhead here which says Claims £16,267.

**HON K AZOPARDI:**

To my knowledge it is a new subhead.

**HON MISS M I MONTEGRIFFO:**

It is, that is what I mean I take it that it is a new subhead.

**HON DR B A LINARES:**

I have to look it up.

**HON MISS M I MONTEGRIFFO:**

If we are talking about claims obviously we are talking about compensation claims?

**HON DR B A LINARES:**

That is right. Those are the £16,000 odd pounds that we spoke about earlier on in the table that I provided.

**NO. 1059 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO SPAIN**

Can Government confirm what sort of agreement they have reached with the Spanish Authorities for Gibraltar Patients to be referred to their Medical Institutions?

**ANSWER**

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

Answered together with Question No 1060 of 2001.

**NO. 1060 OF 2001****THE HON MISS M I MONTEGRIFFO****PATIENT REFERRALS TO SPAIN**

Of those patients who have elected to go to Spain, can Government give a breakdown of the Spanish Andalusian Institutions where they have received treatment and the nature of the treatment?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1059 of 2001**

No formal agreement has been signed with the Spanish Authorities for Gibraltar patients to be referred to their medical institutions. The GHA continues to use the long standing practice and arrangements provided for by EU Regulations 1408/71 and 574/72. That is to say, the GHA issues a form E112 for each EU national referred to a state institution in another country. Where the patient is not a EU National, the GHA pays the medical institution directly against an invoice.

**Answer to Question No 1060 of 2001**

We have always been sending patients to Spain at their request and where this has been appropriate. At present five patients are waiting for appointments for diagnostic purposes. I now hand the hon Member a list of some hospitals we have used in the past and we are using currently.

Clinica Gutenberg	Malaga	Foetal Abnormality Scan
Clinica Urologica	Marbella	Urology
Clinica El Angel	Malaga	Lithotripsy
Hospital Carlos Haya	Malaga	Cardiology
Hospital Materno Infantil	Malaga	Premature Babies and other paediatric illness
Hospital Municipal	La Linea	Dialysis, blood disorders
Hospital Universitario		
Puerto Del Mar	Cadiz	Nuclear Medicine, Cardiology, Neurosurgery, Oncology and Vascular

## SUPPLEMENTARY TO QUESTION NOS 1059 AND 1060 OF 2001

**HON MISS M I MONTEGRIFFO:**

When we have asked this question we have done so because the Government have actually come out publicly saying that they had reached an agreement and therefore what the hon Minister is now saying that the arrangements, the procedure for patients going to Spain will, for example, be the same as what has happened before with the hospital where we send out patients for neumerological conditions, obviously because they cannot travel abroad. Is it that the patient will be given the option to go ?

**HON DR B A LINARES:**

So long as it is seen appropriate by the consultant locally, an option will be given and is being given but may I correct the hon Lady at no time did I say that during my meeting with Señor Francisco Vallejo Serrano, the Consejero de Salud of the Andalucian Government there was an agreement, I know that the media both locally and in Spain represented this as a formal agreement but at no time did I ever say that there was a formal agreement, there were discussions held, useful discussions, because we wanted to expand in response to pressure on demand locally from user groups that why should we not look further into Spanish medical facilities beyond those that are used now and we thought that it would be useful to meet with the experts and technical people there. Our own technical people also went and the agreement, the accord, simply that they would pass information to us about their medical institutions and facilities which they found credible so that our own consultants, our own doctors could then explore contact and establish that sort of relationship which exists now between the consultants and medical institutions in UK. So, it was again very much an exploratory discussion which has been followed up now at management level both in the Junta de Andalucía and ourselves but certainly no formal agreement of any sort. There is no need for an agreement in that sense because within EU Regulations, as I have pointed out, there are facilities for patients to be referred to when it is established that the specialism which is required either in Britain or in Spain or any other European country is not available locally, that is the condition of the E112.

**HON MISS M I MONTEGRIFFO:**

If the patient has the option, is the option being given to the patient once the consultant agrees that they can go to Spain or can the consultant overrule the patient's desire if he feels that that patient is better treated in the UK medical institutions?

**HON DR B A LINARES:**

I think in this matter and I think that the hon Lady will know from her own experience the last word must lie with the consultant they have their own clinical judgement, clinical views of what is the best route to follow in the context of the particular needs of the particular patient and obviously the last word will lie with the consultant. That is why part of the strategy that we have now is that the consultants themselves should now explore the medical institutions which have been identified for us so that they can establish that sort of relationship which gives them confidence and which gives them

the comfort to send their own patients to treatment which they believe is credible and reliable.

**HON MISS M I MONTEGRIFFO:**

If a patient is indeed sent or sponsored to a UK hospital and then for whatever reason, medical reason, the patient suddenly requires more highly specialised treatment, will that hospital in Spain refer our patient to another medical institution which is more appropriate for that condition? For example, if a patient is sent to a hospital for one specific medical condition and suddenly they decide that that patient for arguments sake requires treatment in another hospital because that hospital does not provide those services, is there a mechanism whereby that Spanish hospital can refer a patient to another hospital in Spain for more specialised treatment?

**HON DR B A LINARES:**

I believe there is, I do not know about a mechanism but I believe there is a practice because I have from conversations with the director of operations heard recently that in some, I think it was the hospital in Cadiz, they said – “ this patient would be better treated in that other medical institution we would advise you to refer them to that institution,” not quite a mechanism but certainly a practice to do so as good medicine, as good medical practice and I suppose the consultants in one particular hospital if they feel that the patient should be treated by another consultant of their knowledge who could attend to that particular need much more adequately and I believe it has happened recently but I am not into it as the hon Member might quite well understand at the level of operations.

**HON J J BOSSANO:**

Given the publicity that surrounded his expedition to the Junta de Andalucia which obviously does not conform to the reality of what went on, does the Minister not think that he ought to put the record straight when all this was in the press locally. I know it was in the press in Spain but here in Gibraltar does he not think he ought to put the record straight when people were being told here that there had been a major breakthrough with the Junta de Andalucia and there were congratulatory letters and congratulatory articles, maybe he enjoyed being congratulated in the letters and the articles so much that he did not want to bring them down to earth?

**HON DR B A LINARES:**

The record was not entirely wrong I do not think it was a question of putting the record straight because it had gone terribly wrong, the media did speak of a breakthrough in the sense that we were now broadening the horizons, the dimensions of our medical care and that they were much more seriously attending to the facilities that are provided in Spain seriously I mean having had conversations at top level between a Minister in Gibraltar and a Minister of the Andalucian Government, that was a breakthrough in that sense. It was an important event, the media may have as often happens with the media gone as far as saying that there was an agreement as I have corrected a moment ago there was no formal agreement but nevertheless I do consider that it was an important step forward by the Government of Gibraltar in establishing a contact with the Government of Andalucia in order to explore to what extent we can make greater use for the benefit of our people of excellent medical



facilities which they would identify. I do not think the record was entirely wrong to the point that I would have to set it straight as the hon Member has suggested.

**HON J J BOSSANO:**

We have been told today in fact that the system in place is the system that is provided for under EEC Law and that is certainly not the impression that was given by anything that was said or attributed to the Minister or the debate that took place in the press in the sense that the impression was given that this was a bi-lateral Junta de Andalucia / Gibraltar Government arrangement confined to hospitals possibly in the Cadiz area?

**HON DR B A LINARES:**

What was bi-lateral was the working together in identifying and making greater use of what is already available within the EEC Law.

**HON J J BOSSANO:**

So in fact it is not that there are intended, this is not that it is as I think at the time what was attributed to the Minister was that this was the first step that would then lead to a more formalised agreement, I think that is what it was quoted as having said at the time, that is not the case because what we are doing is using the form E111 which will then go through the same system as all the other patients in the reciprocal payment system between London and Madrid?

**HON DR B A LINARES:**

That is the case but what was new is the assistance and the support and the understanding of the Andalusian Government we would now expand the use that we are now making of EEC Provisions law for the benefit of our patients by making greater use of the medical facilities in Spain and the support and advice and sympathy of the Andalusian Government was very welcomed and had to be acknowledged.

**HON J J BOSSANO:**

If what they were doing was granting us what we are entitled to have under EU Law coming from Spain it is something to be grateful for since they normally do not do it but if it would have been any other Member State I would have thought it is what it is to be expected.

**HON DR B A LINARES:**

I am not sure about that coming from Spain it was not to be expected but saying coming from Madrid I would say it was not to be expected. My experience both in Education and Medical Care is that the authorities within this region, Andalucia and certainly the Cadiz province is most understanding and most helpful and co-operative. I do not think that one should be surprised that they in this particular case show the same spirit, frankly, I am being very honest with the hon Member that is my experience and they...at this level what they called 'humanidad' which is medical care for people whatever their nationality they do have a sensitivity which perhaps in

Madrid and in other areas further afield do not have. But certainly I have to speak up and say that certainly in education and culture and in medical care the authorities in this region in the vicinity do show an understanding when looking at the human aspect and human dimension of our needs and not really our nationality and 'el contencioso' as they often say.

**HON J J BOSSANO:**

I am not sure how the Spanish system works but given that presumably there is the equivalent of the national Health Service in Spain this has something that ultimately has to be channelled through Madrid has it not or are they completely independent in Andalucia?

**HON DR B A LINARES:**

Certainly the way we have been working and the way we are told we could carry on working, certainly quite independent of Madrid.

**HON MISS M I MONTEGRIFFO:**

I have been looking at the list that the Minister has passed me over the hospitals, in fact am I not right in assuming that if we are talking about one new hospital that is being added to the list because the first three we are talking about clinics, and these are private clinics, in fact we are talking about Clinica Gutenberg in Malaga, Clinica Urologica in Marbella, Clinica el Angel in Malaga, then we are talking about Hospital Carlos Haya in Malaga which is a new hospital but the one for premature babies we have always been using, the La Linea Hospital for dialysis we have always been using and the Puerto del Mar in Cadiz we have always been using. Am I not correct?

**HON DR B A LINARES:**

The hon Member is correct but I do not see the point of that, precisely the thrust of what I have been trying to explain to this House is that we are now trying to expand the availability of other centres which we have not used in the past perhaps because we have not had any knowledge of them and we are trying to seek information and the price from the technical people who work at the Junta de Andalucia.

**NO. 1061 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1998?

**ANSWER**

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

Answered together with Question Nos 1062 and 1063 of 2001.

**NO. 1062 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 1999?

**ANSWER**

**THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE & HEALTH**

Answered together with Question No 1061 and 1063 of 2001.

**NO. 1063 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 2000?

**ANSWER**

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

The average cost of treating a pensioner in the UK for 1998 was £1971.71  
The provisional comparative figure for 1999 is £2,266.19.  
The figures for 2000 are not yet available as the hon Lady knows this figure is audited by the UK Commission and it has not been provided to us as yet.

**SUPPLEMENTARY TO QUESTION NOS 1061, 1062, AND 1063 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware why the increase in the figure from one year to another is it because it is linked to the cost that is published by the European Commission?

**HON DR B A LINARES:**

Yes these figures are audited by the European Commission, they establish what is the average cost of treating a pensioner in UK and this becomes the standard cost for other European levels. Why the increase, I am afraid I have no idea.

**NO. 1064 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**COST OF TREATING TEMPORARY VISITORS IN UK**

Can the Government state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 2000/2001?

**ANSWER**

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

The latest available cost to the UK of treating temporary visitors to Gibraltar in respect of 2000/2001 is approximately £50,000.

**SUPPLEMENTARY TO QUESTION NO 1064 OF 2001**

**HON MISS M I MONTEGRIFFO:**

At this point in time as we are talking about sponsored patients can the Minister confirm whether the formula which he and I agree is an extremely complicated one and as he said in the last House one needs to go on a course in order to be able to learn it, those were his words, he did say that the quota is now calculated on a yearly basis does he mean that the formula has now been changed from calendar year to financial year?

**HON DR B A LINARES:**

I have not got the records but I think I have now more or less got the hang of this formula, I see the point of the information that the hon Lady is seeking because all these are factors that determine the formula, that determine the quota. As regards the actual review of the formula I have to say surprisingly perhaps, but what I said last

time that this matter was discussed in the House, that the last time that the formula was actually agreed using all these factors was on the 4<sup>th</sup> June 1998, which established a figure of 120 patients to be treated free of charge in UK. Since then there has not been a further review but I think I have a note somewhere that a meeting is scheduled to take place between the officials in UK and the officials here .

**HON MISS M I MONTEGRIFFO:**

To refresh the Minister's memory he did say in answer to Question No 688 of 2001 that in 1998 the quota system changed from calendar to financial years.

**HON DR B A LINARES:**

Sorry that is correct, that is the question asked it is going from calendar to financial year.

**HON MISS M I MONTEGRIFFO:**

So it refers to the whole of the formula?

**HON DR B A LINARES:**

That is right.

**NO. 1065 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can the Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK as at 31 December 1997?

**ANSWER**

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

Answered together with Question Nos 1066 to 1071 of 2001.



**NO. 1066 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK as at 31 December 1998?

**ANSWER**

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

Answered together with Question Nos 1065, 1067 to 1071 of 2001.

**NO. 1067 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK 1999?

**ANSWER**

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

Answered together with Question Nos 1065, 1066, 1068 to 1071 of 2001.

**NO. 1068 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK in 2000?

**ANSWER**

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

Answered together with Question Nos 1065 to 1067, 1069 to 1071 of 2001.

**NO. 1069 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in the UK in 2001?

**ANSWER**

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

Answered together with Question Nos 1065 to 1068, 1070 and 1071 of 2001.

**NO. 1070 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government state how many UK Social Security Pensioners, who were not also in receipt of a Gibraltar Social Security Pension, were resident in 1999 and registered with the Group Practice Medical Scheme?

**ANSWER**

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

Answered together with Question Nos 1065 to 1069 and 1071 of 2001.

**NO. 1071 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GPMS – UK PENSIONERS REGISTERED**

Can Government now state how many UK Social Security pensioners, who were not also in receipt of a Gibraltar Social Security Pension, were resident in 2000, and Registered with the Group Practice Medical Scheme?

**ANSWER**

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

The figures that I will give the hon Lady today are the same as I gave in answer to Question No 692 of 2001 and 469 of 2001. There have been no developments since then I can not still give the figures for 1999 or 2000 but in terms of the UK Pensioners in Gibraltar 1997- 275, 1998 – 303, and Gibraltar Pensioners in UK 1997 was 24 and 1998 was 33. As I have explained the figures for 1999 and 2000 are not available the registration of these pensioners is updated routinely by the Central office of the DLSS in Newcastle and the representatives of the UK will be meeting the GHA Officials early in 2002 and I hope to be able to furnish the hon Member with all this information shortly thereafter.

**NO. 1072 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**ENROLLED NURSES**

Can Government now state when Enrolled Nurses will be able to train up to the level of Staff Nurse?

**ANSWER**

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

Enrolled nurses would be eligible to apply for training to Diploma Level at the next intake provided they meet the entry requirements set by the University of Sheffield which is five GCSEs. The GHA has already through the School of Health Studies, offered Enrolled Nurses who have the necessary entry requirements, the opportunity to apply for funding to support them in completing a distance learning Enrolled Nurse Conversion Course which has been designed for them by Sheffield University.

**SUPPLEMENTARY TO QUESTION NO 1072 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Why have the Government decided not to allow all Enrolled Nurses to apply irrespective of whether they have GCSEs or not, is it that they believe that those Enrolled Nurses who have GCSEs are performing better than the others that do not have the GCSEs.

**HON DR B A LINARES:**

It is not the case that we think that one performs better than others but these are not conditions set by the Government they are conditions set by Sheffield University and it is they who validate, who have actually designed, provided and validated the course.

We have to adhere by their requirements, nevertheless I am of the view and I am moving in that direction, that equivalent experience I am of the view and I am putting those views to Sheffield University, that equivalent experience should be taken also into account as a factor in making these candidates eligible for a distance learning course after all distance learning and persons working probably with the family is a bit of a struggle and every facility should be given and I am indeed making those views clear but at the end of the day we do depend on the validation conditions of Sheffield University because we want the course to be properly recognisable academically.

**HON MISS M I MONTEGRIFFO:**

So really what the Minister is saying is that to a certain extent he does agree with my analysis and can the Minister confirm when the next intake will take place?

**HON DR B A LINARES:**

Next September.

**HON J J BOSSANO:**

The Enrolled Nurse courses are just for Gibraltar are they not because they do not exist in UK?

**HON DR B A LINARES:**

That is right.

**HON J J BOSSANO:**

Therefore it is not a question of us having to meet UK standards to achieve a UK qualification because this is a Gibraltar qualification only so what is the problem with Sheffield University accepting Enrolled Nurses who at the end of the day whether they have a GCSE or not if they do not succeed in completing the course and passing the exams they will not reach the level.

**HON DR B A LINARES:**

Precisely what we are talking about is upgrading Enrolled Nurses to the level of Staff Nurses with a diploma. The diploma is a validated course by Sheffield University, what we are talking about is following a course which leads to a diploma, in that sense Sheffield University had every right and every logic in establishing " If you want this Sheffield University validated diploma, these are the conditions and this is the course that you have to follow." Although they have designed it at a distance learning structure and methodology, nevertheless what we are talking about is the diploma, the Enrolled Nurse concept does not exist in UK anymore but the diploma is.



**HON J J BOSSANO:**

But it will not be a diploma that is a UK qualification surely because it will not be that somebody with a Sheffield University diploma will then be able to get employment as an Enrolled Nurse in the UK because it is not a qualification that exists there.

**HON DR B A LINARES:**

They will get a job as a Staff Nurse in UK.

**HON J J BOSSANO:**

They will be able to get a job as a Staff Nurse?

**HON DR B A LINARES:**

Of course.

**HON J J BOSSANO:**

I see.

**HON DR B A LINARES:**

This is what we are talking about, moving from Enrolled Nurse to Staff Nurse.

**NO. 1073 OF 2001****THE HON MISS M I MONTEGRIFFO****NUMBER OF NURSES**

Can Government state what was the number of nurses in post as at the end of October 2001 with a breakdown by grade, giving the full-time equivalent of each grade?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1073 of 2001**

	<b>Staff in post end October 2001</b>
Director of Nursing Services	1
Deputy of Nursing Services	1
Clinical Nurse Manager	6
Sister/Charge Nurse	33
Staff Nurses	106.5
Senior Enrolled Nurse*	9 ( <i>*obsolesent grade</i> )
Enrolled Nurses	83
Nursing Assistant	97.5
Tutor	3
<b>Total</b>	<b>340</b>

**SUPPLEMENTARY TO QUESTION NO 1073 OF 2001**

**HON MISS M I MONTEGRIFFO:**

The Minister usually includes the number of student nurses and he has not done so on this occasion, could he pass that information to me at a later stage?

**HON DR B A LINARES:**

I can give the hon Member that information if she care's to take it down.

**HON MISS M I MONTEGRIFFO:**

Yes of course.

**HON DR B A LINARES:**

We have 11 second year students completing the diploma course in 2003 and we have 8 pupil nurses completing studies to enrolled nurse level in April 2003.

**NO. 1074 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA - POST OF RADIOLOGIST**

Can Government confirm whether they intend to recruit a permanent Radiologist for the Gibraltar Health Authority as was the case previously?

**ANSWER**

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

In answer to Question No 695 of 2001 I stressed the point that we do have permanent radiology services. All practitioners, and indeed patients are happy with the current arrangements we do not have a part-time service we have a permanent full-time service. The services are currently provided by two Spanish Practitioners and are supplemented by quarterly visits from UK Radiologists who assist the GHA in auditing the service. The GHA sees no reason for changing current arrangements at this stage but continues to keep the situation under review.

**SUPPLEMENTARY TO QUESTION NO 1074 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is it not the case that the GSD gave a commitment to employ a permanent Radiologist and indeed in the last election campaign the Minister went as far as to say in the manifesto that one of the major improvements to health services had been the employment of a permanent Radiologist, does he now not believe that a permanent Radiologist is a major improvement?

**HON DR B A LINARES:**

The hon Lady must understand that we have the equivalent of a permanent Radiologist, the fact that the service is being provided by two persons that make up

one full-time service, this happens very often in teaching and in other services and other areas of employment where two part-timers will make up one full-time equivalent, so we are perfectly happy and satisfied that we are giving the full-time permanent service. The question is that it is being provided by two Spanish excellent Radiologists, nevertheless they make up a full-time equivalent and I can tell the hon Member that I have personally investigated and sought information and there is general satisfaction from doctors and staff and more important than anything else by patients.

**HON MISS M I MONTEGRIFFO:**

I agree with what the Minister has said because so was I when I was in Government and that is why I am actually asking him about the post of a permanent Radiologist because when I was in Government we had a permanent service as he says by having different doctors covering at the same time and it was actually the Opposition then which was the GSD which criticised that very service that he has now?

**HON DR B A LINARES:**

I think the hon Member has diverted from the point, the fact that we are talking about a full-time permanent Radiological service at consultancy level, that was non-existent during .....

**HON MISS M I MONTEGRIFFO:**

The Radiologists that we engaged when we were in Government they were not consultants.

**HON K AZOPARDI:**

The hon Member will remember the service that was provided when she was in Government was on a visiting specialist basis. They had visiting Radiologists come to Gibraltar, consultants, but there was no full-time permanent service available in Gibraltar and what my hon Colleague is pointing out is that we had a full-time consultant Radiologist with one person in post and now we have the equivalent of a full-time consultant Radiology service which is not what they had when they were in Government.

**HON MISS M I MONTEGRIFFO:**

I beg to disagree with the Minister because never in the years that I was in Government did we have one day when we were not able to provide a consultant Radiologist in the x-ray department but be that as it may, are the Government considering, seeing that he says the matter is under review, that one day perhaps they will engage the services of a permanent Radiologist. It is just that I hear so much about medical Spanish institutions and Spanish doctors that I am worried that one day we are going to be taken over by the Spaniards.

**HON K AZOPARDI:**

It is absolute rubbish to suggest that the hon Member had a Radiologist in Gibraltar 365 days of the year, what they had was access to a Radiology service what we have now is a permanent radiology service here 365 days a year, it is completely different.

**HON MISS M I MONTEGRIFFO:**

I cannot accept that because we had the same service having a consultant for 365 days a year too which I can not understand the difference.

**NO. 1075 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PSYCHO – GERIATRIC PATIENTS**

Can Government now state how many Psycho-Geriatric Patients have been admitted in KGV from 1<sup>st</sup> April to end of October 2001?

**ANSWER**

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

There were seven psycho-geriatric patients admitted to KGV from 1<sup>st</sup> April to end of October 2001. I am talking about admissions, seven admissions, five of these patients have been discharged and only two remain actually in the KGV at present.

**SUPPLEMENTARY TO QUESTION NO 1075 OF 2001**

**HON J J BOSSANO:**

In arriving at this statistic, if a person is admitted, discharged and admitted because quite a lot of them go in voluntarily and therefore can not be retained if they choose to leave, is that counted as an admission every time they go out and they come back or are we talking about seven different people?

**HON DR B A LINARES:**

We are talking about seven different patients but of those, five are not in the KGV at present.

**HON J J BOSSANO:**

What I am saying is in the period April to October there could be people who have actually not been there the whole period, been and then have been discharged and then sort of had to come back again?

**HON DR B A LINARES:**

The question was how many patients have been admitted albeit three or four times during that period but seven patients were admitted and are not currently there now that is the information I have got.



**NO. 1076 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**CONSULTANT ELDEROLOGIST**

Can Government state whether the Geriatrician is based in a clinic?

**ANSWER**

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

The Consultant Elderologist has provision of clinic space at the Elderly Care Agency, plus the use of a host clinic within St Bernard's Hospital.

**SUPPLEMENTARY TO QUESTION NO 1076 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is the Geriatrician able to see patients who are in effect out-patients, in fact is it that GP's are able to refer patients to the Geriatrician?

**HON DR B A LINARES:**

I should think so but I have not checked on that myself.

**HON MISS M I MONTEGRIFFO:**

I will be grateful if the Minister would check on it and also is the Geriatrician able to do private practice?

**HON DR B A LINARES:**

The Geriatrician is of course subject to the agreement that regulates private practice which applies to all consultants. So yes he would be entitled to carry out private practice within the constraints and within the margins or parameters of the private practice agreement.

**HON MISS M I MONTEGRIFFO:**

But the Geriatrician does happen to visit St Bernard's Hospital Wards and does the normal rounds for the elderly patients?

**HON DR B A LINARES:**

Indeed.

**HON MISS M I MONTEGRIFFO:**

Does he have an input as regards which elderly patients should be moved to Mount Alvernia?

**HON DR B A LINARES:**

Yes one of his roles will be to advise and to liaise with other consultants and with the hospital services management in terms of assessing and advising of these charges and on transfers to Mount Alvernia.

**NO. 1077 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**MENINGOCOCCAL INFECTIONS**

Can Government confirm that the deaths from Meningococcal infections in Gibraltar has not been as high in any previous recorded year, as it has been in the current year?

**ANSWER**

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

Records on notifications go as far back as 1987 and during this period, three deaths occurred in 2001 from Meningococcal disease of these, two were caused by Group C and one caused by Group B. Previous to this, deaths have occurred in 1987, 1989, 1993 and 1998, one each in each of these years.

**SUPPLEMENTARY TO QUESTION NO 1077 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Therefore by implication he should be saying yes to my question. In the year 2001 there has been three deaths, in all the other years that the Minister has actually made reference to we are talking about one death, in 1987 one death but there were 20 notifications, in 1989 – one, in 1993 – one, in 1998 – one, and in 2001 – three. What I am asking is can they confirm that the deaths have not been as high in any previous recorded year as it has been in the current year?

**HON DR B A LINARES:**

I hope the hon Member is not suggesting that this miniscule sample of statistics can in any way reflect any significant pattern either of epidemic and what is worse a pattern of malpractice or negligence on the part of the practitioners. The Leader of the Opposition will be able to inform her that in the law of statistics miniscule samples of this nature cannot reflect any significant patterns, they are subject to the whirligig of

chance, they are fortuitous. Perhaps I can illustrate this point rather in an interesting way by saying that one of these deaths, one of these three deaths actually occurred in January 2001, if this sad death had occurred a month before the statistics for 2000 would have gone up by one and we would have gone up by two. This shows that it is not scientific at all, certainly it would be dishonourable to suggest that there is any prior pattern of malpractice in the fact that these deaths have suddenly occurred this year. Neither can we contemplate an epidemic either for scientific reasons as well, that is why I pointed out in the answer that two of the deaths were caused by Group 'C' and one caused by Group 'D' because that precisely shows the two different strands show that there is no what they call continuum, incidence continuum, the fact also that the deaths occurred with time spaces between them also show that there is no way that they can be interpreted as a continuum reflecting an epidemic. I wanted to point that out but in that context with that assurance that there is no insinuation of anything like that, yes, there were three deaths in the year 2001 and there was one death in 1987, 1993, in other words this year we have had more, two more than in all those years.

**HON MISS M I MONTEGRIFFO:**

I have not said anything about malpractices, I do happen to have the table in front of me which was provided by the Gibraltar Health Authority and all I expected the Minister to do was to give a simple answer to the question which is yes. It does not mean that I am saying that there is an epidemic I have not said that, I have just said can he confirm that the trend is in the increase?

**HON DR B A LINARES:**

No, there is no trend, the hon Member is talking about trends an incidence of three deaths in 2001 and an incidence of one death of other years. There is no trend this is the point I am trying to make.

**HON J J BOSSANO:**

We accept that there is no trend because a trend would require several years consecutively to be pointing in a particular direction but the laws of probability given that the Minister refers to my limited knowledge of statistics, I do not have the expertise that Mr Ernest Montado has on the subject, but I think I may have more than seems available sometimes to the Government within their own resources to judge from some of the answers we get in this House that the laws of probability would suggest that if we had looked at the figures up to December 2000 no one would have predicted that the following year we would have three because it butts the trend. The trend that exists is that in fact there is one death every two years or every three years that is the trend established until the year 2000. That the incidence of death from Meningococcal infections in Gibraltar until last December was on average one every two or three years and clearly not related to the number of infections because in fact we had one when we had 20 infections and we had 1 when we had 4 infections and we have had one death when we had one infection so there is a pattern which one would say would be the normal mortality rate in Gibraltar from this particular cause and usually unexpectedly and unexplainably there is a change in that pattern in the year 2001 and therefore the reaction was if something upsets what has been the established pattern for 13 years one would expect some concern on the part of the Health Authority in case it was indicative of something that needed looking at and

what I think the Health Authority was wrong in doing was that it sought to deflect the concern by the number of deaths by instead of responding to the question of the number of deaths by responding to the question of the number of infections. The Health Authority conveniently ignored the question of the number of deaths and told the public in Gibraltar that it was normal because it had fluctuated between 20 people getting infected in 1987 to zero in the year 2000 and that therefore the five infections this year was not significant, but we were not talking about the infections, we were talking about the deaths because if there are 20 and all 20 get well nobody will be worried.

**HON DR B A LINARES:**

I would be worried.....

**HON J J BOSSANO:**

If 20 get well?

**HON DR B A LINARES:**

If there were 20 it shows an epidemic and the fact that none of them died, thank God, that does not mean that there is not a really menace and a real danger if we are in the throes of an epidemic I would have said the GHA was absolutely right in focusing on the much more dangerous reality of an epidemic of the 20 deaths in one year which very much signify that there is a real problem there than in the small pattern and samples that we have had. If one talks about a trend I would accept that there is some sort of mathematical trend as the hon Member has described it but if he means by a trend with an underlying cause that is what I cannot accept.

**HON J J BOSSANO:**

We are not projecting it into the picture.....

**HON DR B A LINARES:**

Fine then we are agreed on that.

**HON J J BOSSANO:**

I am saying that the history of.....

**HON DR B A LINARES:**

There is a mathematical abstract trend there in terms of statistics but there is no, in any case the three deaths of course as the House knows have been subjected to inquests and investigation and post mortems to detect and to actually ascertain what the causes were.

**NO. 1078 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**AVAILABILITY OF BEDS IN ST BERNARD'S HOSPITAL**

Can Government confirm whether they are satisfied with the situation relating to the availability of beds at St Bernard's Hospital?

**ANSWER**

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

Answered together with Question Nos 1081 and 1082 of 2001.

**NO. 1079 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**POST OF CHIEF-EXECUTIVE**

Can Government state whether they have now reached a decision on the new salary for the post of Chief Executive of the Gibraltar Health Authority?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 1079 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I take it therefore that the Government do not accept the claim that has been put in by the Chief Executive in the Health Authority?

**HON DR B A LINARES:**

The Chief Executive has not made a formal claim at all but certainly it does not mean that and it does not mean that the Government are not concerned about the salary level of the Chief Executive. The Government are concerned and the Chief Minister has made it clear in answer to previous questions in the House that he is certainly looking at this matter but he is looking at it globally in the context of a broad review of senior posts and responsibility related at specific of senior posts.

**HON MISS M I MONTEGRIFFO:**

Every time I bring this question I am told that the matter is being looked at and we are now on the fourth year that it is being looked at. When we are talking about a review of senior grades is it going to take another three, four years or does the Minister have an idea whether the matter will be resolved before this term of office.

**HON DR B A LINARES:**

It is very much in the mind of the Chief Minister.



**NO. 1080 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA - PRIVATE PATIENTS**

Can Government confirm how many Private Patients are being treated at St Bernard's hospital as out-patients and as in-patients on a monthly basis since they introduced Private Practice?

**ANSWER**

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

The Government have not introduced Private Practice into the hospital as suggested by the question. The Government have regulated it so that it does not prejudice public patients something that they when in office did not think it necessary or important to do.

**SUPPLEMENTARY TO QUESTION NO 1080 OF 2001**

**HON MISS M I MONTEGRIFFO:**

The Minister does not answer the question he goes back and criticises us, what we were doing was completely different to what this Government has done and I have explained it in this House. They have regularised it, they have introduced it because we were phasing it out but being that as it may they have been six years in Government and it is now their turn to be answerable to what they say they are going to do, therefore the question that I will formulate is a repeat of my original question, is the Minister prepared to tell me how many private patients are being treated at St Bernard's Hospital as outpatients and as inpatients on a monthly basis? All he has to say is I am prepared or I am not prepared.

**HON DR B A LINARES:**

Government are concerned that the private practice does not encroach into the service that the Authority gives to public patients. In that sense we feel satisfied that this has been regulated and controlled by the Private Practice Agreement which came into effect in January 2000 and therefore the practice carried out by consultants outside their working hours in terms of outpatients and with controlled operations on a weekly basis, one major, two intermediate or four minors is a matter for them to regulate and to account for and it is not part of the private practice agreement that they should actually give an account to the Authority. I am not prepared to give the hon Lady the information that she seeks.

**HON MISS M I MONTEGRIFFO:**

In the last House of Assembly Meeting I was told by the Government that indeed they have the figures, is it that the Minister knows but does not want to tell the Opposition, is that the case?

**HON DR B A LINARES:**

We may know, we may not know but certainly we do not feel that this area of private practice comes under responsibility and accountability by the Government or the Opposition. Whether we know or not know is not the point, the point is that we are not accountable or responsible for this information.

**HON MISS M I MONTEGRIFFO:**

When Government facilities are being used and the monies are being voted here for the Health Service surely are not the Government responsible for the implementation of policies by them within a public service.

**HON DR B A LINARES:**

It is not a public service it is private practice and we are satisfied that it does not encroach on the service that the consultants are paid to give to our public patients.

**HON MISS M I MONTEGRIFFO:**

The Minister says that he is satisfied, well the Chief Minister is not satisfied because in the last House of Assembly Meeting he did say " the hon Member is absolutely right, as far as our concerns, they use," talking about the consultants, "they use the public list as a marketing tool for their private practice that is absolutely correct and we will be looking at this." So it is incredible that the Minister for Health says in this House that the private practice is not encroaching in the public service, that he is not willing to pass over information when we are talking about consultants using a public service for their private practice and also it is incredible that the patients that go to St Bernard's Hospital actually agree with what the Chief Minister has said and with our observation that the public waiting lists are being affected by the private ones.

**HON DR B A LINARES:**

Public waiting lists are actually alleviated by the fact that some people go privately otherwise there would be actually inflated.

**HON J J BOSSANO:**

Can I ask the Minister these private patients do they make a payment to the Health Authority independent of the payment they may make to the consultant whose patient they are?

**HON DR B A LINARES:**

Yes they pay the Health Authority for the services that the Health Authority has given to them like investigations et cetera.

**HON J J BOSSANO:**

Therefore does the Minister still think that he is not in his role as Minister for Medical Services bound to answer as a legitimate question in this House how many people are paying the Health Authority as private patients because that would give us the number of the patients because if he does not want to give it to us for another reason then he can give it to us because they pay him or does he not think it is information he should share notwithstanding the fact that it is Government revenue.

**HON DR B A LINARES:**

That route would give us the revenue raised from these patients but certainly would not give us an indication of the numbers which is really what is being sought.

**HON J J BOSSANO:**

I am saying suppose the question was formulated on the basis, look I have had a number of questions answered today were I asked how many people paid tax at the rate of 20 per cent, how many people paid tax at the rate of 35 per cent, how many people are paying PAYE and I do not see why it is not equally legitimate to say how many people have paid the Health Authority as private patients since the beginning of April in the current financial year?

**HON DR B A LINARES:**

If that question is asked in that way we would consider following an enquiry into that respect.

**NO. 1081 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**ELDERLY CARE PATIENTS**

Can Government state how many Long Stay Elderly Care Patients there were at St Bernard's Hospital in April, May, June, July, August, September, and October 2001?

**ANSWER**

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

Answered together with Question Nos 1078 and 1082 of 2001.

**NO. 1082 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – MOUNT ALVERNIA**

How many Elderly Citizens are awaiting a place at Mount Alvernia and how many of these are occupying a bed at St Bernard's Hospital?

**ANSWER**

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

**Answer to Question No 1078 of 2001**

No, we are not satisfied with the situation relating to the availability of beds at St Bernard's Hospital.

**Answer to Question No 1081 of 2001**

The number of Long Stay Elderly Patients at St Bernard's Hospital was as follows:-

April	48
May	45
June	47
July	43
August	46
September	45
October	42+

**Answer to Question No 1082 of 2001**

Fifty-one patients have applied for residency within the John Mackintosh Homes and 18 are in St Bernard's Hospital.

**SUPPLEMENTARY TO QUESTION NOS 1078, 1081 AND 1082 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware that because of the lack of beds at St Bernard's Hospital there are operations being cancelled very frequently?

**HON DR B A LINARES:**

I am aware that operations, selective operations are occasionally cancelled but I would not say very frequently.

**HON MISS M I MONTEGRIFFO:**

Does the Minister not consider that it is prudent of the Health Authority to have a record of how many operations, routine operations are being cancelled on a weekly or a monthly basis?

**HON DR B A LINARES:**

I assure the hon Lady that this is being carefully monitored and logged.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware then how many operations are being cancelled on a weekly or a monthly basis?

**HON DR B A LINARES:**

I am not aware at this moment of time in my own mind but I am aware that the statistics are there, the records are there and that they are all logged and that they can be made available.

**HON MISS M I MONTEGRIFFO:**

Can the Minister provide the Opposition with a number of operations that have been cancelled over a period of time?

**HON DR B A LINARES:**

As this is a matter that is being held and operated by the hospital management I will consult with them as to the availability of the records.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware because I happened to experience this incident, about an elderly lady who was told that she had to go a day before the operation because apparently this is the new policy or a policy that has existed for quite a number of months to check in and that this lady was told to go a day before the operation, she was clerked in then in the evening she was told that she should fast but that a bed was not guaranteed. The following morning she was called again, she was told that she could go within 10 minutes she was called again to say that there were no beds available and then ultimately she was called to go up. Does the Minister agree that therefore the checking-in or the clerking-in is an added burden to the patient because we are talking about an exercise which only takes about 10 minutes and patients are being made to go without knowing whether they will actually be allowed for the operation because of shortages of beds?

**HON DR B A LINARES:**

As far as I am told the clerking-in system is working well because it does dislodge a bed that would otherwise be occupied by a person who is only waiting for an operation the next day but in general terms I believe this is working properly but in this particular case I am not aware of that particular case and certainly I will investigate it if the hon Member cares to give me privately and identify the person as she often does in cases where some confidentiality is required.

**HON MISS M I MONTEGRIFFO:**

I will do so and I will also inform the Minister that out of five people who went to St Bernard's three were only taken in and two were sent back home and I will pass over the information to him.

**HON J J BOSSANO:**

Would the Minister agree that in the light of his investigating specific cases like this if this is something that happens regularly then the system would need to be looked at again because it must be obvious that people are already worried about the thought of having to go for an operation and this can only add to the stress of having to build up I imagine the expectation of being operated and then to be told to go home and then to be told again that they are going to be operated cannot be doing the patient any good?

**HON DR B A LINARES:**

My answer to the initial question as to whether the Government were satisfied with the bed situation in the St Bernard's Hospital I very frankly and honestly said that we are not satisfied. There is a problem there, we have to look scientifically and practically at the causes of it and try to find the solutions, obviously this is what I feel perfectly confident that the hospital services management and the Chief Executive and the Director of Operations and the Director of Nursing are constantly attending to because obviously the situations that the hon Member has described to me are of course not at all satisfactory to anybody.

**NO. 1083 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**OUT-PATIENT ATTENDANCES**

Can Government state what was the total number of out-patient attendances at St Bernard's Hospital from 1<sup>st</sup> April to the end of October 2001?

**ANSWER**

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

Answered together with Question No 1084 of 2001.



**NO. 1084 OF 2001****THE HON MISS M I MONTEGRIFFO****IN-PATIENT ADMISSIONS**

Can Government state what was the total number of in-patient admissions and the average number of patients per day at St Bernard's Hospital from 1<sup>st</sup> April to end of October 2001?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 1083 of 2001**

	<b>Out-patients attendance Casualty</b>	<b>Out-patients Attendances at clinic</b>
<b>April</b>	1706	1452
<b>May</b>	1915	1711
<b>June</b>	1880	1768
<b>July</b>	1800	1631
<b>August</b>	1933	1368
<b>September</b>	1893	1608
<b>October (to 30<sup>th</sup>)</b>	1763	1814
<b>Total</b>	<b>12890</b>	<b>11352</b>

**Answer to Question No 1084 of 2001**

	<b>In-patient Admissions</b>	<b>Average no of patients per day</b>
April	463	133
May	491	135
June	450	138
July	477	124
August	429	132
September	417	136
October	410	134

Average number of patients per day 133.

Average admissions per day 15.

**SUPPLEMENTARY TO QUESTION NOS 1083 AND 1084 OF 2001**

**HON MISS M I MONTEGRIFFO:**

Can the Government say whether they are indeed using such statistics in order to decide the number of beds for the new hospital?

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

So we hope that the Minister will not be suffering when they build the new hospital from any shortages of beds, we hope that that will happen. Is the Minister hopeful that he will be able to eradicate the problem of the shortages of beds when and if he builds a new hospital ?

**HON DR B A LINARES:**

Yes.

**NO. 1085 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**OUT-PATIENT ATTENDANCES**

Can Government state what was the total number of out-patient attendances at the Health Centre from 1<sup>st</sup> April to the end of October 2001?

**ANSWER**

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

Answered together with Question No 1086 of 2001.

**NO. 1086 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**NUMBER OF HOUSE-CALLS**

Can Government state how many house-calls were attended to by Health Centre Doctors from 1<sup>st</sup> April to end of October 2001?

**ANSWER**

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

**Answer to Question No 1085 of 2001**

The total number of attendances at the Health Centre during the period 1<sup>st</sup> April to 30<sup>th</sup> October 2001 was 84,389.

**Answer to Question No 1086 of 2001**

The number of House-Calls attended to by the Health Centre doctors during the period 1<sup>st</sup> April to 30<sup>th</sup> October 2001 during clinic hours was 3,631.

**SUPPLEMENTARY TO QUESTION NOS 1085 AND 1086 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I will need to spend a little bit of time to work the calculation but perhaps the Minister can confirm whether these figures are decreasing, static or increasing?

**HON DR B A LINARES:**

I will have to look that up myself I do not have the information in front of me.

**NO. 1087 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ALZHEIMER’S DISEASE**

Following the request by the Opposition that the Drug Remienyl for Alzheimer’s Disease be made available in Gibraltar and given the answer given to Question No 709 of 2001, can the Minister for Health now confirm whether the Dementia Clinic is operational?

**ANSWER**

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

I do not quite know what the hon Lady means by following the request by the Opposition she means chronologically following, yes, if she means as a result of the Opposition’s representations certainly not. But I am very pleased to announce that the Formulary committee approved the proposal by the consultant psychiatrist in its entirety and has also issued guidelines on prescribing procedures by the Dementia Clinic. A joint Dementia Clinic is to be held on the 2<sup>nd</sup> Thursday of every month at Mount Alveria building up on the successful memory clinic set up by the consultant psychiatrist about six months ago and the first Dementia Clinic will take place on November 8<sup>th</sup> 2001 although the formal launch of the Dementia Clinic is to be held on 13<sup>th</sup> December 2001. Only a small proportion of those assessed by the Memory clinic were found to benefit from Galantemine (Reminyl®). To date about 20 persons have received Galantamine.

**SUPPLEMENTARY TO QUESTION NO 1087 OF 2001**

**HON MISS M I MONTEGRIFFO:**

When we talk about request we did actually request that the drug be made available through a Question in the previous House of Assembly Meeting.

**NO. 1088 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO UK**

Can Government state since the 1<sup>st</sup> April to the end of October 2001 what was the total number of patient referrals to the UK?

**ANSWER**

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

Answered together with Question Nos 1089 to 1092 of 2001.

**NO. 1089 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO UK**

Can Government state what was the number of Sponsored Patients treated in the UK from 1<sup>st</sup> April to the end of October 2001 with the fees being met by the Gibraltar Health Authority and the cost of such fees?

**ANSWER**

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

Answered together with Question Nos 1088 and 1090 to 1092.

**NO. 1090 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO UK**

Can Government state what was the total number of Sponsored Patients treated in the UK for the period 1<sup>st</sup> April 2001 to the end of October 2001 with the costs being met by the UK Government and what was this cost?

**ANSWER**

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

Answered together with Question Nos 1088, 1089, 1091 and 1092 of 2001.



**NO. 1091 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENTS REFERRALS TO SPAIN**

Can Government state how many patients have been given a choice of being treated in Spain as opposed to the UK as Sponsored Patients and have elected to go to Spain since the commencement of the agreement?

**ANSWER**

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

Answered together with Question Nos 1088 to 1090 and 1092 of 2001.

**NO. 1092 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO SPAIN**

Can Government state the number of patients that have been sent to Spain for Scans each month of the current year and the comparable figures for last year?

**ANSWER**

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

**Answer to Question No 1088 of 2001**

The total number of referrals for the period 1<sup>st</sup> April to the end of October 2001 was 693.

**Answer to Question No 1089 of 2001**

Two hundred and ninety-seven sponsored patients were treated in the UK from the 1<sup>st</sup> April 2001 to the end of October 2001. The medical costs as invoiced to date are £137,837.50.

**Answer to Question 1090 of 2001**

One hundred and nineteen patients were treated as quota patients between 1<sup>st</sup> April 2001 and the end of October 2001. Costs have not been provided by the UK.

**Answer to Question No 1091 of 2001**

With regard to the question of how many patients have been given a choice of being treated in Spain as opposed to the UK and have elected to go to Spain since the commencement of the agreement I have already stated in answer to Question No 1065 of 2001 that there has been no formal agreement and therefore no commencement date has been established from which a calculation can be made.

**Answer to Question No 1092 of 2001**

<b>Month</b>	<b>2000</b>	<b>2001</b>
January	41	88
February	76	101
March	93	85
April	40	111
May	76	110
June	54	132
July	54	83
August	42	102
September	52	116
October	122	123

**SUPPLEMENTARY TO QUESTION NOS 1088 TO 1092 OF 2001.**

**HON MISS M I MONTEGRIFFO:**

In Question No 1091 of 2001 the Minister obviously is now saying that there is no Agreement but can he not give the figure of sponsored patients that are being sent to private and public institutions that were not being used before per the list that he passed over to me in answer to Question No 1060 of 2001?

**HON DR B A LINARES:**

That list we agreed there was only one new hospital institution. I perhaps should have answered as well in answer to Question 1091 of 2001 that out of 43 patients who have been referred since the 1<sup>st</sup> of July 2001, five patients actually opted to be treated in Spain and the referral was approved by the Consultant.

**NO. 1093 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**PATIENT REFERRALS TO SPAIN**

Can Government state what are the arrangements for payment in respect of patients sent to Spain for Scans?

**ANSWER**

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

It is not clear from the question whether the hon Member is referring to payments made to the institution or to the patient. The appointments for the patients are made by the Radiology Department. The latter certify the invoices on arrival and these are forwarded to the Sponsored Patients Section for payment. Payment is made by draft in Euros. With regard to the petrol allowance given to patients, this is paid by the Sponsored Patients Section directly to the patient or escort in advance of the appointment from an imprest. The rates are Algeciras £2.50, Marbella £5.00, Malaga/Cadiz £10.00.

**SUPPLEMENTARY TO QUESTION NO 1093 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I was just going to ask the Minister to confirm whether he was including the scans also in Malaga, so we are talking about scans in Algeciras and the MRI in Malaga. What I am interested in, perhaps the Minister can provide me with this information, is the amount that the Gibraltar Health Authority is paying for these scans over a period of time to the Spanish Clinic?

**HON DR B A LINARES:**

Over what period of time?

**HON MISS M I MONTEGRIFFO:**

What has been spent up to now in this financial year?

**HON DR B A LINARES:**

I will be providing the amount I do not have with me that figure but I will provide it.

**HON MISS M I MONTEGRIFFO:**

Thank you.

**HON J J BOSSANO:**

Can the Minister explain how is it that this cannot be done through the form E111 and the EEC system that we use for patients as the Minister was saying in relation to people using hospitals in Spain for treatment. That is covered by the EU arrangement the reciprocal arrangements were Member States charge each other, why is it that the scans cannot be included in that system?

**HON DR B A LINARES:**

I am informed that this is outside the scope of the EU Regulations we are talking about investigations and not treatment.

**HON J J BOSSANO:**

So the EU only covers where a treatment is required.

**HON DR B A LINARES:**

Specialised treatment.

**NO. 1094 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**GHA – MEDICAL CERTIFICATES**

Can Government confirm whether Medical Practitioners at St Bernard's Hospital are no longer providing Medical Certificates to employees working within the Authority who are unable to work?

**ANSWER**

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

Medical Practitioners do issue Medical Certificates at St Bernard's Hospital. It is only Senior House Officers at Accident and Emergency (A&E) department who no longer do so., when the certificate requested does not relate to A & E medicine.

**SUPPLEMENTARY TO QUESTION NO 1094 OF 2001**

**HON MISS M I MONTEGRIFFO:**

The Minister is actually saying that this is a new policy that Senior House officers are no longer issuing medical certificates?

**HON DR B A LINARES:**

Senior House Officers in the A & E Department and they do issue certificates for matters which are very much within the scope of accidents and emergencies but not for other medical treatments which are related to general practice.

**HON MISS M I MONTEGRIFFO:**

I have a few cases of people who were diagnosed with certain medical conditions and were told by the Senior House Officer and indeed by the Administration that the Senior House Officers were no longer able to provide the certificates even though they had told the employees that they were unable to work, is the Minister aware that they are now told that they need to go to the Health Centre in order to get a medical certificate?

**HON DR B A LINARES:**

I am aware in respect of Senior House Officers in the A & E Department as I have stated. They may issue treatment, medication, but they cannot issue certificates of being unfit for work. These are matters much more related to General Practice.

**HON MISS M I MONTEGRIFFO:**

But this is a departure of what used to happen before because now we have a situation where employees are having to leave the premises and go to the Health Centre. Would it not be more logical for a Senior House Officer to refer the matter to a consultant at the hospital who will issue the certificate, rather than place a further burden to the Health Centre having the employees departing the premises and going to the Health Centre.

**HON DR B A LINARES:**

They do not have to leave the establishment for treatment or for medication but they do have to leave the premises for a certificate of being unfit for work because that is very much within the scope of General Practice and not of an Accident and Emergency Doctor.

**HON MISS M I MONTEGRIFFO:**

I do not wish to press too much this point but if it is the Senior House Officer who diagnoses the patient therefore would it not be more convenient if he has diagnosed the patient already rather than having him have to go to the Health Centre and place a further burden on the GP's all he needs to do is to refer the matter to his consultant and then provide the medical certificate.

**HON DR B A LINARES:**

Doctor's within St Bernard's can certificate, only the Accidents and Emergency House Doctors are not geared to this certification and they are the only ones who are not issuing certificates at this stage but other doctors in St Bernard's may do so.

**HON MISS M I MONTEGRIFFO:**

That is why I am saying is it not more practical that they should refer the matter to their consultants rather than have the employee to go all the way down to the Health

Centre place a further burden on the GP's there and not have a simpler system because a Senior House Officer.....

**HON K AZOPARDI:**

With respect both the hon Member and the Minister are repeating the same point. The hon Member is saying that medical certificates should be issued within the hospital and my Colleague has said in his answer that medical practitioners at St Bernard's do issue medical certificates, the only distinction that he raises is that Senior House Officers in Accidents and Emergencies do not. Every one else who is a medical practitioner at St Bernard's does so the point that the hon Member is making is already catered for.

**HON MISS M I MONTEGRIFFO:**

So the Government can confirm then that if an employee is told by a Senior House Officer that he cannot issue the medical certificate even though he has diagnosed the patient that if the patient then turns to the Senior House Officer and says " Well can it be issued by a consultant at the hospital," the answer would be yes.

**HON DR B A LINARES:**

A Senior House Officer in A & E can actually give treatment for a diagnosed ailment but what he cannot do is certificate absence from work but the consultant and the SHO within the hospital may do so.



**NO. 1095 OF 2001**

**THE HON J L BALDACHINO**

**VOCATIONAL CADETS**

Can Government state how much has been spent to date out of £910,000 Vocational Cadets Expenditure.

**ANSWER**

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

The Government have spent £511,633.66 on the Vocational Cadets Expenditure as at 30 October 2001.

**SUPPLEMENTARY TO QUESTION NO 1095 OF 2001**

**HON J L BALDACHINO:**

Does the Minister think that the total of the £910,000 will be spent in this financial year, how many employers have taken up the offer under the Cadet Scheme for the £511,000 that have already been spent and how many cadets have been taken by how many employers, if any of the cadets that have already been paid out of this have finished the course they were supposed to do, how many have been employed and when they have finished the trade and what type of qualifications are the Cadets being trained for and in what trades?

**HON DR B A LINARES:**

The first question, whether the budget of £910,000 will be spent, I would think it is pretty close because £511,000 in six months more or less tallies with the yearly budget. With regards to the Cadets we have two intakes at present, I will give the hon Member the details.

**NO. 1096 OF 2001**

**THE HON DR J J GARCIA**

**THEATRE ROYAL**

By when must the EU funding earmarked by the Government for the Theatre Royal restoration project be spent?

**ANSWER**

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

**Answer to Question No 1045 of 2001**

The full extent of the Theatre Royal refurbishment has not been publicly announced by the Government as yet and as such details of the total cost are not fully determined.

**Answer to Question No 1096 of 2001**

EU funding approved under the Objective 2 1997/99 programme for the Theatre Royal project ends on 31<sup>st</sup> December 2001.

**SUPPLEMENTARY TO QUESTION NOS 1045 AND 1096 OF 2001**

**HON DR J J GARCIA:**

Does that mean it has to be earmarked by the end of this year not necessarily spent?

**HON DR B A LINARES:**

Is spent.

**HON S E LINARES:**

Does the Minister know how much money comes from the EU, is it not the case that these projects have to be matched by Government that means that if the EU puts in a certain amount the Government have to match that amount?

**HON DR B A LINARES:**

One thing is not related to the other, the question asked by the hon Member is about the projected total cost of the design project which is now entering into stage 'D', we have just covered stage 'C'. Stage 'C' is the building design and until then it is premature to be able to assess what the total cost is, this has nothing to do with how much will the percentage from Government be and what percentage will come from the EU.

**HON S E LINARES:**

How much of the Objective 2 has been applied for?

**HON DR B A LINARES:**

For the next programme the application has not yet been determined.

**HON J J BOSSANO:**

The work carried out now is from the EU programme that started in 1999, surely it is possible to establish how much of that has been spent to-date on the Theatre Royal?

**HON DR B A LINARES:**

It is projected that by the end of this year we will have spent £1 million.

**NO. 1097 OF 2001**

**THE HON DR J J GARCIA**

**THEATRE ROYAL**

How many tenderers applied for the tender for Demolition and Enabling Works at the Theatre Royal, who were they and how much did each bid?

**ANSWER**

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

The following tenderers applied for the tender for the Demolition and Enabling Works at the Theatre Royal:

1. Fitzpatrick Contractors Ltd
2. Sharrock Shand Ltd
3. Skanska
4. Blacktop Ltd
5. Topgem Ltd

It is Government practice only to divulge the amount bid by the successful tenderer, which in this case was Fitzpatrick Contractors Ltd with a bid of £208,086.69.

**SUPPLEMENTARY TO QUESTION NO 1097 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether this was the lowest tenderer?

**HON DR B A LINARES:**

As with all tenders the award criteria was not exclusively based on the lowest offer, in this particular case only three of the tenderers namely Fitzpatrick, Topgem and Sharrock Shand fully complied with the tender instructions and submitted all the required documentations. Of these Fitzpatrick's was clearly the most competitive on price grounds with particularly competitive day-work prices.

**NO. 1098 OF 2001**

**THE HON DR J J GARCIA**

**HOTEL, CATERING AND HOSPITALITY SERVICES COURSE**

How many students who completed the 6<sup>th</sup> Intake of the course on Hotel Catering and Hospitality Services have gone on to obtain employment in that sector?

**ANSWER**

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

Answered together with Question No 1099 of 2001.

**NO. 1099 OF 2001**

**THE HON DR J J GARCIA**

**HOTEL, CATERING AND HOSPITALITY SERVICES COURSE**

How many persons expressed an interest in taking part in the Hotel, Catering and Hospitality Services Course advertised on 4th September, how many openings were there and how many will proceed to start the course?

**ANSWER**

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

**Answer to Question No 1098 of 2001**

A total of eight trainees have completed their course, of which four have obtained permanent employment within the Tourism sector. One Trainee apart from the four who have obtained permanent employment, one has left Gibraltar for the UK to undertake further studies leading towards a Higher National Diploma and HND in Tourism and Leisure Management.

**Answer to Question No 1099 of 2001**

The total number of enquiries received for Intake 8, advertised in September 2001, was 41. Of these, 26 applications were received, 15 applicants were found successful in interviews and 15 commenced training in October 2001.

**SUPPLEMENTARY TO QUESTION NOS 1098 AND 1099 OF 2001**

**HON DR J J GARCIA:**

Is the Minister in a position to say what happens to the other three of the eight?

**HON DR B A LINARES:**

No, I am not in a position here and now to say exactly what has happened to them.

**HON J J BOSSANO:**

Of the four that were employed in the tourism sector, to what extent is their employment directly related to the course that they followed?

**HON DR B A LINARES:**

It is very difficult to assess that, it is an internal almost intrinsic sort of process and motivation, I would say that the course has enabled them to obtain employment, has given them an opening and certainly necessary skills in that area of employment.

**HON J J BOSSANO:**

Presumably the Minister would say that because that is what he would like to be the case not because he can actually say, " We trained somebody as a waiter and he has been employed as a waiter – or – We trained him as a cook but he has been employed as a cook." We do not know whether the people who actually went into the sector have gone in as unskilled labourers which was the state of their skills before they went through the Hotel, Catering and Hospitality Services in the absence of evidence to the contrary?

**HON DR B A LINARES:**

One would have to ask the employers and also one would have to ask the monitors in the training unit who actually steer the passage from the training into employment but I would actually bet my bottom dollar that the skills derived in this course has actually enabled and been very welcomed by the employers when interviewing and recruiting employees for their different tasks in their employment.

**HON DR J J GARCIA:**

Is the Minister in a position to say where they are employed and what as?

**HON DR B A LINARES:**

I can say where they are employed but not exactly in what position, Norma Jean Restaurant, The Rock Hotel, The Gibraltar Air Terminal and The Elliott Hotel.



**NO. 1100 OF 2001**

**THE HON DR J J GARCIA**

**BUSINESS MANAGEMENT PROGRAMME**

How many parties have expressed an interest in participating in the 5<sup>th</sup> course leading towards a Certificate/Diploma in Business Management organised by the University of Durham following its launch in May?

**ANSWER**

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

According to the University of Durham up to 40 people expressed an interest in the 5<sup>th</sup> Business Management Programme.

**SUPPLEMENTARY TO QUESTION NO 1100 OF 2001**

**HON DR J J GARCIA:**

Are these 40 now actually proceeding with the Diploma course or has that narrowed down?

**HON DR B A LINARES:**

It has been narrowed down to 20 people.

**HON DR J J GARCIA:**

Can the Minister say whether the course has already commenced and is proceeding with those 20 people?

**HON DR B A LINARES:**

Certainly the 4<sup>th</sup> BMP course was completed in October 2001, the Post-Graduate Diploma in Strategic Management is proposed for January 2002, it is still to start in 2002 the 5<sup>th</sup> Course.

**HON DR J J GARCIA:**

Could I ask the Minister how many completed the 4<sup>th</sup> course?

**HON DR B A LINARES:**

Twenty.

**NO. 1101 OF 2001**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY**

Can Government list the areas of disagreement that have now been identified in the negotiations between the Government and the Ministry of Defence over the transfer of the Garrison Library?

**ANSWER**

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

Answered together with Question No 1102 of 2001.

**NO. 1102 OF 2001**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY**

At what stage is the Government's consideration of the counter-proposals by the Ministry of Defence for the transfer of the Garrison Library?

**ANSWER**

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

There are no specific areas of open disagreement between the Library Committee and the Government. But there are still many areas open to negotiation in the context of the proposals made to us by the Library Committee. I cannot give any more details at this stage while these discussions are in process.

**SUPPLEMENTARY TO QUESTION NOS 1101 AND 1102 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to say without giving any specific detail as to the amount whether they are asking for a payment as part of the deal?

**HON DR B A LINARES:**

I can confirm that the question of payment has not come on the table of negotiation or discussion.

**NO. 1103 OF 2001**

**THE HON J J BOSSANO**

**GHA – COST PER BED**

Are the Government now in a position to give the estimated cost per bed at KGV and St Bernard's Hospital respectively?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 1103 OF 2001**

**HON J J BOSSANO:**

Can the Government explain why they are not able to give the information?

**HON DR B A LINARES:**

As I explained in answer to Question No 717 of 2001, we do not have a figure of costs per bed because in order to do so we would need to carry notional ledgers and apportion costs such as salaries, wages, fuel, grants, meals, works, equipment, laundry, hardware, medical gases, bandages, pump services et cetera and as we discussed or rather the Leader of the Opposition discussed with the Chief Minister last time, we suggested we could ask the Hospital Management whether they have costs and nominal ledgers as an establishment as opposed to all the Health Service because the idea was to strip all these costs in order to establish the cost per bed but management has not been able to provide this extensive exercise.

**HON J J BOSSANO:**

The way we left it last time in Question No 717 of 2001 was that I was told "We can ask the Hospital Management whether they have costs, nominal ledgers on the persons at St Bernard's Hospital and find out for the Member and let me know." The question is since I heard nothing from them I assumed that it was being done post April. Is it not a fact that an exercise was done when negotiations were taking place with the MOD as to the costs to the MOD of making use of St Bernard's given that the Primary Care Health Centre Costs were being stripped out, that it was the Hospital costs that were the subject of the bi-lateral negotiations at least that is how it was when I think my hon Colleague left it and I am sure it must have been when the Hon Mr Azopardi continued with the exercise?

**HON K AZOPARDI:**

The hon Member is correct that at the time that we were in discussions with the MOD as to whether we could enter into a long-term partnership, there were assessments done by consultants that came over from London who charged substantial fees for the work that they did, as consultants tend to do. I think that the problem would be that while we have these figures they are probably now somewhat dated and it was a very intricate and complex exercise to try to extrapolate the data to come up with a ball park figure of how much an average cost per bed per day was at St Bernard's or indeed elsewhere in the Health or Social Services. So that exercise was not done in-house, I suppose it could be done but it would require expertise, specialisation and indeed time and probably financial resources to be able to do that and I think what my hon Colleague indicated was that having reflected on the matter it is not possible for the Health Authority to do that exercise in-house, I suppose it could be done but I do not think that the Government would want to dedicate specific resources to be able to assess that question when it is not within the ordinary bounds of the tasks that we have directed the Health Authority to conduct.

**HON J J BOSSANO:**

Presumably the Government are able to produce the historical figure that is there in a specific year in the past and then it would not be particularly difficult to extrapolate from that what the cost would be today on the assumption that the share of the cost of the total budget then has not changed significantly from then until now and as I understand it from my Colleague when she was there this exercise was being done at that stage without employing expensive consultants by the Hospital Management. It might not have been a precise figure but it was a very good indicator and very close to the mark, we are not asking for more than that, we are asking for an estimate of what the sort of level of cost per bed is in each institution and if it is there in the records in the past well then at least if we get given the figure for that particular year we will look at what that represented in the context of the total budget of that year and then extrapolate.

**HON DR B A LINARES:**

My discussions with the Finance Section in the Health Authority certainly was not on the basis of the information that has just arisen out of a similar exercise having been done historically, in that context I will go back certainly as we have suggested and extrapolate the conclusions from that exercise to the present day.

**NO. 1104 OF 2001**

**THE HON J C PEREZ**

**COMPETENT AUTHORITY**

Have Government now taken a final decision over who will be the competent authority in respect of the implementation of Council Directive 1999/32, related to the sulphur content in certain fuels?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Department of Trade, Industry and Telecommunications.

**SUPPLEMENTARY TO QUESTION NO 1104 OF 2001**

**HON J C PEREZ:**

Does this need to be communicated to the EU?

**HON K AZOPARDI:**

That will depend of course on the provisions of the directive, it is normal practice to communicate, it is normal practice for there to be a specific provision, that I am sure we will direct attention to once we progress the designation of the competent authority.

**NO. 1105 OF 2001**

**THE HON J C PEREZ**

**HARBOUR VIEWS PROMENADE**

Have Government now sorted out the confusion that existed over the provision of cafeteria and other facilities at Harbour Views Promenade and can they inform the House whether a tender is in place or the facilities will be re-tendered?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The tender was awarded in 1999 on certain conditions. There has been no progress on the project. The Government would like to see a project of this type materialise.

**SUPPLEMENTARY TO QUESTION NO 1105 OF 2001**

**HON J C PEREZ:**

Yes but that does not answer my question on whether the tender is still valid or whether the Government are still choosing to re-tender and invite other parties, given that since 1999 they have been unsuccessful in getting the party that was successful to start or realise the project?

**HON K AZOPARDI:**

The tender fundamentally is still valid until the Government decide otherwise and discuss that with the parties. The situation really relates to the fact that the parties who were awarded the tender have another issue with the Government in relation with a different project in respect of another site and what has been happening is that I think, and I am speculating now, but I think that they had formed the view that if significant investment was going to be done it was going to be done on the other project, so they had been trying to progress the other project before



this one, seeing how far they can get on that one before they decide whether they do this project or not. We do not see the existence of these facilities and the other project as connected but I think that they do and until we form a final view or perhaps give them final satisfaction in relation to the other issue I do not expect that we will see immediate progress. There may come a point that if they decide that not to progress it further we will have to re-tender if we think that that is correct but that stage has not arrived yet.

**HON J C PEREZ:**

Perhaps the Minister might be able to persuade the Chief Minister that making swimming available in the area might in fact be an incentive for the project to get off the ground given the connection that that might create in the area.

**HON K AZOPARDI:**

I do not think that I need to persuade the Chief Minister because he has indicated in the House before that the Government want to see a project of this type.....

**HON J C PEREZ:**

No, I think the Minister has misunderstood me, that if he convinces the Chief Minister that it would be a good thing to demarcate an area and allow swimming in the promenade, that that would help the realisation of the project in that it would create a commercial climate for the tender to be realised.

**HON K AZOPARDI:**

I am sure the Government will consider all options which will enhance the recreational leisure facilities in the area in the same way as each suggestion has its merits, of course we will consider that.

**NO. 1106 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR/MOROCCO FORUM**

What date has been set for the next meeting of the Gibraltar/Morocco forum following that held in Gibraltar in October 2000?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Following the meeting of October 2000 a meeting of the Gibraltar/Morocco Forum was held on the 12<sup>th</sup> July 2001 in Tangier. No date has yet been set for the next meeting.

**SUPPLEMENTARY TO QUESTION NO 1106 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to say what kind of thing is being discussed in these meetings given the length of time between one and the next?

**HON K AZOPARDI:**

Generally speaking my understanding is that the Moroccan side are interested in very wide things I will give the hon Member an example, one of them is that they wanted some assistance from us in drafting some laws because they wanted to set up a finance centre in Morocco and I advised my department that I did not think it was wise for us commercially to be involved in that affair. From our point of view the Gibraltar/Morocco Forum is of use because there is a specific Intereg strand of funding which is directed for cross-border cooperation and there is a specific programme that we put forward on a Gibraltar/North Africa, Gibraltar/Morocco basis and so clearly we need to have partners in Morocco with which we meet and with which we hope to organise some expenditure in accordance with the programme parameters but it is not a lot of funding that is in this programme, it is something like £400,000 euros over six years and ultimately I would agree if he is of the view, I think I share it, that it has not been a very productive forum so far but we have to have a forum if we are going to get this funding.

**NO. 1107 OF 2001**

**THE HON DR J J GARCIA**

**POST OF COMMERCIAL PROJECTS OFFICER**

How many persons applied for the post of Commercial Projects Officer in the Department of Trade and Industry, how many were short-listed and who has been selected for the post?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1108 of 2001.

**NO. 1108 OF 2001**

**THE HON DR J J GARCIA**

**POST OF COMMERCIAL PROJECTS OFFICER**

Who has filled the post of Commercial Projects Officer with the Gibraltar Development Corporation and when was this post filled?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The post for Commercial Projects Officer has been filled by Mr Martin Figueras, who took up the position on the 1<sup>st</sup> July 2001. Twenty applications were received for the post of Commercial Projects Officer. All were short-listed except two who were unable to attend the interview due to absence from Gibraltar.

**NO. 1109 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

How many times have parties displaying advertisements been told to remove them since the Town Planning Regulations which dictate the control of advertisements was re-enacted in April, who are they and what were the advertisements?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1110 of 2001.

**NO. 1110 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Can Government say how many parties have failed to comply with instructions from the Development and Planning Commission to remove advertisements under the re-enacted Town Planning Regulations and how many have been taken to court?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Three parties have been formally required by notice in writing to remove unauthorised signs, two have complied and the remaining party is currently in the process of applying for permission. No parties have been taken to Court. Apart from these occasions there have been informal verbal discussions with a number of parties in relation to signage matters during the course of pending planning applications or as a result of planning officers becoming aware of particular matters.

**NO. 1111 OF 2001**

**THE HON DR J J GARCIA**

**CHEMCO PLANT**

Who are the qualified and experienced engineers that are expected to commission the sullage tanks at the Chemco Plant and when will this happen?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The sullage tanks at the Chemco Plant are in the process of being commissioned by OES Gibraltar Limited, following an independent survey conducted on the storage tanks by a specialist company, Caulicontrol SA at the request of the Environmental Agency.

**SUPPLEMENTARY TO QUESTION NO 1111 OF 2001**

**HON DR J J GARCIA:**

Is this the same company that the Minister gave in answer to Question No 757 of 2001 where he mentioned the Environmental Agency, this is in writing after the meeting of the House. He mentioned that the Environmental Agency had contracted Mr Lyle Seale as a Consultant on this, is that the same one as the one that will commission the tanks or was it somebody else.

**HON K AZOPARDI:**

I do not have definite information but I believe they are different parties. The information I gave him by letter was as to the identity of the UK consultants but just looking at the name that I have just given him, Caulicontrol SA, seems to me to be a Spanish Company so I imagine that they are a different parties.

**HON DR J J GARCIA:**

An issue which arose the last time the question was asked the Minister may have had time to make enquiries, we raised at the last meeting of the House that the tanks being used in the plant were not new which the Minister confirmed, has he been now able to establish where the tanks had been used previously, how they performed at the old location and how old they are?

**HON K AZOPARDI:**

No I do not have that information and all I can tell him is that this is precisely why the Environmental Agency have insisted on an independent assessment before they can have their discharge licence to make sure that their tanks are in proper condition and comply with all health and safety standards.



**NO. 1112 OF 2001**

**THE HON DR J J GARCIA**

**TENDER – DEVELOPMENT PLAN FOR GIBRALTAR**

How many parties have submitted an application for the tender for the commissioning of a new development plan for Gibraltar in response to the Government tender notice of May 2001, who are they and what proposals have been made?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Expressions of interest from the following 11 companies were received for the tender for the commissioning of a new Development Plan for Gibraltar:

1. Wimberly, Allison, Tong and Goo;
2. W S Atkins
3. RPS Group Plc
4. Architectural Design Associates
5. Ove Arup and Partners
6. Scott, Wilson, Kirkpatrick and Company Limited
7. Drivers Jonas
8. Colin Buchanan and Partners
9. Llewelyn-Davies Team
10. EDAW Limited
11. Symmonds Group Limited

Of the 11 companies six were short-listed, interviewed and invited to submit offers for the next stage of the tender:

1. W S Atkins
2. RPS Group Plc
3. Architectural Design Associates
4. Scott, Wilson, Kirkpatrick and Company
5. Drivers Jonas
6. Llewelyn-Davies

All the proposals received from these adhere to the brief provided to them by Government. The final award has not yet been made and the details of each proposal are commercial-in-confidence and can not be divulged at this stage.

### **SUPPLEMENTARY TO QUESTION NO 1112 OF 2001**

**HON DR J J GARCIA:**

Can the Government say of the six that have been short-listed whether any are from Gibraltar or have a Gibraltar office or presence and also give an indication of the time scale which the Minister has in mind in relation to the production of the actual planning?

**HON K AZOPARDI:**

There are different issues there, I will just enlighten the hon Member. As to the issue of the Gibraltar connection one of the six was a purely Gibraltarian outfit. This Architectural Design Associates which was basically practitioners from different fields who have their own practices but came together for the purposes of this tender. As to the others they are all UK based except W S Atkins is a company that has worked in Gibraltar before, I think that the others have not to my knowledge worked in Gibraltar before. As to the time-scale of production the initial assessment that we make of this is that after appointment it would take about 18 months for a development plan to be prepared but the issue which is holding up the award is that we had made an initial assessment of how much it would cost to do a development plan and we had made an initial assessment perhaps I should not mention the figure because we still have to award it and it may be prejudicial to our discussions with the different parties but let me say that the six parties have all submitted bids well in excess of double what the Government had initially assessed was going to be cost of the development plan and that being the case the Government are considering the matter before taking any further steps.

**HON DR J J GARCIA:**

Can the Minister say at this stage whether the Government are envisaging in the new plan any radical departures from the 1991 plan?

**HON K AZOPARDI:**

The whole purpose of the Development Plan is that it should put across the Planning Commission and Government's policy view as to development, urban planning, control and usage of land across Gibraltar and that it should also give guidance as to the types of guidelines that people would have to adhere to when submitting planning applications in relation to a specific issue such as change of use or the type of thing that they can do on the land or to buildings and so therefore, yes of course, I do believe as has always been the case that when one actually comes to the position of preparing a Development Plan, it should put across the Government's vision of what it views should be the case in relation to all those issues and necessarily therefore there would be significant departures from the 1991 plan at least as to Government policy.

**NO. 1113 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR IN EUROPE BUSINESS DEVELOPMENT SCHEME**

Can Government say how many full-time jobs the Gibraltar in Europe Business Development Scheme has created to 30<sup>th</sup> September 2001, and how many the parties in question said would be created when they submitted their application for funding?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

A total of 35 full-time jobs have been created under the Gibraltar in Europe Business Development Scheme up to 30 September 2001, a total of 43 full-time jobs are expected to be created by the parties in question.

**SUPPLEMENTARY TO QUESTION NO 1113 OF 2001**

**HON J J BOSSANO:**

The 43 are inclusive of the 35?

**HON K AZOPARDI:**

Yes.

**NO. 1114 OF 2001**

**THE HON DR J J GARCIA**

**EUROPA BUSINESS CENTRE**

What is the total number of tenants in Europa Business Centre as at:

- (a) 31<sup>st</sup> March 2001;
- (b) 30<sup>th</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total number of tenants (occupied units) at the Europa Business Centre are as follows:

- (a) as at 31<sup>st</sup> March 2001 - 49
- (b) as at 30<sup>th</sup> September 2001 - 50

**SUPPLEMENTARY TO QUESTION NO 1114 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to say what is the maximum number of tenants that the Europa Business Centre can take. Is it full or is it half full can he give an indication of that?

**HON K AZOPARDI:**

No but I can get the information to the hon Member?

**HON DR J J GARCIA:**

I would be grateful for the information.

**NO. 1115 OF 2001**

**THE HON DR J J GARCIA**

**EUROPA BUSINESS CENTRE**

What is the total amount of rent arrears owed by Government tenants in Europa Business Centre as at 30<sup>th</sup> September 2001 and how many tenants owe over three months in rent arrears?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total amount of rent arrears owed by Government tenants at the Europa Business Centre as at 30<sup>th</sup> September 2001 is:

- (a) Current Tenants - £97,695.40 of which  
15 tenants owe over three months rent representing £88,408.88 (90 per cent);
- (b) Terminated Tenants (Absconded or Repossessed) (15 in No) - £34,277.29.

**SUPPLEMENTARY TO QUESTION NO 1115 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say how many of the 15 tenants who terminated actually absconded?

**HON K AZOPARDI:**

No I do not have that information. In both cases whether they have absconded or repossessed the practices as I have indicated before which is that the arrears is passed on to the Central Arrears Unit that then pursue those matters whether they are absconded or repossessed.

**HON DR J J GARCIA:**

Absconded in this sense means what that they have run away from Gibraltar or they have disappeared?

**HON K AZOPARDI:**

It can mean a variety of things but generally speaking these are not people who are foreign to Gibraltar so I think the word absconded is just a general term that LPS use when they mean that they have not pro-actively repossessed so they may include even people who have voluntarily surrendered premises or have just abandoned them but obviously people who are around in Gibraltar in general terms I would say that generalisation applies to most of them and so therefore can be pursued for arrears.

**HON J J BOSSANO:**

The £34,000 in respect of the people that are no longer tenants can I ask is this money owed to the Government or is it owed to the Commercial Property Company?

**HON K AZOPARDI:**

The landlord of the EBC is the Government.

**HON J J BOSSANO:**

Does the Minister know whether any of these have gone through the stage of, assuming that some of them are limited companies, of the Central Arrears Unit moving to the point of seeking the dissolution of the business, the winding-up of business or whatever?

**HON K AZOPARDI:**

Yes I understand that that is the case although I do not have a breakdown a statistical breakdown of how many that involves or indeed neither is it possible to give him a breakdown of how much has been recovered because I am told that what the Central Arrears Unit do when they get notice that there are arrears that they need to pursue they then contact all other Government departments, electricity, water, social insurance, PAYE and then they pursue for a lump sum. So it is very difficult for them unless they are given a lot of time to breakdown recovery indeed it may not even be possible in some cases because they may recover £10,000 out of a debt of £50,000 but that £50,000 is accumulative debt broken down to many different sums and to whom do they allocate the £10,000 so it is seen collectively that is the difficulty. Usually there is quite a demand for these units so we would have assigned these to other people either by tender or by some relocation if there is some strategic need to move people into that centre but I would imagine without having the list of people and when they left that I do not mislead the House when I say that I am almost sure that they have been already allotted to other people.

**NO. 1116 OF 2001**

**THE HON DR J J GARCIA**

**NEW HARBOURS**

What is the total number of tenants in New Harbours as at:

- (a) 31<sup>st</sup> March 2001;
- (b) 30<sup>th</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total number of tenants (occupied units) at New Harbours are as follows:

- |     |                                       |   |      |
|-----|---------------------------------------|---|------|
| (a) | as at 31 <sup>st</sup> March 2001     | - | 91   |
| (b) | as at 30 <sup>th</sup> September 2001 | - | 102. |

**NO. 1117 OF 2001**

**THE HON DR J J GARCIA**

**NEW HARBOURS – ARREARS**

What is the total amount of rent arrears owed by tenants in New Harbours as at 30<sup>th</sup> September 2001 and how many tenants are over three months in rent arrears?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The total number of rent arrears owed by tenants at New Harbours as at 30<sup>th</sup> September 2001 is:

- (a) “Current Tenants” - £320,852.36 of which  
27 tenants owe over three months rent representing £278,774.07 (87 per cent)
- (b) “Terminated Tenants” - (Absconded or Repossessed) (25 in No) £263,183.16.



**NO. 1118 OF 2001**

**THE HON DR J J GARCIA**

**NEW BANKING LICENCES**

How many applications for new banking licences have been received since May 2001 inclusive, giving the date the application was made and the name of the bank(s) concerned?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

One. The matter is currently commercial-in-confidence.

**SUPPLEMENTARY TO QUESTION NO 1118 OF 2001**

**HON J J BOSSANO:**

Can the Minister say whether the one application is from somebody exercising passporting in on the basis of a branch or would it be for an application to have a wholly owned Gibraltar Bank with a licence which is an original Gibraltar licence?

**HON K AZOPARDI:**

Yes it is the latter.

**NO. 1119 OF 2001**

**THE HON DR J J GARCIA**

**NUMBER OF COMPANIES**

How many companies have been struck off under the new Section 203A of the Companies Ordinance, on a monthly basis, since it came into effect on 14<sup>th</sup> March this year?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Companies House commenced the striking off procedure pursuant to Section 203A of the Companies Ordinance on 19<sup>th</sup> September 2001. To date Companies House has listed a total of 10,328 companies to strike off. Before the listed companies can be struck off there is a statutory waiting time of three months. Striking off will therefore commence as from 19<sup>th</sup> December 2001.

**SUPPLEMENTARY TO QUESTION NO 1119 OF 2001**

**HON J J BOSSANO:**

I take it that the three month period is to allow the owners of any of those companies to do something about it before they get struck off and if so how do they find out if they are one of the 10,328, is it advertised somewhere ?

**HON K AZOPARDI:**

Yes the answer systematically to what the Leader of Opposition has asked is yes on all grounds. Yes, it is a requirement to give notice pursuant to the sections so that people can give representations so that they are not struck off and let me say that between March and September this year Companies House sent out warning notices to all the clients, everyone who has dealings with Companies House on the new procedures and then made the

necessary arrangements to publish the notices on the Internet in addition to the seven supplements and so the name of the company under section 203A subsection 2 which the Registrar proposes to strike off must be published in the Gazette and people have had we think sufficient notice as a result of all those procedures.

**HON DR J J GARCIA:**

Has the Gazette with the 10,000 names already been published?

**HON K AZOPARDI:**

I do not have the publication date but it is a statutory requirement to publish in the Gazette the name of that company and the information that I have is that the publication must have been done at least on the 19<sup>th</sup> of September if they intend to strike off as from the 19<sup>th</sup> of December, that is the statutory three month period. My understanding is that it was done in the 7<sup>th</sup> Supplement whatever that means I do not think it is generally circulated I think that one may have to request it but there is a general notice to everyone that that is going to be the case and these companies are not just registered anywhere they are registered with licensed company managers so those people know that that procedure is there so they will check that list.

**NO. 1120 OF 2001**

**THE HON DR J J GARCIA**

**THE PROTECTED CELL COMPANIES ORDINANCE**

How many applications have been received to create a protected cell company since the law came into force either:

- (a) outright; or
- (b) by converting an existing company?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Protected Cell Companies Ordinance was commenced on the 1<sup>st</sup> November 2001. No formal applications have yet been made though a number of enquiries have already been received.

**SUPPLEMENTARY TO QUESTION NO 1120 OF 2001**

**HON DR J J GARCIA:**

Is the Minister in a position to say how many enquiries at this stage?

**HON K AZOPARDI:**

The PCC Legislation envisages principally three types of specialised niche activity in the Finance Centre, securitisation, insurance and fund management. We expect to get enquiries and indeed we have had preliminary discussions on all those fronts but the harder enquiries have come in insurance and the reasons for that is that, of course hon Members will have noted that in the last few weeks there has been a significant downturn or nervousness in the insurance market. A lot of fragility as a result of the September 11<sup>th</sup> tragedies, that has made people look at the organisation of insurance through different vehicles and captives have

suddenly become much more attractive to people. We are a jurisdiction that offers captives and protected cell companies that can be structured as captives as an EU jurisdiction whereas there are many up-front costs that people were paying from a non-EU jurisdiction that still wanted to move into the EU and they were having to use all sorts of different types of structures. So the principal interests that we have seen in the last few weeks certainly has been from insurance companies, who some of them quite major significant operations, multinationals that have been discussing that type of structure with agents in Gibraltar and indirectly also with us, as to whether these things progress we will have to wait and see but certainly there is a lot of nervousness in the market that will invariably turn people to thinking about new strategies.

**NO. 1121 OF 2001**

**THE HON DR J J GARCIA**

**OBJECTIVE 2 PROGRAMME**

How much of the 8.38 million euros allocated to Gibraltar under the Objective 2 Programme for Gibraltar in the period 2000-2006 have been earmarked for the public sector projects and how much for private sector projects and what are they?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There are no quotas set for either public or private sector projects under the Objective 2 Programme for the period 2000-2006.

**SUPPLEMENTARY TO QUESTION 1121 OF 2001**

**HON J J BOSSANO:**

That means that the Government could decide to use it all in the public or all in the private?

**HON K AZOPARDI:**

Theoretically yes, but obviously we are not going to hog it all as it were in the public sector because we are sensitive to the needs of the private sector, the representations of the business community which are that there should be a funding source, but it is also reality that given that we have got about £750,000 per year for the next six years it is inevitable given our experience since we first accessed the EU Funds that not all of it will be used for the private sector and a big bulk, a substantial part will be done by the public sector. A balance needs to be struck, what the Government are doing is formulating their ideas on the type of project that would direct public sector funding for if we need to do that and then taking an in-principle view of that but leaving space for private sector projects along the way.

**NO. 1122 OF 2001****THE HON DR J J GARCIA****EU FUNDING**

Can Government list the parties that have applied for EU Funding since 1<sup>st</sup> May 2001 indicating the amount of funding requested and the purposes for which it was intended, listing those that have been successful, those that have been unsuccessful, and those applications that are still pending?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The information requested by the hon Member is set out in the written schedule that I hand to him. May I add that I was looking at the list which was formulated before the end of last week, my understanding is that the second and third applications on that list are now approved.

**Answer to Question No 1122 of 2001****Schedule**

Six applications have been received for EU funding since 1 May 2001, listed as follows:

**Objective 2 programme 2000-2006**

<b>Applicant</b>	<b>EU Grant</b>	<b>Purpose of Grant</b>	<b>Status of Application</b>
Pitstop	£3,257	Refurbishment works, purchase of equipment and assistance	Approved

<b>Applicant</b>	<b>EU Grant</b>	<b>Purpose of Grant</b>	<b>Status of Application</b>
P Balban T/A Marina Health Clinic	£3,656	Purchase of equipment, refurbishment works, promotion and advertising and assistance with rents/rates	Under consideration
D Peñalver T/A Pendant Dental Laboratory	£1,915	Purchase of dental laboratory equipment	Under consideration
Salsa Fishing Tours Ltd	£3,045	Purchase of fishing equipment, advertising and promotion, office refurbishment and assistance with rent	Under consideration
Technical Support Services	£106,750	Flow & Load survey and sea outfall and main sewer study	Approved
Department of Trade, Industry & Telecommunications	£200,000	Construction of an additional 18 Units at Lathbury Barracks (Phase II)	Under consideration



**NO. 1123 OF 2001****THE HON DR J J GARCIA****GIBRALTAR GOVERNMENT FUNDING**

Can Government list the parties that have applied for Gibraltar Government funding, from the Gibraltar Enterprise Scheme or from any other source since this information was made public in answer to questions in May this year, indicating the amount of funding requested and the purposes for which it was intended, listing those that have been successful, those that have been unsuccessful, and those applications that are still pending?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I hand to him.

**Gibraltar Enterprise Scheme**

<b>Project No</b>	<b>Total Grant/Loan</b>	<b>Applicant Sponsor</b>	<b>Purpose of Grant</b>	<b>Status of Application</b>
<b>GE5051</b>	£6,857 (G)	Headmasters	Refurbishment of premises	Not approved
<b>GE5052</b>	£19,000 (G)	Suissa Bros	Purchase of a self loading trailer	Under consider
<b>GE5053</b>	£3,890 (G) £10,000 (L)	Iberia News	IT equipment working capital	Under consideration

**NO. 1124 OF 2001**

**THE HON DR J J GARCIA**

**EU INVESTOR COMPENSATION SCHEME**

How many parties made submissions to the Government in relation to the Investor Compensation Scheme Consultation Paper which was circulated by the Government in May and who were they?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1145 of 2001.

**NO. 1125 OF 2001**

**THE HON DR J J GARCIA**

**CERTIFICATION SERVICE PROVIDERS**

How many applications for certification service providers have been received since the last Question Time in this House and how many have been approved by the Minister to issue accreditation certificates for electronic signatures, when were they approved and who are they?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

No applications have been received to date.

**NO. 1126 OF 2001**

**THE HON DR J J GARCIA**

**EUROPORT**

What area of Europort has paid rates because it is occupied as at:

- (a) 31<sup>st</sup> March 2000;
- (b) 31<sup>st</sup> December 2000;
- (c) 31<sup>st</sup> March 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The proportion of the total area of Blocks 1-9 Europort where rates liability does arise at the requested dates is:

- (a) 10.2 per cent;
- (b) 10.8 per cent;
- (c) 10.9 per cent.

**NO. 1127 OF 2001**

**THE HON DR J J GARCIA**

**EUROPORT**

What area of Europort has not paid rates because it is unoccupied as at:

- (a) 31<sup>st</sup> March 2000;
- (b) 31<sup>st</sup> December 2000;
- (c) 31<sup>st</sup> March 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The proportions of the total area of Blocks 1-9 of Europort where rates liability does not arise at the requested dates is:

- (a) 89.8 per cent;
- (b) 89.2 per cent;
- (c) 89.1 per cent;

and while it is not in my answer let me say that it is not related to the occupation issue which is why I have answered it slightly different.

**SUPPLEMENTARY TO QUESTION NO 1127 OF 2001**

**HON DR J J GARCIA:**

The actual question asked for the area, does the Minister have those figures available rather than the proportion ?

**HON K AZOPARDI:**

It was difficult to answer the hon Member's question without misleading him because it was not possible to say how the payment of rates that we have received correspond in relation to area or occupation. Strictly speaking it is none of the two in this sense. Let me explain to the hon Member that while the rates liability arises directly proportional to area that one occupies in this particular respect there are different factors in this sense, blocks 1-4 are empty in their entirety because they are going to be used for the new hospital so there is no liability there, block 5 is the hotel building and there is currently an application for change of use so that it is currently unoccupied therefore it does not pay rates so the rates liability figures the percentages that I have given him in relation to his question, his question was in relation to the whole of Europort which are blocks 1-9 in reality. All the rates that are being received are in relation to blocks 6-9 only and in relation to 6-9 there is still a heavy element of development aid in place which minimises rates liability substantially so he could not say "well they occupy 'x' metres and therefore the rates liability should be 'y'", he has got to factor in the rates discount, the development aid, all those things and so therefore it is a bit more complicated and this is why we have answered it in this way which is to answer the percentages as to rates liability rather than giving him a more misleading answer as to actual occupation of Europort. My understanding is that of blocks 6-9 about two thirds has been let.

**HON DR J J GARCIA:**

Does the Minister have available what area of Europort is still subject to development aid in terms of rights of the area that is covered, the two thirds that is occupied?

**HON K AZOPARDI:**

No I do not have that, I do not have that figure I have some indication that I may have some of the information here with me but I would want to check it so that I do not mislead the hon Member, if he wants I can send that information to him.

**HON DR J J GARCIA:**

We would be grateful if the Minister could do that. Could I ask in relation to the change of land dues request which the Minister mentioned for the hotel building and the application which is pending for the change of use is that the change of use from a hotel to what, offices or.....?

**HON K AZOPARDI:**

To commercial residential.

**NO. 1128 OF 2001**

**THE HON DR J J GARCIA**

**GUN WHARF**

Are Government aware of the latest state of affairs regarding the re-provisioning of a finger jetty for the Ministry of Defence by alternative means as a development from the Gun Wharf tender award?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The matter is still under consideration. Different options are being looked at including whether the MOD can be accommodated elsewhere without the need of building a finger jetty.

**SUPPLEMENTARY TO QUESTION NO 1128 OF 2001**

**HON DR J J GARCIA:**

Can the Minister tell the House whether if there is no need to construct a finger jetty which was a condition of the original tender the project would be put out to tender again or how do the Government intend to proceed?

**HON K AZOPARDI:**

The Government took the view that we could de-link the issue of the finger jetty with the project that was awarded and so therefore what we did was to renegotiate the premium that would be payable by the entity that were awarded the Gunwharf tender so we have been able to obtain a far higher premium than we would have been had they had to build the finger jetty. The reason we de-linked it is that we think that there are options so that we do not have to build the finger jetty and I would hope that by the time the hon Member asks the next question on this issue which I am sure he will we will have resolved this matter all things being equal.

**HON DR J J GARCIA:**

Could the Minister elaborate on precisely what is meant by an alternative to the construction of a finger jetty, what is it that Government are actually considering?

**HON K AZOPARDI:**

Basically the construction of the finger jetty was necessary so that the MOD could berth certain vessels next to it and we are hoping to be able to provide a plot of land for them to be able to do that instead of building a finger jetty. If we can do that then things will be resolved, at the moment we are looking at different options, we still cannot reach a concrete answer on that because it is dependent on third parties but we are in discussions on a tri-lateral basis MOD, these third parties and ourselves.

**HON DR J J GARCIA:**

The payments of the increased premium can the Minister tell the House what that is, the original premium plus what it has been increased to now?

**HON K AZOPARDI:**

I cannot remember what the original offer of the premium was in connection to the building of the finger jetty but from memory I believe that the total premium that we are obtaining now is about £1.45 million.

**HON J J BOSSANO:**

Has that premium actually been paid or is it something that will be paid at a future date?

**HON K AZOPARDI:**

Under the structure that we are envisaging with the development licence which has yet not been signed it would be paid in instalments up to a certain period. That is the structure that has been negotiated because the Government wanted to renegotiate and raise the premium.



**NO. 1129 OF 2001**

**THE HON DR J J GARCIA**

**NORTH MOLE INDUSTRIAL PARK**

At what stage of completion is the North Mole industrial park?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The North Mole Industrial Park is nearly complete.

**SUPPLEMENTARY TO QUESTION NO 1129 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say when the units themselves will be ready for allocation?

**HON K AZOPARDI:**

After some snagging we expect to be handed the premises at the end of the year, we would expect also to go out to tender in relation to the units very soon and those units would be put out to tender and so assuming that that process is run relatively quickly we should be able to have people in occupation a few months after that.

**HON DR J J GARCIA:**

From the Minister's last answer would it be correct to deduce that some of the units are going out to tender and others are not and if so to what purpose are those that are not going out to tender, what purpose are those going to be put to?

**HON K AZOPARDI:**

The units will all go out to tender except for one particular scenario and we are in discussions in relation to a relocation of a particular business which is in a location which is fairly strategic and we would like to shift so that it allows the Government to conduct a different project. If the negotiations are successful then we have agreed in principle to relocate that business to a space which we negotiate and agree within the North Mole Industrial Park. Now that may involve three or four units perhaps the rest of the units will go out to tender. If those negotiations are not successful then all the units will go out to tender.

**HON J J BOSSANO:**

Do Government have a preferred activity for that particular location, of the use of the units?

**HON K AZOPARDI:**

We will specify on the notice that will go out that preference will be given to Port related activities.

**NO. 1130 OF 2001**

**THE HON DR J J GARCIA**

**GARROD ROAD**

How many parties expressed an interest in the tender for the allocation of a commercial property at Garrod Road and what is the nature of the bids received?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Two parties expressed an interest in the tender for the allocation of a commercial property at Garrod Road as follows:

- |    |                           |   |                    |
|----|---------------------------|---|--------------------|
| 1. | Oak Garage Limited        | - | £200.00 per month; |
| 2. | H L Wilkie & Sons Limited | - | £322.00 per month. |

**SUPPLEMENTARY TO QUESTION NO 1130 OF 2001**

**HON DR J J GARCIA:**

Is it correct to assume it was awarded to the highest bidder?

**HON K AZOPARDI:**

Yes.

**NO. 1131 OF 2001**

**THE HON DR J J GARCIA**

**ROCK HOTEL**

Can Government say how many objections, if any, there have been to the proposal for the construction of a residential development of seventy-one apartments in five blocks at the Rock Hotel?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1132 of 2001.

**NO. 1132 OF 2001**

**THE HON DR J J GARCIA**

**ROCK HOTEL**

Can Government say how many objections, if any, there have been to the proposed development to erect an apartment on six floors at the Staff Quarters Rock Hotel?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There have been seven representations in relation to the developments proposed by the Rock Hotel.

**SUPPLEMENTARY TO QUESTION NOS 1131 AND 1132 OF 2001**

**HON DR J J GARCIA:**

Can the Minister say whether these representations which had to be made in writing by the 30<sup>th</sup> September have now been considered by the Development and Planning Commission?

**HON K AZOPARDI:**

No.

**HON DR J J GARCIA:**

Is it possible for the Minister to, given that the closing dates for making representations is already expired, is it possible for him to inform the House on the nature of the objections or representations received?

**HON K AZOPARDI:**

I do not think it is appropriate if the matter has not been considered by the Development and Planning Commission yet, for us to ventilate, divulge the nature of the representations. I would say that the majority, I call them representations because not all of them are objections and that is the word used in the Ordinance in any event, the majority are objections but as to the nature of them I think it is proper for the Development and Planning Commission to consider the matter first.

**HON J J BOSSANO:**

Is it not the case that the land in question is held on a lease from the Government by the Rock Hotel and that the terms of that lease which I believe is at an annual rent of £100 for the whole area per annum is that it can only be used for the purposes of the hotel and if that is the case how is it that the tenant can make these proposals without seeking the landlords consent in the first place for change of use?

**HON K AZOPARDI:**

The hon Member is right, apart from the planning issues there are change of use issues, consent issues, extension of lease issues, and premium of land issues, all of which are matters that need to be discussed with the landlord, the Government, but it is standard practice that people who intend or are already in discussions with the Government on all those issues in parallel sometimes make an application to the Planning Commission to see what type of development would indeed be approved by the Planning Commission on the basis that it does not constitute permission to construct in any event and it is relevant sometimes for the Government to allow that process to be conducted at least in parallel to its discussions on consent and change of views because LPS, for example, cannot make an assessment of land value unless they know what type of development will be allowed but certainly all those issues still arise and the Government have not considered their position qua landlord in relation to that development.

**HON J J BOSSANO:**

But of course if the Government qua landlord was inclined to say no then all the rest goes by the wayside so the tenant must believe that the Government are not against the idea in principle.

**HON K AZOPARDI:**

I am not in the mind of the tenant but let me say that that does not necessarily follow. There have been a number of occasions that people are in discussions with the Government bring forward a planning application which is either approved or refused and either find that it is refused at DPC stage or it goes to the Government and then it is severely limited or refused, so it does not necessarily follow, this is why there is a separate process and it is important that it should remain separate that consent at planning stage should involve necessarily, consequently consent at Government stage and vice versa. The Government may consent and the Planning Commission may decide to take a different view of the matter and either limit the project in a particular way or take some other course.

**HON J J BOSSANO:**

In terms of the Government's position the Minister has mentioned the LPS, is it that the tenant is talking to LPS rather than talking directly to the Government?

**HON K AZOPARDI:**

Land Property Services are Crown Agents. Talking to them is talking to us in the sense that they obviously are agents of the Government in those matters. My understanding is that until quite recently that there had been no formal application but that one was being made to the Government in relation to all those issues, change of use, extension of lease and so on and I know that there has been correspondence between the solicitors acting for the tenant and LPS. I expect that a formal application will follow and that it will be discussed by the Government, but no discussion has yet been had by the Government on all those issues.

**HON J J BOSSANO:**

If the tenant were to take the matter up at Ministerial level would it be the Ministers or would it be the Minister that would have responsibility for dealing with it?

**HON K AZOPARDI:**

The Government as a whole is interested and would have to take a view to these issues but certainly the Ministry of Trade and Industry would be the first port of call for issues in relation to this. I have not, other than a very small, very brief conversation with one of the tenants, I have not had a conversation about this nor was it a negotiation or anything like that, it was just to put us on notice that a planning application was going to be made but I imagine as is the normal way of things that because the particular tenant happens to be a hotel it may or may not have been raised with my Colleague the Minister for Tourism at some point and that I would have thought normal business.

**HON J J BOSSANO:**

Are we talking here about a tourist development or are we talking about residential developments which effectively is a property development being carried out on a piece of land where, the fact that it happens to be the owner of the Rock Hotel that is planning it, is not really anything to do with the tourist industry a such, a property development for flats for sale, what is the project?

**HON K AZOPARDI:**

I am not suggesting that it is a tourist development all I am saying is that because the tenant happens to be a hotel it may or may not, I do not have information, but it may or may not have been raised with the Minister of Tourism in the normal course of discussions on perhaps other matters. It is inevitable, indeed I would have thought normal that if someone is discussing a whole range of issues that they might mention the fact that they intend to make an application in this way. I cannot give the hon Member that information I was trying to answer him in as complete a way as possible way when he mentioned " who is going to be the Minister?" I thought he was suggesting that perhaps some other ministers were involved. If that is the case it may have been that they have received the information in the normal

cause of things. All I can tell him is that the Government have not considered those matters because a formal application has not been made but I understand will be made and it will be considered fully by the Government. Apart from that there is a planning application which has as yet because the public participation process has just come to an end has not been considered by the DPC.

**HON J J BOSSANO:**

The leaseholder is actually the Rock Hotel as a limited liability company and not Mr Gaggero and some other guys. Knowing Mr Gaggero I would have expected him by now to have lobbied every Member of the Government never mind the Minister for Tourism?

**HON K AZOPARDI:**

I have information as to the leaseholder because I remember requesting it when I gave information to the Hon Mr S Linares who asked for that information and it was supplied to him, I cannot remember whether it was the Rock Hotel, I can certainly tell him that the Planning Application was made in the name of Rock Hotel so I assume it is but the Opposition already have that because I have sent it to them.



**NO. 1133 OF 2001**

**THE HON DR J J GARCIA**

**PROPOSED SCIENCE PARK**

Have Government now considered how to best take forward the recommendations of the report by Seagal Quince Wickstead (SQW) for a science park in order to attract investment and what conclusions have the Government come to?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Government are at present considering how best to take forward the recommendations of the report by Seagal Quince Wickstead (SQW) for setting up a Science Park in Gibraltar. No firm conclusions have yet been arrived at.

**SUPPLEMENTARY TO QUESTION NO 1133 OF 2001**

**HON DR J J GARCIA:**

Can the Minister give an indication as to the timescale when they expect to reach some conclusions?

**HON K AZOPARDI:**

I indicated to the hon Member in answer to Question No 752 of 2001 the basic background and the issues that were being raised. Since then we have had discussions with the consultants which were advising us and we have also had a visit from the University of Toronto at our request because they offered as well to assist. University of Toronto are the leaders or are one of the recognised world leaders in relation to this type of business development and this type of field to try to advise us on the way forward. The basic decision

is that we can decide either, and there are two schools of thought, either to have incubator units operating for individuals within a Science Park or we can try to attract the interests of a multinational who together with an educational institution can provide us a triangle of interest, Government, educational institution and multinational to take the matter forward on the basis that land is available, EU funding and Government funding is available to take that forward. The latter is my preference and I have asked consultants to try to advise us on how we can approach multinationals we are intending to approach certain educational institutions with which we have links already, like Sheffield University. If that does not work, once we have considered how to take that forward, then we may be left with the so called incubator units but I am more nervous about directing specific funding which could be quite significant maybe £1 million or £2 million for a project were we have no firm view that we will have someone take up the science park element, really what we are trying to achieve is some degree of guarantee not an absolute guarantee but at least to firm up the level of interest before we take the matter forward.

**HON DR J J GARCIA:**

The Minister mentions that land was available, where would that land be?

**HON K AZOPARDI:**

In principle at Lathbury Barracks but alternative plots can be considered but we thought that it would sit well with the other satellite and other investments of that type that are being made and directed to that area.

**NO. 1134 OF 2001**

**THE HON DR J J GARCIA**

**ECOM LIMITED**

Can Government say at this stage, in respect of the Ecom project at Lathbury Barracks:

- (a) whether and when the conditional outline permit has been issued;
- (b) on what date was the building application submitted to the Development and Planning Commission;
- (c) has the Development Licence been issued and if so when;
- (d) has any payment been made by the tenderer and if so what amount and when?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1138 of 2001.

**NO. 1135 OF 2001**

**THE HON DR J J GARCIA**

**INDUSTRIAL PARK – LATHBURY BARRACKS**

Has work on the construction of the business units in respect of Phase 1 of the industrial park at Lathbury Barracks now commenced?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Yes.

**SUPPLEMENTARY TO QUESTION NO 1135 OF 2001**

**HON DR J J GARCIA:**

Can Government say whether they have been able to establish the rent of those units?

**HON K AZOPARDI:**

No, the completion is set for end of March next year so what we have done is decide at the moment the criteria for allocation which I do not have with me in case the hon Member asks in supplementary but we have discussed and decided the allocation criteria and I have asked LPS to try to suggest the type of rent that we will fix to those premises also but that discussion has yet not been had.

**NO. 1136 OF 2001**

**THE HON DR J J GARCIA**

**EUROPLAZA DEVELOPMENT**

With regard to the Europlaza Development, can Government say:

- (a) on what date was the conditional outline permit issued;
- (b) on what date was the building application submitted to the Development and Planning Commission;
- (c) has the Development Licence been issued and if so when;
- (d) has any payment been made by the developer and if so what amount and when?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

- (a) The Conditional Outline Permit was issued in April 2001.
- (b) No Building Application has been submitted to date.
- (c) A Building Lease dated 4<sup>th</sup> August 1989 was granted to JPC (Gibraltar) Ltd for a term of 150 years.
- (d) Payment made by the developer was £1,822,450.

**NO. 1137 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Can Government say how many meetings of the Development and Planning Commission have taken place since 5<sup>th</sup> April 2001, giving the dates of such meetings?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Seven meetings have taken place:

16<sup>th</sup> May 2001  
12<sup>th</sup> June 2001  
19<sup>th</sup> July 2001  
26<sup>th</sup> July 2001  
31<sup>st</sup> August 2001  
27<sup>th</sup> September 2001  
31<sup>st</sup> October 2001.

**NO. 1138 OF 2001**

**THE HON DR J J GARCIA**

**ECOM LIMITED**

What was the reason for the reported delay in granting planning permission to Ecom Limited?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There have been outstanding issues that needed to be resolved prior to the issue of the Permit.

- (a) Substantial progress has been made and the Outline Permit for the Ecom Project will now be issued within the next few days.
- (b) No building application has been submitted yet to convert the site. Only a demolition application has been received to demolish unnecessary structures/buildings. These works are now completed.
- (c) The Development Licence will also be signed in the next few days.
- (d) No payments have therefore been made.

**SUPPLEMENTARY TO QUESTION NOS 1134 AND 1138 OF 2001**

**HON DR J J GARCIA:**

Is the Minister able to say what were the outstanding issues which emerged before the permits were ready for issuing?

**HON K AZOPARDI:**

Several environmental ones as to how the site would spill over into the natural environment and the removal of habitat, the size of the development and also there was some information that was required on the emission and noise from the power generating plant that they intend to set up. All those issues they have known about for some months and so it is not true that there has been delay but rather that they have not responded for some months on those issues and so we have been unable to process the application.

**HON DR J J GARCIA:**

Is the Minister aware that the delay was actually revealed by one of the directors of the company in an interview and that was the reason why we ask the question?

**HON K AZOPARDI:**

I understand, I am not ascribing any blame on the hon Member all I am saying is that I saw that article, I do not accept what he said and I thought that they were not prudent statements given the context of the matter but Government did not feel like thrashing it out in public with the particular director.



**NO. 1139 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

Have any appeals been heard to date, or pending being heard by the Development Appeals Tribunal, if so listing the relevant dates when this happened and giving the nature of the appeal?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

Answered together with Question No 1140 of 2001.

**NO. 1140 OF 2001**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

How many appeals heard by the Development Appeals Tribunal have been upheld and how many have been rejected up to 30<sup>th</sup> September 2001?

**ANSWER**

**THE HON THE MINISTER FOR PUBLIC SERVICES, THE ENVIRONMENT, SPORT & YOUTH**

No appeals have been heard to date. Five appeals are pending to be heard. The nature of the appeals are as follows:

1. Appeal against refusal for the erection of a sign application.
2. Appeal against condition attached to Outline Planning in relation to a redevelopment of site.
3. Appeal against refusal reference an unauthorised air conditioning unit.
4. Appeal against refusal reference Outline Planning Application to construct three residential units.
5. Appeal against refusal to grant Building Permission to construct an extension.

Publication of the names of the appellant party or property is not appropriate as the matters are under consideration by the Tribunal.

**NO. 1141 OF 2001**

**THE HON DR J J GARCIA**

**E-BUSINESS**

What steps have Government taken to foster fiscal structures in order to attract e-business to Gibraltar?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Current fiscal structures already attract e-business to Gibraltar. Apart from this Government announced a one year waiver of import duty for personal and commercial computer hardware and software until July 2002 and have provided that companies may also deduct the whole of the capital cost of IT investment in first year up to £50,000, in addition to the existing £30,000 capital investment deduction.

**SUPPLEMENTARY TO QUESTION NO 1141 OF 2001**

**HON DR J J GARCIA:**

When the Minister announced in June that these fiscal structures were going to be created or implemented to attract e-business, were those actually the measures that he had in mind or are there any new measures which have not actually come into force yet?

**HON K AZOPARDI:**

One of the things that I said was that we would facilitate the importation of specialist skills in the information technology field, what we had in mind then but we have structured it differently, is that we wanted to open that up to wider criteria and wider discretion so that it is easier for businesses to continue specialists in the IT field and not just allow qualified and exempt companies to do that as the legislation was

granted to be able to do that but as a result of the State Aids case, inevitably we are having to withdraw our thinking so we are waiting for the outcome of the State Aids case. What we intend to do is also try to, create some sort of facility to encourage the need which people have mentioned to me from time to time that there should be some flexibility with the personal tax system to attract and allow people to engage specialists in IT. Obviously we will continue discussing and doing some thinking on that issue generally, but there has been quite a significant impact with the State Aids case also across the board and in particular this view because I prefaced my answer saying that current business structures are attracted to Gibraltar, but we will have to review that if we have an adverse judgement. We need to ensure that they remain as static as possible.

**HON DR J J GARCIA:**

Can I ask the Minister one of the issues which he also raised which was the question of relaxing immigration laws in order to foster e-business, has there been any incidence of that already?

**HON K AZOPARDI:**

The answer is yes, there have been some examples one of them is Ecom in particular were if the project takes off and indeed they construct and then launch the services that they intended initially to launch they are going to require some flexibility in that respect and they intended, they have told the Government to bring in a certain number of specialists who are non-EU nationals to run part of the services that they intend to undertake. Government are quite willing to do that if we know specifically what the business is for and that it provides a benefit to the overall economy.

**HON J J BOSSANO:**

In relation to the States Aid case impact which the Minister mentions on parsant I think, is it that in a number of areas there has been a noticeable reticence of potential customers while the State Aid business has been in the news and that things are sort of on hold until we see the result, is that an accurate definition of what is taking place or not?

**HON K AZOPARDI:**

All I can say is that I do sense nervousness and anxiety in the industry and that is certainly true I cannot tell the hon Member, I certainly cannot say that business is not being done, business continues but it is not business as usual in Gibraltar. It is business against the background that we know that there is a very serious threat facing the industry. I can tell the hon Member, for example, one interesting statistic that he may be interested in, yesterday we received the usual statistics I get from Companies House as to levels of incorporations which in the months after July show there has been a significant descent in the number of companies being incorporated in July, August, September compared to last year. We had seen an upward trend every single month consistently for the last four or five years except for very few exceptions but I have noticed that the July/August /September quarter in particular there has been a decent. People are still incorporating and it is not so marked that people should worry about but it is having some effect obviously on general things.

**NO. 1142 OF 2001****THE HON DR J J GARCIA****E-BUSINESS**

How many e-business questionnaires entitled Gibraltar E-business Survey June 2001 were sent out by the Government and how many were returned with a breakdown by sector in each case?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Survey Totals:	
Total sent	1,501
Returned with unknown address	70
Returned Surveys (completed)	176
Possible total	1,431
Percentage Returned	12
Returned by Sector:	
Retail/Wholesale	115
Financial Services	44
Maritime	11
Tourist /Services	6

Although the original date for returns was the 22<sup>nd</sup> June 2001, this was extended to the end of August 2001 and again extended to October. The survey is now closed and the results are being compiled. A more detailed report should be available by the end of the month.

**NO. 1143 OF 2001**

**THE HON DR J J GARCIA**

**ELECTRONIC COMMERCE DIRECTIVE**

Have the Government now been advised by HMG that the European Commission and other EU Member States have been notified of the designation of a Gibraltar "Contact Point" as required by Article 19 of the electronic commerce directive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question No 1144 of 2001.

**NO. 1144 OF 2001**

**THE HON DR J J GARCIA**

**ELECTRONIC COMMERCE DIRECTIVE**

Have Government now been advised by Her Majesty's Government that the EU Commission has been notified of the transposition by Gibraltar of the electronic signatures directive and the electronic commerce directive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The United Kingdom Government will notify our transposition of the directives when the UK itself notifies its transposition, which has not yet occurred.

**SUPPLEMENTARY TO QUESTION NO 1144 OF 2001**

**HON DR J J GARCIA:**

When a similar question was posed at the last meeting of the House in Question No 724 and 725 of 2001, the Minister said that Her Majesty's Government were taking the necessary steps to notify the Commission of the transposition of Gibraltar by these directives together with the designation of a Gibraltar contact point under the e-commerce directive and the Minister added that the Government expect the notification to be completed imminently, has there been a change of position on the part of the United Kingdom?

**HON K AZOPARDI:**

That was our expectation in the context of the discussions that the Legislation Unit was having with Her Majesty's Government at the time since then the UK has said

that it prefers to notify simultaneous with its own transposition, we do not see that as a major issue, as long as they notify at some point.

**HON J J BOSSANO:**

The Government do not anticipate any problem about the Gibraltar contact point?

**HON K AZOPARDI:**

I do not see why there should be a problem.

**HON J J BOSSANO:**

Well most of the problems that we seem to have are not problems that we see that we should have them but that does not stop us from having them, but there has been no hint of a difficulty about that I take it?

**HON J J BOSSANO:**

No, but given all that the hon Member has said in the preface to his question not envisaging it does not mean that it will not materialise.



**NO. 1145 OF 2001**

**THE HON DR J J GARCIA**

**EU INVESTOR COMPENSATION SCHEME**

Can Government state what the latest position is regarding the transposition of the EU Investor Compensation directive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Four responses were received in total. They were from representative bodies and from individual licensees. The Government would not wish to reveal the identity of the parties without their consent. The Government have for sometime now been liaising with the Financial Services Commission, the Industry and the UK Treasury. These discussions continue. Drafting of a Bill to transpose the directive to EU standards is very advanced.

**SUPPLEMENTARY TO QUESTION NOS 1124 AND 1145 OF 2001**

**HON DR J J GARCIA:**

Is it possible for the Minister to tell the House the general thrust of the submissions that have been made to the Government?

**HON K AZOPARDI:**

It is very technical, the consultation paper, I do not know if the hon Member has seen it and that is why he asks the question, but the consultation paper describes the investor compensation scheme directive which guarantees a minimum level of protection and then goes on to describe the concept and definition of eligible investments and eligible investors and the EEA and third country branches and then talks about the limits of the scheme, the

structure of the scheme, the information that needs to be given to investors and how the investor compensation scheme could be financed and that there are two main proposals. The first, the investor compensation scheme could be funded in the same way as the deposit guarantee scheme and the second, instead there could be a possibility of the scheme covering itself against the risk of claims by taking out an insurance policy. It is on all those technical issues that representations were sought and the comments that we have received were again responding to those very nett and technical matters, I could take the hon Member through the representations some of them are quite extensive, the hon Member wishes to have a copy of the consultation paper and then ask me specifically whether there is any issue ones he digests the contents of it, then I would be happy to give him any information.

**HON DR J J GARCIA:**

If the Minister could supply a copy we would be grateful for that.

**HON J J BOSSANO:**

The Minister said that the legislation to transpose the directive to EU standards is being prepared, was it not the issue we learned earlier this year in our budget time that the United Kingdom wanted it to be transposed to higher than EU standards?

**HON K AZOPARDI:**

Yes, that is one of the issues, apart from the technical ones on which we are consulting the industry there is also the issue that the UK would like the investor compensation scheme to be based on the UK scheme which is higher than the EU level and we have made clear what our position is and other different options are being canvassed but at the moment that is still the UK's position, we are trying to find a way around it because we do not see why we should prejudice basically the investment services industry in Gibraltar by adopting a scheme which will make Gibraltar businesses uncompetitive.

**HON J J BOSSANO:**

I agree entirely with the view of the Government but my question is given that they are drafting the legislation to EU standards, what does that mean? Does it mean that we are going to proceed down that road irrespective of what the UK position is?

**HON K AZOPARDI:**

The UK are putting pressure on the Government on the basis that they are concerned but they face infraction proceedings and we have said to them that our position is that the fear of infraction proceedings can be immediately dissipated by us transposing the directive and we have told them that we have legislation ready, so it is not our problem and not our fault if through their position which is well beyond the remit and scope of the directive they then invite infraction proceedings. Indeed we have invited the UK to respond to any fear of infraction proceedings by telling the European Union that the reason that it is not being transposed in Gibraltar is that we do not believe that we are going to have access to the EU market, that we are being denied access by the United Kingdom. So far the UK has declined to follow that course.

**HON J J BOSSANO:**

In what sense are we being denied access unless it is transposed the way they want it transposed is that the position?

**HON K AZOPARDI:**

It is a rather tongue in cheek invitation to the UK, we are being denied access in the sense that one of the key elements to achieve investment services passporting would be to have an investor compensation scheme, so if one does not have a scheme one can not get access to the market and we can not get the scheme because at the moment the UK is insisting on us adopting a scheme which is beyond the scope of the directive but at the same time is following the course of telling us that they are under pressure and facing infraction proceedings on the matter and we have told them that they should tell the EU that it is because we are being denied access to the markets. No doubt the EU would raise an eyebrow and enquire and be quite interested in that response and this is probably why the UK will not follow that course of action.

**HON J J BOSSANO:**

But presumably if we actually were to proceed with Gibraltar legislation which the Government are satisfied fully complies with the requirements of the directive and therefore properly transpose those requirements into the laws of Gibraltar, once we do that irrespective of how happy or unhappy the UK is with that, Gibraltar would be completely compliant, the fractional proceedings issue would not arise and nobody could prevent Gibraltar companies then being able to operate passporting rights on the basis of compliance with the investor protection scheme that was EU proof.

**HON K AZOPARDI:**

Yes in theory that is certainly true but this is one of a number of outstanding matters on investment services passporting that we are discussing with the UK and we prefer it for the pressure to remain on the UK on infraction proceedings because we think that it is certainly more advantageous to our position for their minds to be focused on the urgency of resolving this matter.

**HON J J BOSSANO:**

If this was resolved that would not be enough to clear the way for this particular sector of the industry to get passporting rights, there are still other things pending then?

**HON K AZOPARDI:**

There are other things being discussed but I think this is a very big issue and once this is cleared we would hope that in tandem we could deal with the other matters but certainly we view this as something that should be driven in parallel to our accession into this third tier of passporting, we do not believe that we should just deal with the transposition which is what the UK would want without us first clearing the path for obtaining passporting as well.

**NO. 1146 OF 2001**

**THE HON DR J J GARCIA**

**FIBRE OPTIC LINK – GIBRALTAR /LISBON**

Can Government explain what is the route that will be followed by the planned fibre optic link between Gibraltar and Lisbon?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

Answered together with Question together with Question No 1147 of 2001.

**NO. 1147 OF 2001**

**THE HON DR J J GARCIA**

**CABLE LINK – GIBRALTAR/ MOROCCO**

Have Government now met the remaining two parties who expressed an interest in the provision of a cable link between Gibraltar and Morocco and what conclusions have been reached as a result of meeting the six interested parties?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Government have met all relevant parties but are not yet ready to make a statement on this matter.

**SUPPLEMENTARY TO QUESTION NOS 1146 AND 1147 OF 2001**

**HON DR J J GARCIA:**

For the purpose of clarification, Government are not ready to make a statement on the fibre optic link being through Lisbon or being with Morocco or on anything at all?

**HON K AZOPARDI:**

On anything relevant to the question, yes, not on anything at all. I think that should have been evident given that we have answered nearly 400 questions already. I know why the hon Member has asked the question because it is all in the same article which related to the e-com issue. What I said in relation to the Development and Planning application applies in this case I thought they were comments that were not prudent because they are sensitive discussions that could involve political issues and I do not believe it is appropriate to discuss those publicly. I believe that it was a mistake for that particular director to start discussing them in advance of even

significant progress on the issue. The Government when ready will make that statement and I am happy to brief the hon Member outside the publicity of this House on the issue but I do not want to publicise things when things have not yet been tied up or finalised. Had we gone beyond that point then I think we would be in a safer position but I do not want to undermine the discussions with a degree of publicity which I think the matter does not warrant.

**HON DR J J GARCIA:**

I understand what the Minister is saying but obviously the issue was publicised by the director of the company itself not by the Opposition but having said that we would obviously welcome to be briefed privately on the matter.

**HON K AZOPARDI:**

That is why the Government have discreetly ignored the article in the hope that not many people would have noticed it.

**HON J J BOSSANO:**

In respect of Question No 1146 of 2001 where do the Government come into these issues is it not entirely a matter for the company we are talking about a fibre optic link from Gibraltar to Lisbon and we do not control the intervening space, either air, sea, or land?

**HON K AZOPARDI:**

The hon Member is in danger of doing precisely what I have asked the Opposition not to do, which is to discuss this matter publicly, I am happy to discuss it with him. The Government's role is very simple in relation to discussions which is that there are certain consents and licences that need to be obtained that are crucial to the fruition of the project and therefore it is important for any party wishing to undertake any project to have the Government on the Board, and for licences and consents to be granted. One of the licences that would have to be required is a licence under the new Telecommunications Ordinance. After post-liberalisation those are matters that are being discussed with the Government. As I say I am happy to discuss it with him outside this House.

**NO. 1148 OF 2001****THE HON DR J J GARCIA****BARS AND RESTAURANTS – LICENCES**

How many licences for bars and restaurants to place tables and chairs outside their establishments were in force as at 30<sup>th</sup> June 2001, providing a list of names and where they are located?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

There were 64 licences in place as at 30<sup>th</sup> June 2001. The extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I hand to him.

**Answer to Question No 1148 of 2001****TABLES AND CHAIRS AS AT 30.6.01**

1.	All's Well	Unit 4 Casemates Barracks
2.	Angry Friar	287 Main Street
3.	Ark Royal	36 Irish Town
4.	Ashall Trading	Market Place
5.	Bacchus Bistro	John Mackintosh Square
6.	Barbary Ape	Grand Parade
7.	Bourbon street	150 Main Street
8.	Buddies	15 Cannon Lane
9.	Bull & Bush Bar	30 Parliament Lane
10.	Bunters	1 College Lane
11.	Burger King	Casemates House
12.	Burger King	292 Main Street
13.	Cannon Bar	27 Cannon Lane

14.	Cannon Hotel	9 Cannon Lane
15.	Casa Antonio	Waterport
16.	Coach & Horses	1 South Sheds Palace
17.	Crossroads Sandwich Bar	20 Parliament Lane
18.	Gibraltar Arms	184 Main Street
19.	Figaro's	Market Lane
20.	Finlayson's Kiosk	Casemates
21.	Hello California (Fish & Chips)	Casemates House
22.	Horseshoe Bar	193 Main Street
23.	House of Sacarello's	Irish Town
24.	House of Sacarello's	Tuckey's Lane
25.	Il Piccolo Mondo	9 Governor's Parade
26.	IC Prod Ltd ( Don Gelati)	24 Main Street
27.	La Barcina	Casemates ex-Health Centre
28.	Laguna Bar	19 Laguna Estate
29.	Latino's	Unit 9 Casemates Barracks
30.	Lenny's Kiosk	4 Casemates Square
31.	Little Rock Café	Unit 5 Casemates
32.	London Bar	76/78 Governor's Street
33.	Lord Nelson	Unit 10 Casemates
34.	Milk & Honey	238 Main Street
35.	Minister's	310 Main Street
36.	Moroccan Restaurant	46 Turnbull's Lane
37.	Munchies	24 Main Street
38.	Norma Jean's Dinner	10 John Mackintosh Square
39.	Oak Room Restaurant	Reclamation Road
40.	Pennyfarthing	7 King's Street
41.	Piazza	Main Street/John Mackintosh Square
42.	Pickwick's	17 Governor's Parade
43.	Piece of Denmark	Unit 3 ex-Health Centre (Casemates)
44.	Picasso's	22A Main Street
45.	Pizzaland	78 Main Street
46.	R & J Kiosk	6 Casemates
47.	Robin Hood	John Mackintosh Square
48.	Rock Souvenirs	Market Place
49.	Roy's II Fish & Chips	1 Convent Place
50.	Royal Calpe	176 Main Street
51.	Royal Oak	Irish Town
52.	Roy's Fish & Chips	45 Main Street
53.	Salsa's	4 Cornwall's Parade
54.	Seawave	Catalan Bay
55.	Simon's Restaurant	44 Cornwall's Lane
56.	Star Bar	12 Parliament Lane
57.	Tony's Restaurant	194 Main Street
58.	Tunnel The	Unit 8 Casemates
59.	Uptown Chicago	10 Cannon Lane
60.	Venture Inn	Lynch's Lane
61.	Village Inn	Catalan Bay
62.	Watergate Restaurant	Waterport
63.	Ye Olde Rock	John Mackintosh Square
64.	Yve's	Unit 1YZ Casemates



**NO. 1149 OF 2001**

**THE HON J J BOSSANO**

**RESIDENTIAL PROPERTIES**

Have any of the residential properties sold to sitting tenants since 1996 been sold on a freehold basis and if so will Government identify the properties in question?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

No properties have been sold freehold.

**NO. 1150 OF 2001****THE HON J J BOSSANO****COMMERCIAL BANKS - ASSETS AND LIABILITIES**

Can Government give the breakdown of assets and liabilities of commercial banks as at the end of July and September 2001?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

<b>Assets as at 30<sup>th</sup> June 2001</b>		<b>Assets as at 30<sup>th</sup> September 2001</b>	
	<b>£</b>		<b>£</b>
Total Assets	5,014,793,000	Total Assets	5,560,888,000
Cash	6,440,000	Cash	9,055,000
Balances with & Loans and Advances to Banks	3,697,721,000	Balances with & Loans and Advances to Banks	4,180,031,000
Loans and Advances	1,164,872,000	Loans and Advances	1,224,611,000
Investments	18,728,000	Investments	16,629,000
Other Assets	127,032,000	Other Assets	130,562,000
<b>Liabilities as at 30<sup>th</sup> June 2001</b>		<b>Liabilities as at 30<sup>th</sup> September 2001</b>	
	<b>£</b>		<b>£</b>
Total Liabilities	5,014,793,000	Total Liabilities	5,560,888,000
Current Accounts	909,445,000	Current Accounts	933,616,000
Deposit Accounts	1,455,096,000	Deposit Accounts	1,482,773,000
Total Deposits	2,364,541,000	Total Deposits	2,416,389,000
Balances from Banks	1,674,672,000	Balances from Banks	2,187,186,000
Other Liabilities	46,829,000	Other Liabilities	48,702,000

**NO. 1151 OF 2001**

**THE HON J J BOSSANO**

**QUALIFYING COMPANIES**

Can Government list the qualifying companies that are currently operating in Gibraltar and the rate of corporation tax payable in each case?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

We have approximately 124 active qualifying companies registered most of which operate from Gibraltar. These companies are subject to a rate of tax which may vary from .5 per cent to 23 per cent depending on the nature of their activities, size and turnover. The rates that particular companies pay are confidential, and may I just add that while I have given a margin of .5 per cent to 23 per cent the discretion is anything between 0 and 35 percent the reality is that most of them are paying somewhere between 2 per cent and 10 per cent.

**SUPPLEMENTARY TO QUESTION NO 1151 OF 2001**

**HON J J BOSSANO:**

Is the listing of the companies also confidential?

**HON K AZOPARDI:**

Yes if the hon Member mean the identity of the companies and the rates of tax and the nature of business, yes that is confidential information.

**HON J J BOSSANO:**

The Minister has told me that the rate of tax is confidential information but why should it be confidential, for example, that the betting shops are qualifying companies when we have volunteered that information previously in the House?

**HON K AZOPARDI:**

No, what is confidential is the rates. If the hon Member wants a list of companies it can be provided.

**HON J J BOSSANO:**

The question asks for the list of qualifying companies and the rate of tax payable in each case, obviously if he cannot give me both things he can give me half.

**HON K AZOPARDI:**

The department does not have a list that separates companies from rates of tax and so that is why I was reticent to give him the departmental list which I could have done quite easily, but I will ask the department to produce a list of companies which I can then send to him.

**NO. 1152 OF 2001**

**THE HON DR R G VALARINO**

**RESIDENTIAL PROPERTY**

Are Government aware of the many young Gibraltarians residing across the border because of their inability to afford to live in Gibraltar and what measures will Government take to combat this growing trend?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are not aware of the number of Gibraltarians living in Spain or the reasons for it. However, the Government are aware that residential property prices in Gibraltar have continued to rise sharply buoyed by a combination of economic prosperity and low interest rates. Whilst this is good for homeowners, it creates difficulty for first time home buyers in entering the property market. The Government will shortly announce a range of policy measures to give first time home buyers access to affordable properties.

**NO. 1153 OF 2001**

**THE HON J C PEREZ**

**TELEPHONE NUMBERING PROBLEM**

What is the position of the Government today, with regard to the public offer made by the Spanish Government of giving Gibraltar a few extra thousand telephone lines from the Cadiz numbering plan?

**ANSWER**

**THE HON THE CHIEF MINISTER**

According to statements attributed by the Spanish press to Señor Piqué, the offer of 70,000 extra numbers is conditional on the numbers not being used for the Finance Centre and also not being used for the purposes of "unfair competition" on Spain. The Government do not see this issue as a question of Spain granting Gibraltar more telephone numbers. Gibraltar has its own numbering plan under the Geneva Convention. The question is therefore, how many Gibraltar numbers are reachable from Spain. Spain is not in a position to grant us more numbers. She is able only to make more of our numbers reachable from Spain. Therefore, if Spain makes more of our numbers reachable from Spain then so be it. But Gibraltar will not accept any conditions thereon. Nor will that impact on the outstanding legal complaints, which is a matter for GNC and GIBTEL.

**SUPPLEMENTARY TO QUESTION NO 1153 OF 2001**

**HON J C PEREZ:**

So if I understand the Chief Minister rightly if Spain unilaterally decides to increase the numbers and not as part of any agreement, then so be it, but the Government will not enter into any agreement whether with conditions or without conditions on a certain number of extra telephone lines from the Cadiz numbering plan.

**HON CHIEF MINISTER:**

That correctly describes the Government's position.

**HON J J BOSSANO:**

I take it then that the Government do not agree with the formulation of Mr Hain who on his visit to Gibraltar described the Spanish offer of making more of our numbers reachable from Spain, although he did not put it quite in that way, as a gesture of goodwill and a step in the right direction?

**HON CHIEF MINISTER:**

Well we accept that it is a step albeit a very small one in the right direction but we do not think that these matters should be matters of goodwill or badwill, they are a matter of ordinary comity of nations, it is a matter of Spain complying with her international treaty obligations in relation to Gibraltar's numbering plan and access to Gibraltar's numbering network. So, certainly to the extent that anyone should try and talk up the significance in terms of generosity of the Spanish offer, first of all we do not see it in that light and it is precisely generosity that we do not think we should be subjected to in this area of life.

**HON J J BOSSANO:**

Given the formulation that the issue is better described more accurately described as how many of our numbers are reachable from Spain, is the implication of that that we may decide to have more numbers whether they are reachable from Spain or not?

**HON CHIEF MINISTER:**

That is a possibility, the technical possibility which is being investigated, it is one of the options that the Government have considered, continue to consider, it has potential implications but if needs be we would have to consider it seriously.

**HON J J BOSSANO:**

If that route was open then presumably the effect on telephone usage from Gibraltar would be limited only to those to whom it is being reached from Spain. We would then be able to issue extra telephone numbers to people to whom being reached from Spain might not be a major consideration?

**HON CHIEF MINISTER:**

There are technical issues involved, I do not want to be drawn too much into them so as not to give the game away but for example it would require Gibraltar to be operating in parallel to different numbering plans. Those numbers which were not reachable from Spain would be longer than those necessarily would have to be longer than those which were. It does not raise insuperable obstacles but it raises technical difficulties.

**NO. 1154 OF 2001**

**THE HON J C PEREZ**

**NON-RECOGNITION BY SPAIN OF THE 350 CODE**

Are Government still supporting the position paper of the British Government on the telephone numbering plan, namely, to accept the 00-44 UK code for calls from Spain only, something which the Chief Minister had turned down months earlier when put to him by the EU Commission?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government do not accept the factual premise in the second half of the hon Member's question. However, I am happy to confirm, once again, that the Government would accept a solution whereby the 00-44 code was used to access Gibraltar from Spain only, subject to certain technical conditions to make it feasible.



**NO. 1155 OF 2001**

**THE HON J C PEREZ**

**NON RECOGNITION BY SPAIN OF 350 CODE**

Have the European Commission given any indication, since April this year, that they are now disposed to take legal action against Spain for its non recognition of Gibraltar's internationally recognised 350 code?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am not aware that the European Commission has given any such indication.

**SUPPLEMENTARY TO QUESTION NO 1155 OF 2001**

**HON J J BOSSANO:**

Have Government given any thought to commencing proceedings against the European Commission for its failure to act on the complaint?

**HON CHIEF MINISTER:**

The Government are not in a position to do that because the Government are not the complainant an action against the Commission of 'Failure to Act' as it is called in the jargon of the European Community would have to be taken by Gibtel or Nynex or both and the Government have invited them to consider whether it is not now time to do that.

**NO. 1156 OF 2001**

**THE HON J C PEREZ**

**LAND PROPERTY SERVICES CONTRACT**

Has the review by Government of the contract with Land Property Services now finalised?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The process of reviewing the contract between Government and Land Property Services Ltd continues. In that review both sides are raising issues for discussion.

**SUPPLEMENTARY TO QUESTION NO 1156 OF 2001**

**HON J C PEREZ:**

Does the Chief Minister not think that the review is taking an undue long time, I think he has been telling us this for the last three years in the House?

**HON CHIEF MINISTER:**

I agree with the hon Member it is taking a long time it is not being conducted at a political level, it is being conducted by the Financial Secretary and the Accountant General. I know that they make progress in the discussions in fits and starts, I have not heard from them directly, that is from the company directly for some time, I have no doubt that the discussions are not taking place as expeditiously as the company would like and certainly there is nothing tactical from the Government's point of view. In other words the delay, the lack of progress, and the lack of finality does not reflect any position that the Government have taken in the negotiations but simply the

administrative time that it has taken given that it is being conducted at that level, of late it has been suggested that there might be Ministerial involvement in the discussions once again in an attempt to accelerate the process and I think that that will probably happen. I would accept the criticism in the hon Member's supplementary that this process has taken an inordinate period of time. In the meantime the existing contract remains in place, some of the things I think I am right in saying that some of the things that the company wanted were being withheld are being paid but that others are not. Whether on balance the company still considers that it is out of pocket the hon Member would have to speak to them but certainly it would be desirable that it should now be wrapped up.

**NO. 1157 OF 2001**

**THE HON J C PEREZ**

**SURVEILLANCE CAMERAS**

Do Government consider that there is still a need to install surveillance cameras in certain areas around Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

In the light of the terrorist attacks in the USA on the 11<sup>th</sup> September 2001, the Government have given the go ahead to install surveillance cameras at the Air Terminal, the Ferry Terminal and the Cruise Terminal. No decision has been taken as to their installation elsewhere, but the Government remain unconvinced by the case for the general deployment of CCTV cameras.

**SUPPLEMENTARY TO QUESTION NO 1157 OF 2001**

**HON J C PEREZ:**

So the view held by the Government previously that it would consider it in respect of areas of vandalism remains under review?

**HON CHIEF MINISTER:**

It remains under review because in a sense there is a reluctance to do it and these things are said in reaction to a spate of vandalism. If that spate of vandalism in that particular area wanes, the natural tendency is to pull back from the installing of the cameras. I am not personally a supporter of the installation of CCTV cameras although I readily accept that there is a case for them in specific areas because of the specific activities that take place in that area. I suppose if there was suddenly a flare

up, I think we last discussed it in relation to the area of Sir Herbert Miles Road, if one looks back to those repeated incidents of vandalism and should it start again, it would very rapidly rise up in the agenda again but whilst it does not happen, it is not actively under consideration.

**HON J C PEREZ:**

I would presume that the decision to install them in the airport and the Ferry Terminal is on advice from experts, the police or whatever, have the Government been advised likewise in the other entry points into Gibraltar which is the land frontier?

**HON CHIEF MINISTER:**

These three terminals are entry points more likely to be used by people arriving from a particular destination which is unlikely to be the case through the land frontier but it has not yet been discounted. The question of entry cameras at the border begins to raise issues of general surveillance of the population at large as opposed to the terminal, the cruise terminal which is just a specific part of the community at a specific time or when they are carrying out. The land frontier is surveilling thousands of people all the time and it raises wider considerations.

**NO. 1158 OF 2001**

**THE HON J C PEREZ**

**BREATHALYSER TESTS**

Are Government still insistent on introducing breathalyser tests and if so when do they expect to introduce the necessary legislation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As already stated the Government are introducing the breathalyser only for the use at the police station or hospital following arrest. The breathalyser will not be introduced for roadside, random use as occurs in the UK, Spain and elsewhere. The legislation is in the final stages of preparation and the Government intend to introduce it in the House shortly.

**NO. 1159 OF 2001**

**THE HON J C PEREZ**

**POST OF FINANCIAL AND DEVELOPMENT SECRETARY**

Can Government confirm that the present Financial and Development Secretary is to be appointed as Chief Executive Officer of Gibtel and Gibraltar Nynex when he finishes his term as Financial Secretary shortly?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Discussions are currently underway with the Financial and Development Secretary, Mr Tim Bristow, concerning the possibility of extending his appointment in that post. The appointment of any Chief Executive Officer for the new telephone company is a matter for the two companies and not the Government. However, the Government have indicated that it has no objection to Mr Bristow being engaged by the telephone companies as well, given that he has been working closely on their affairs as a director since 1997. Any such arrangement would not prejudice the exercise by Mr Bristow of his Constitutional and Statutory duties as Financial and Development Secretary.

**SUPPLEMENTARY TO QUESTION No 1159 of 2001**

**HON J J BOSSANO:**

Have we understood rightly that what we are talking about is Mr Bristow possibly doing the two jobs, Chief Executive and Financial Secretary?

**HON CHIEF MINISTER:**

Yes he is currently doing two jobs, he is currently the Financial Secretary and the Director of both telephone companies and it is not a nominal directorship he is actually

being very heavily engaged in the affairs of the telephone companies in the last two to three years.

**HON J J BOSSANO:**

Then that presumably means that the Financial Development Secretary job is no longer a 39 hour week, five day job with an eight hour working day if he is heavily involved doing something else.

**HON CHIEF MINISTER:**

Necessarily any hours that he spends representing the Government or any hours that he spends on the affairs of the telephone companies he is not spending on the affairs of the Government except to the extent that the interests of the Government and the interests of the telephone companies coincide.

**HON J J BOSSANO:**

The Chief Minister started describing it as representing the Government and then seemed to change his phraseology half way through. Is he not in the company representing the Government as the shareholder?

**HON CHIEF MINISTER:**

That is his current role yes.

**HON J J BOSSANO:**

Therefore that current role means that he is in fact working for the Government while he is in the company protecting their interests, where as if the company is independent of his being employed by the Government employed him that would not be a continuation of the present situation.

**HON CHIEF MINISTER:**

No it would be a different nature of responsibility and duty yes.

**HON J J BOSSANO:**

What is the nature of the remuneration that he gets while he is a director on behalf of the Government of Gibraltar in the telephone companies?

**HON CHIEF MINISTER:**

No my understanding is that at the moment he does not get remuneration.



**HON J J BOSSANO:**

So therefore on that basis clearly he is doing the work not for nothing but for his salary as Financial and Development Secretary and consequently it can be said that in the present circumstances he is actually working a 39 hour week although he may be spending part of that time in his role as a director but are we being given to understand that the Government have no objection to employing somebody as a full-time civil servant and allowing him to be employed during his working hours as a civil servant by somebody else in the private sector and being paid by them.

**HON CHIEF MINISTER:**

The Government have indicated that it has no objection in the exceptional case of this particular public servant. I would not say that I would take the same view of everybody else. In my original answer I made it perfectly clear that we expect the Financial Secretary to discharge his responsibility in full to the Government as Financial Secretary.

**HON J J BOSSANO:**

I would expect the Government to expect that but would the Government not agree that if in fact we have got somebody who is a full-time public servant in an area as important as this being the Financial Secretary and having a place in the House, really it is breaking totally new ground if we are going to allow him to be employed with the level of arm's length that has been indicated where we are being told that it is a decision for the companies and not for the Government. It is one thing for the Government to want to have their own person to protect their interests on the Board, and that I can understand and indeed not only do we support it we initiated that and another thing is describing it in the new scenario, would the Government not agree that this requires thought about possible repercussive effects?

**HON CHIEF MINISTER:**

No, I accept that it is breaking new ground I nevertheless believe given all the factors that have to be brought to bare that it is in the overall public interests that this should be so and the Government are convinced that the role and the remaining statutory and constitutional duties of the Financial and Development Secretary can be discharged by somebody who nevertheless has to, remember that the telephone companies will continue to retain the services of the two current Manager and Managing Director so that this role is in a sense overarching and is intended to facilitate the integration of the two companies for a period of time to try and avoid what is usually difficulties that arise from tribal rivalries if I could call them I am not sure either of them would appreciate the choice of words but hon Members know what I mean in an attempt to maximise the level of integration between the two companies and the two different cultures it has been thought appropriate to overarch this by having somebody over the top of both. This is not a chap who is going to sit at his desk dealing with the day to day affairs of the company it will be a much more strategic role. The Government are satisfied and the Foreign and Commonwealth Office is satisfied.

**HON J J BOSSANO:**

Satisfaction on the part of the Foreign Commonwealth Office nowadays is not necessarily a plus point, can I say, presumably he will be paid a salary by the companies?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

Would that mean then that in fact he will no longer be a director of the company when he becomes Chief Executive?

**HON CHIEF MINISTER:**

No the Chief Executive Officer can also be indeed usually is a director of the company.

**NO. 1160 OF 2001**

**THE HON J C PEREZ**

**POST OF PERSONNEL MANAGER**

Are Government any nearer to filling the vacancy for Personnel Manager than it was when I last raised the matter in the House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Some months ago I asked the Chief Secretary to submit recommendations to me for a possible restructure of the Personnel Department. This exercise is in hand. Regrettably it has taken longer than anticipated owing to other demands on the Chief Secretary but the matter should be finalised before the end of the year.

**NO. 1161 OF 2001**

**THE HON J C PEREZ**

**POST OF COLLECTOR OF CUSTOMS**

When do Government intend to advertise the post of Collector of Customs?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Following the retirement of the previous Collector of Customs, it was decided to allow the two most senior officers in the department to have the opportunity to act as Collector over more sustained periods of substitution with a view to advertising the post for substantive promotion in the autumn. It is proposed to advertise the vacancy shortly.

**NO. 1162 OF 2001**

**THE HON J C PEREZ**

**PORT AUTHORITY**

Is it still Government's intention to restructure the Port Department into the Port Authority?

**ANSWER**

**THE HON THE MINISTER FOR TOURISM AND TRANSPORT**

Yes.

**SUPPLEMENTARY TO QUESTION NO 1162 OF 2001**

**HON J C PEREZ:**

Do Government have any time scale for this? I know that the Minister has been telling me that there have been certain problems but the problems seem to grow rather than diminish in trying to achieve that objective. Have the Government got a deadline for this, have the problems been sorted out, is there an agenda for this to happen now?

**HON J J HOLLIDAY:**

The Government have had detailed discussions with the staff side and as recently as last week a full package of the re-structure following discussions has now been submitted to the staff side and we have a date I think in the next two to three weeks when we will hope to meet and conclude the matter satisfactorily, if possible obviously.

**NO. 1163 OF 2001**

**THE HON J C PEREZ**

**POST OF CAPTAIN OF THE PORT**

How is the post of Captain of the Port presently being covered?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The post of Captain of the Port has been covered on an acting basis since 1<sup>st</sup> September 1999.

**SUPPLEMENTARY TO QUESTION NO 1163 OF 2001**

**HON J C PEREZ:**

Is it envisaged that this will continue until the restructure of the port is complete or is this independent to the restructure of the post or the post will not be altered or touched at all as a result of the restructure?

**HON CHIEF MINISTER:**

The post may be affected in a sort of nomenclature sense only by the restructure but that is not the reason why it has been on an acting basis since the September 1999. I would prefer not to give the hon Member the reasons for that in public but I would be happy to communicate them to him on a private basis in the ante-room given that the interests of everybody are best served by this matter being handled with discretion.

**NO. 1164 OF 2001**

**THE HON J C PEREZ**

**COMPETENT AUTHORITY**

Can Government state whether a revised list of competent authorities in respect of the application of Council directives 93/75 EEC and 78/55 EEC, has been published by the European Commission after 24<sup>th</sup> April 2001, and if so, whether the Captain of the Port appears on the list as Gibraltar's competent authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As far as the Government are aware, no new list has been published since the 24<sup>th</sup> April 2001.

**NO. 1165 OF 2001**

**THE HON J C PEREZ**

**PAY REVIEW**

Can Government state whether the dispute over the 1999/2000 Pay Review affecting Customs and Port Department Personnel has now been resolved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the parity agreement Customs and Port Department personnel are analogued to clerical and administrative staff. Government regard the 1999/2000 reviews to be closed. However as the Government stated earlier this year, Government are always open to address representations from any grade as to whether they are properly analogued or paid in accordance with the principle of parity, to which the Government are completely committed.

**SUPPLEMENTARY TO QUESTION NO 1165 OF 2001**

**HON J C PEREZ:**

Can the Chief Minister confirm that in respect of certainly the Customs I am not sure about the Port Department, there has been a proposal to look at a different analogue to the present one to see whether that is a more convenient or direct or acceptable analogue than the present one with the A grades and that this is indeed being looked into at present?

**HON CHIEF MINISTER:**

It is being looked into but not in connection with the reviews mentioned in the question.



**HON J C PEREZ:**

For both the Port Department and the Customs or only the Customs?

**HON CHIEF MINISTER:**

An element of review, enquiry, research, has taken place also in relation to Port Department personnel, yes, pursuant from my original answer both they and the Government have been researching whether these two grades were never very comfortably analogued when parity was introduced in the first place, whether the proper application of a parity requires them to be re-analogued but whilst they remain analogued as they are under the local parity agreement they cannot negotiate better terms than the grades to which they are analogued.

**HON J C PEREZ:**

Given that the Government contend that the 1999/2000 pay review is not affected I would then presume that the persons concerned have now received their back pay and are now on the new rates of pay as every other civil servant or are they still resisting from taking it?

**HON CHIEF MINISTER:**

Pay review increases have been available to all civil servants and my understanding is that the Customs have taken it up now but that the Port Department have not, the Government do not regard the fact that they have not taken it up as the review being outstanding. They are analogued to a grade, they have no negotiating rights in respect of their own grade and therefore they cannot destroy the basis of parity in that way except through a formal agreement of re-analoguing and the Government has made it perfectly clear to them that it is not willing to do that retrospectively. The Government are willing to consider any reasonable re-analoguing claim that can be justified by proper fair application of the principle of parity but that is a different exercise to negotiating a pay review when one is analogued to a grade.

**NO. 1166 OF 2001**

**THE HON J C PEREZ**

**OMBUDSMAN**

Can Government state whether certain individuals or entities are taking legal action against the Government over matters which have first been raised with the Ombudsman and where the Ombudsman has found in favour of the complainant?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1167 of 2001.

**NO. 1167 OF 2001**

**THE HON J C PEREZ**

**OMBUDSMAN**

Of the cases investigated by the Ombudsman, where the conclusion was, that either a Government Department or a Government agency were acting wrongly, can Government state whether they have taken any action to correct this, and in respect of which cases?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are not aware that any legal action has been taken against the Government over matters which have been raised by the Ombudsman and where the Ombudsman has found in favour of the complainant. In his report to 31<sup>st</sup> December 2000 the Ombudsman identified a total of 37 cases where he concluded that a complaint against a Government Department or Agency had been sustained. The recommendations made in respect of 34 cases were accepted and have been resolved. Two cases are pending resolution and one case is still under review. I hand the hon Member a list summarising the 37 cases and their current status as to the action taken.

### Answer to Question 1167

#### **Buildings & Works**

CS/160 Delay in removing rubbish from empty flat and communal terrace. - Case sustained. Recommendation made and accepted.

#### **Education & Training**

CS/14 Failure to obtain a permanent post as classroom aide. - Case sustained. Recommendation made and accepted.

#### **Employment Service**

CS/25 Rigidity of monitoring system for the registered unemployed. - Case sustained. Recommendation made and accepted.

#### **Gibraltar Health Authority**

CS/42 Failure to provide information as to access to the the Gibraltar Group Practice Medical Scheme. - Case sustained. Recommendation made and accepted.

#### **Gibraltar Nynex Communications**

CS/136 Disconnection of telephone line. - Case sustained. Recommendation made and accepted.

CS/161 Failure to comply with customer service procedures. - Case sustained. Recommendation made and accepted.

#### **Gibraltar Post Office**

CS/67 Delay in service. - Case sustained. Recommendation made and accepted.

#### **Gibraltar Security Service**

CS/135 Disposal of vehicle - Case sustained. Recommendation made and accepted.

CS/171 Complaint against a Traffic Warden over a fine. - Case sustained. Recommendation made and accepted.

#### **Housing Agency**

CS/06 Discrepancy in rent of Government flat. - Case sustained. Recommendation made and accepted.

CS/09 Controversy over proposed temporary allocation into hostel. - Case sustained. Recommendation made and accepted.

CS/32 The way rent had been worked out. - Case sustained. Recommendation made and accepted.

CS/41 Failure to address a recurring nuisance. - Case sustained. Recommendation made and accepted.

CS/45 Delay in categorising Complainant on the 'A' Medical List. - Case sustained. Recommendation made and accepted.

### Continued Answer to Question 1167

CS/82	Failure to properly advise the Complainant of address, the need to re-apply for rent relief given that it had incorrectly recorded the Complainant's	- Case sustained.	Recommendation made and accepted.
CS/86	Failure to demand recovery of rent arrears from both tenants under a tenancy agreement.	- Case sustained.	Recommendation made and accepted.
CS/88	Delay in answering letter.	- Case sustained.	Recommendation made and accepted.
CS/90	Delay in recovering key of empty flat and answering a letter.	- Case sustained.	Recommendation made and accepted.
CS/157	Over delay in answering a letter and making a second offer of accommodation.	- Case sustained.	Recommendation made and accepted.
<b>Income Tax</b>			
CS/69	The imposition of penalties and other irregularities.	- Case sustained.	Recommendation made and accepted.
CS/100	Failure to follow through a recommendation for waiver of PAYE arrears.	- Case sustained.	Recommendation made and accepted.
<b>Lyonnaise Des Eaux Ltd</b>			
CS/43	Failure to communicate impending interruptions of service.	- Case sustained.	Recommendation made and accepted.
CS/139	No notification of impending works.	- Case sustained.	Recommendation made and accepted.
<b>Royal Gibraltar Police</b>			
CS/59	Payment of fine.	- Case sustained.	Recommendation made and accepted.
CS/109	Clamping of a vehicle.	- Case sustained.	Recommendation made and accepted.
CS/121	Prosecution information lost resulting in failure to prosecute.	- Case sustained.	Pending implementation.
<b>Social Security</b>			
CS/28	Delay by the Medical Board to hear case and lack of information as to the effect which the gap in insurance contribution would have on pensions.	- Case sustained.	Recommendation made and still under review.
CS/81	Failure to pay social assistance.	- Case sustained.	Recommendation made and accepted.
CS/87	Forcing complainant to take legal action.	- Case sustained.	Recommendation made and accepted in principle for ministerial approval.
CS/91	Failure to properly investigate fraud before reducing entitlement	- Case sustained.	Recommendation made and accepted.

contd

**Continued answer to Question 1167**

CS/98	Failure to grant social assistance.	- Case sustained.	Recommendation made and accepted.
CS/110	Pension controversy.	- Case sustained.	Recommendation made and accepted.
CS/132	Pension controversy.	- Case sustained.	Recommendation made and accepted.
CS/150	Neglect to advise.	- Case sustained.	Recommendation made and accepted.
<b>Technical Services</b>			
CS/129	The way works had been carried out.	- Case sustained.	Recommendation made and accepted.
<b>Trade &amp; Industry</b>			
CS/34	Delay in forwarding information.	- Case sustained.	Recommendation made and accepted.
<b>Treasury</b>			
CS/15	Delay in paying compensation.	- Case sustained.	Recommendation made and accepted.

## SUPPLEMENTARY TO QUESTION NOS 1166 AND 1167 OF 2001

**HON J C PEREZ:**

The Chief Minister is talking about the case in the report of the Ombudsman I did not specifically limit my question to that in the event that the Government had already initiated some action in respect of other cases that might have been put to it after the report has been published.

**HON CHIEF MINISTER:**

I think as to litigation the answer would be the same. As to administrative action acceptance because the Government do not necessarily accept the findings of the Ombudsman, Government appointed the Ombudsman in order to avail itself the benefit of his independent assessments but there are cases in which the Government just take a different view. I am happy to say it is very much the minority of cases, so of the ones post the 2000 report I can not say how many are in the Departments and of those how many have been accepted, implemented, or how many are in dispute or pending. According to the Attorney General there is no litigation afoot on any of these cases.

**HON J C PEREZ:**

Is it not the case that in some instances there is an attempt to solve the problems whilst the Ombudsman is investigating the case and before a report is made?

**HON CHIEF MINISTER:**

The Ombudsman encourages that, his preference is not to have to report on a case at all or at least to have to report that it was solved on the basic facts and that it was solved. The more of that that were happening the better the Ombudsman system would be working both from the citizen's point of view and indeed from the Government's point of view that want the best possible services offered to the citizen. There are still cases in which, let me say candidly to the hon Member that the areas of difficulty with the Ombudsman appear to be where the Government take the view that he is straying away from maladministration into matters of policy. The fact that the Ombudsman thinks that the Government should have a different policy over something is something that the Government certainly take into account, we do not disregard his views, the Government's policy is capable of being improved especially in the light of investigated experience but there are issues in which the Government take the view that it is a policy matter and that the Government want to continue doing things as they are being done whereas the Ombudsman who is entitled to his views about the correctness of Government policy would differently if he were a Minister but of course his statutory remit is limited to areas of maladministration and we are both as receptive with each other as possible as to the areas in which policy and administration overlap and I think we both accept that it is the Government on one side and the Ombudsman on the other, but there are areas where the line between policy and administration are blurred.

**NO. 1168 OF 2001**

**THE HON MISS M I MONTEGRIFFO**

**TRANSFER OF BOATS AT WESTERN BEACH TO COALING ISLAND**

Are Government now in a position to indicate when they can expect the transfer of boats at Western Beach to the area of Coaling Island to commence?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The position remains as explained in answer to Question No 403 of 2001.

**SUPPLEMENTARY TO QUESTION NO 1168 OF 2001**

**HON MISS M I MONTEGRIFFO:**

I do not know if it is the Hon Mr Britto learning from the Chief Minister or the Chief Minister learning from Mr Britto. In the last House of Assembly meeting the Chief Minister said that there is an outline of an agreement in principal with the MOD that the negotiations had progressed well and that now what they required is discussion with a third party but that these negotiations are also progressing well. Is it that they are progressing so well that the transfer will take place during this Financial Year or is it that the negotiations that they are having with the third party require more negotiations even though they are progressing well?

**HON CHIEF MINISTER:**

They are progressing well but it does require the third party to accept a swap of one site for another to facilitate the full relocation of the MOD. The whole purpose of the current exercise is to avoid the expense of having to build the jetty. The hon Lady will recall that originally the plan was to vacate the basin by building a jetty to which the MOD would transfer the tug



thereby vacating the basin. That proved to be very expensive and we are now looking at a very different proposal, the deal is not yet done, the time between this question and her previous question has not been wasted, the Government have been preparing the paperwork for the equipment necessary to fit out the Coaling Island Basin for yachts as and when if we get it but until we get the site transferred to us by the MOD we are not in a position to press the green button, it really is as simple as that and let me put it to the hon Member this way, a way that I know he will understand politically, for the very same reason that the hon Member thinks it is in her interest to keep on asking this question, for the very same reason the Government have no interest in delaying implementing the project so she should assume that the Government, are contributing absolutely nothing to the delay.

**HON J J BOSSANO:**

Since the other solution that has been considered is not as expensive as the original one which was prohibitive does it mean that now it is not a question of money?

**HON CHIEF MINISTER:**

No it is not, it is not a question of money it is a question, well I think I can not remember the details because this negotiation is being conducted by the Minister for Trade and Industry but it all boils down to what site Taylor Woodrow or Queensway Quay will accept for the development rights that they have over the Gunwharf itself, the sort of the aisle at the end of Gunwharf, the bit that comes back south having gone out west, this bit here, it all boils down to a suitable replacement site for that.

**NO. 1169 OF 2001**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

Can Government say how many people are employed in the offshore betting industry, indicating how many are part time and how many are full time as at 30 September 2001, listing the companies where such persons are employed and how many are Gibraltarians, how many are EU nationals and how many are non EU nationals?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Based on recent returns received from licensed operators as at mid October a total of 533 persons were employed by eight operators. I now hand the hon Member the employment information that he has requested.

Answer to Question 1169 of 2001

**OFFSHORE GAMING COMPANIES - EMPLOYMENT STATISTICS AS AT 26 OCTOBER 2001**

**Licensed Operators**

	<u>Gibraltarian</u>	<u>Other British</u>	<u>Spanish</u>	<u>Other</u>	<u>Total</u>
Ladbroke (Gibraltar) Limited - Full Time	41	53	3	15	112
- Part Time	23	22	0	2	47
<b>Sub-Total</b>	<b>64</b>	<b>75</b>	<b>3</b>	<b>17</b>	<b>159</b>
Victor Chandler (Int) Limited - Full Time	32	111	6	31	180
- Part Time	20	15	10	4	49
<b>Sub-Total</b>	<b>52</b>	<b>126</b>	<b>16</b>	<b>35</b>	<b>229</b>
Simon Bold (Gibraltar) Limited - Full Time	11	18	0	4	33
- Part Time	1	0	1	1	3
<b>Sub-Total</b>	<b>12</b>	<b>18</b>	<b>1</b>	<b>5</b>	<b>36</b>
Stan James (Gibraltar) Limited - Full Time	23	43	0	2	68
- Part Time	6	0	0	1	7
<b>Sub-Total</b>	<b>29</b>	<b>43</b>	<b>0</b>	<b>3</b>	<b>75</b>
Netgame Limited )					
Rock Game )	8	1	3	2	14
Eurobet (Gibraltar) Limited	7	1	0	6	14
Demmysportsbet.com Limited	4	2	0	0	6
A F Ballester Limited [Not Operational]	-	-	-	-	-
<b>Totals:-</b>					
Full Time	126	229	12	60	427
Part Time	50	37	11	8	106
<b>Overall Total</b>	<b>176</b>	<b>266</b>	<b>23</b>	<b>68</b>	<b>533</b>

Source: Office of the Financial & Development Secretary

## SUPPLEMENTARY TO QUESTION NO 1169 OF 2001

**HON J J BOSSANO:**

If we compare the breakdown provided now with that in Question Nos 792 and 796 of 2001 the Ladbroke figure has gone down, does that mean that Ladbroke is retaining a presence at the present level given for October or is it anticipated that they will go down forever?

**HON CHIEF MINISTER:**

The statistics containing the answers to the questions to which he has just referred were taken from the employment service, these that I am now giving him are from a direct survey of the eight companies, so that reflects the more up-to-date position. Ladbrokes and Eurobet sometimes known as Corals are the only two companies that have informed the Government of the reallocation of their operations to the UK. Both companies proposed to continue to maintain a presence in Gibraltar from where they will be running Internet Casinos and small contracted out bookmaking operations. These remaining operations are expected to employ around 30 to 40 people.

**HON J J BOSSANO:**

If we are talking about 30 to 40 people between the two of them given that in the figure we have got here for October we are talking about 174 between the two of them does that imply that we can expect a drop of 140 on the basis of that indication from the companies concerned?

**HON CHIEF MINISTER:**

Yes indeed other operators are not maintaining but indeed expanding their operations and one possible new operator who does not wish to be named at this stage could eventually employ over 100 people so the Government are very hopeful that after a period of some instability in relation to these 120 odd jobs that they will all be reabsorbed in that same sector but that is it, there would certainly be more than instability, I think there may well be a temporary loss of a high number of those jobs, Ladbrokes is in serious discussions with an operator to buy the call centre but there is no guarantee that it will be a seamless transition and therefore in-between there will be loss.

**HON J J BOSSANO:**

I think in answer to the previous question in fact the Government indicated that the sort of deadline for them being able to find a replacement was October, I think they gave the month of October as a deadline, are we talking then that given that these are the figures as at the end of October and we are now in November that the deadline has now passed or is there a new deadline?

**HON CHIEF MINISTER:**

I think they are in the process of a move at the moment. A lot of their ex-pat people have gone, I was down at the hostel they bought, the Sunrise Motel, and that is more or less deserted. I think they are still employing locals they have not quite finished the move across but that must be imminent now. I do not know if the hon Member knows that I think the behaviour of the Treasury in the UK really does not bear much analysis or scrutiny in terms of fairness. For a Ministry of Government that sponsors the OECD initiative on harmful tax practices, hon Members may recall that the way they got companies with brick and mortar operations in the UK to repatriate the offshore telephone business was by saying "here is a new tax deal for your high street betting shops but it is only available to you if you come back, if you bring back originally the UK telephone betting business." At the last minute they required them also to bring back their international telephone betting business so that, for example, in the case of Ladbrokes all that business that they were doing before 1996, the one that they originally established in Gibraltar to do, international, purely international telephone betting business, nothing to do with the UK they had been forced to repatriate that as well which is not UK business at all to shift that to the UK as a condition to obtaining that tax advantage, if that is not the application to attract the relocation of businesses to ones country I cannot think of a clearer case but I suppose there is one rule for the big boys and another one for the smaller chaps.

**HON J J BOSSANO:**

In the case of Victor Chandler we understood that they were not affected at all from the original statements but in fact what we have here is a drop of 50 jobs from 278 to 229 but this is not presumably connected with relocating to UK because I think the public statements that they made at the time was that they had no UK high street operation?

**HON CHIEF MINISTER:**

Yes indeed I have not in myself been able to conduct the comparison I suspect that Victor Chandler's employment level also fluctuate I do not know if the hon Member has the original figures but is the decline mainly in the part-time figure or in the full-time figure? It is not broken down in that case.

**HON J J BOSSANO:**

Yes the decline is in the full-time which is down from 272 to 180 the part-time is actually up from 6 to 49 so there is an even bigger decline in the full-time component than there is in the overall total it is almost 100 full time jobs lost.

**HON CHIEF MINISTER:**

Yes, I would have to research the point but the previous answers were from employment records which has this problem of contracts terminated but not closed. Because the Government have been monitoring the impact of the Chancellor's decision on the local industry the Financial and Development Secretary has conducted a survey of each operator and these statistics that we now have in front come straight from the employer as opposed to the ones in the previous answer which came from the employment records and are therefore susceptible to the sort of defects that statistics from that source generically suffer from because of non-closure of terminated contracts and things of that sort.

**HON J J BOSSANO:**

In the case of A F Ballester, it says in the paper we have been provided with today, non-operational, is this not the one that was actually announced that there had been a company that had bought it up and that there was going to be an increase of employment that is what we were told the last time.

**HON CHIEF MINISTER:**

Subsequently to that, in other words the company that bought A F Ballester was itself bought by a much larger operation that discontinued its intention to establish the Gibraltar operation.

**NO. 1170 OF 2001**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

What is the state of progress of the two applications for a licence to conduct offshore betting from Gibraltar that were taken forward to the application stage and pending consideration in answer to questions in May?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1171 of 2001.

**NO. 1171 OF 2001**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING**

How many enquiries for a licence to conduct offshore betting from Gibraltar have been received since 1<sup>st</sup> May 2001, on what dates and by whom, how many have progressed to the application stage, how many have been rejected and how many are pending consideration?

**ANSWER**

**THE HON THE CHIEF MINISTER**

About 21 enquiries have been received since 1<sup>st</sup> May 2001. Of these four are applications from existing operators seeking to expand their gaming operations in Gibraltar, of which two have already been approved and two are under consideration. A further two enquiries are being taken forward to the application stage and are pending consideration. The remainder are not being pursued. Of the two applications under consideration as at April 2001 (Question No 793 of 2001) only one is being taken forward.

**SUPPLEMENTARY TO QUESTION NOS 1170 AND 1171 OF 2001**

**HON DR J J GARCIA:**

Is it possible to elaborate on the reasons for the fact that only four of the 21 have been taken forward to the application stage?

**HON CHIEF MINISTER:**

I can only elaborate in a very general way, the Government receive a lot of enquiries, we are quite choosy about who we allow into the jurisdiction for a potentially high risk, if the House pardons the pun, high jurisdictional risk business like this and many of the enquirers



themselves lose interest when they realise the hurdles that they have to jump through, that this is not just a jurisdiction where one can arrive with a suitcase and set up a business. Many of them do not need our due diligence efforts in the sense that they are not blue chip names or things of that sort. So there is many number of reasons why many enquiries either do not materialise into applications because the enquirer goes away, or because we recommend to the enquirer not to bother to pursue it any further or they submit an application that is turned down. That is rare, usually most people that we intend not to licence get sent and given the message and accept it before going to the trouble of formulating a formal application. This is really in discussion between the enquirer and the Financial Secretary who operates within an established policy parameter and administers this but it is not an area in which the Government believe it is in the public interest to Gibraltar to lower the guard in terms of these calibre and standing of the people that we allow in.

**NO. 1172 OF 2001**

**THE HON DR J J GARCIA**

**OECD TAX INITIATIVES**

Can Government say what the latest position is in relation to the objection by Madrid to the Gibraltar Government giving the OECD the commitment that it seeks?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1173 and 1208 of 2001.

**NO. 1173 OF 2001**

**THE HON DR J J GARCIA**

**OECD TAX INITIATIVES**

Have the Government taken a view of when to give a letter of commitment to the OECD in relation to their initiative against so called harmful tax practices and if so when do they intend to make the commitment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1172 and 1208 of 2001.

**NO. 1174 OF 2001**

**THE HON DR J J GARCIA**

**HEAD 8A SUBHEAD 8(d)**

Can Government provide a breakdown of Head 8A Sub Head 8(d) the £40,000 forecast out-turn for 2000/2001 in respect of private sector fees for legal drafting, listing the name of the firm, the amount paid and the date of payment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1175 of 2001.

**NO. 1175 OF 2001****THE HON DR J J GARCIA****HEAD 8A SUBHEAD (13)**

Can Government provide a breakdown of Head 8A Subhead 13, the £832,000 forecast out-turn for 2000/2001 in respect of private sector fees for legal advice, listing the name of the firm, the amount paid and the date of payment?

**ANSWER****THE HON THE CHIEF MINISTER**

The information requested by the hon Member is set out in the written schedule that I now hand to him.

**Answer to Question No 1174 of 2001****Head 8A Subhead (e) Private Sector Fees/or Legal Drafting – FY 2000/2001****Mr M Llamas**

30/06/00	=	£18,330.00
	=	£ 3,965.00
04/01/01	=	£ 6,005.00
<b><u>Hassans</u></b>	=	£ 9,867.30

**Answer to Question No 1175 of 2001**

**8A – 13 Private Sector Fees for Legal Advisory Advice FY 2000/2001**

<b>To</b>	<b>Date</b>	<b>Amount</b>	
	£	£	
<b><u>Hassans</u></b>			
	09.05.00	18,655.00	
	18.05.00	9,010.00	
	18.05.00	8,835.00	
	14.06.00	4,575.00	
	30.06.00	18,042.50	
	12.07.00	330.00	
	19.07.00	26,171.22	
	04.08.00	6,045.00	
	10.10.00	21,513.11	
	13.10.00	2,175.10	
	13.11.00	2,775.00	
	20.12.00	26,855.00	
	01.02.01	1,365.00	
	15.02.01	10,017.10	
	02.03.01	19,555.00	
		<b>175,919.03</b>	
<b><u>Stagnetto &amp; Co</u></b>			
	01.06.00	2,750.00	
	17.10.00	5,951.00	
		<b>8,701.00</b>	
<b><u>Louis W Triay &amp; Partners</u></b>			
	09.06.00	506,853.00	
	08.12.00	330.00	
	14.12.00	675.00	
		<b>507,858.00</b>	
<b><u>White &amp; Case</u></b>			
<b>Jan – April 2000</b>	23.06.00	2,837.83	
<b>May – June 2000</b>	17.08.00	5,228.30	
<b>July - Sept 2000</b>	18.12.00	5,313.61	
<b>October 2000</b>	06.02.01	4,313.10	
<b>Nov-Dec 2000</b>	02.03.01	7,484.30	
		<b>25,177.14</b>	

<b>Triay &amp; Triay</b>			
	31.07.00	9,657.75	
	14.08.00	6,115.00	
	26.09.00	7,960.00	
	08.02.01	5,359.00	
	02.05.01	2,405.00	
	06.03.01	1,999.00	
		<b>33,495.75</b>	
<b>Attias &amp; Levy</b>			
	12,650.00		
	08.12.00	1,570.00	
			14,220.00
<b>Isola &amp; Isola</b>	04.12.00	22,078.50	
<b>Budhrani &amp; Co</b>	16.01.01	500.00	
<b>Miscellaneous</b>			
<b>O'Connor &amp; Co</b>	09.06.00	401.93	
<b>Mr Michael Pooles QC</b>	09.08.00	2,000.00	
<b>Mr Michael Llamas</b>	10.10.00	9,620.00	
<b>Mr M Llamas</b>	15.02.01	6,500.00	
<b>Mr M Everall QC</b>	24.11.00	1,500.00	
<b>Mr A Thornhill QC</b>	04.12.00	6,000.00	
<b>Mr Nigel Teare QC</b>	02.03.01	2,643.75	

**NO. 1176 OF 2001**

**THE HON DR J J GARCIA**

**HEAD 8A SUBHEAD 22**

Can Government provide a breakdown of Head 8A Sub Head 22 the £302,000 forecast out-turn for 2000/2001 in respect of Research, Development Studies and Professional Fees, listing the amount of payment, who the payment was made to, when and for what purpose?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The information requested by the hon Member is set out in the written schedule that I now hand to him.

**SUPPLEMENTARY TO QUESTION NO 1176 OF 2001**

**HON J J BOSSANO:**

In respect of the £35,000 grant to the Gibraltar Chronicle for an in-depth study of 11<sup>th</sup> April 2000, did the study go to the Gibraltar Government or did it go to the Gibraltar Chronicle?

**HON CHIEF MINISTER:**

No this was a grant to the Chronicle for its management to obtain this report, bits of it have certainly been shown to the Government in the subsequent discussions but this was not a report for the Government it was a report commissioned by and for the management of the Chronicle.



**Answer to Question 1176**

**8A – 22 Development Studies**

<b><u>To:</u></b>	<b><u>Date:</u></b>	<b><u>Description:</u></b>	<b><u>Amount:</u></b>
<b><u>Misc:</u></b>			
Mr D Mosquera	13/04/00	Estimate for multi – story car park P. Barracks	9,000.00
BDO Fidecs	18/04/00	Grant for Gibraltar Chronicle Ltd for In-depth study	35,000.00
BDO Fidecs	02/03/01	Tax reform working group	3,952.50
Mr P Gomez	03/05/00	Prof fees – 2 Devil's Gap Rd	800.00
KPMG Plc	18/05/00	Project Take – Off	20,000.00
Entec UK Ltd	09/06/00	Incinerator Arbitration In–Town Development Ltd	<u>17,285.94</u>
			86,038.44
<b><u>Input / Output Study:</u></b>			
Bournemouth Uni	12/05/00	Construction of Study	10,800.00
Image Graphics	01/06/00	Usage during Feb, Mar & April 2001	2,281.49
Worldwide Shipping & Freight Co	23/06/00	Transport cost icw documents sent to India	1,027.00
Infotech Private Ltd	23/08/00	Data entry	225.00
DSS Infotech	02/10/00	Data entry	2,025.00
T.S. Logistics Ltd.	06/10/01	Transport, labour, packing, storage	398.13
DSS Infotech	18/12/00	Data entry	767.39
Samantha Way	01/02/01	Gib Data Entry Survey	1,500.00
DSS Infotech	01/02/01	Data entry	<u>3,193.00</u>
			22,217.01

Continued ..

**Continued Answer to Question 1176**

**Buildings & Works Review:**

Sterling Travel	22/06/00	UK consultants travelling exp	1,120.50
Mr Peter Allatt	14/06/00	UK consultants travelling exp	351.30
Mr Romek Paczek	14/06/00	UK consultants travelling exp	351.30
Sterling Travel	03/07/00	UK consultants travelling exp	1,386.60
Sterling Travel	25/07/00	UK consultants travelling exp	3,994.90
HLB Kidsons Consulting Ltd	27/07/00	Constancy services (Housing)	35,000.00
Sterling Travel	01/08/00	UK consultants travelling exp	679.30
HLB Kidsons Consultancy Ltd	10/10/00	Consultancy services	12,818.06
	19/10/00	Tourist survey sent to UK	84.08
			<u>55,786.04</u>

**Post Office Review:**

Bland Travel	26/10/00	Postal Services consultants	1,748.60
The Rock Hotel	02/10/00	Consultants accommodation	2,560.00
The Elliott Hotel	02/10/00	Members of BPCS Team	1,020.00
Alpha Travel	26/03/01	Consultants travelling exp	937.30
Consignia Plc Int Ltd	28/03/01		<u>16,362.00</u>
			22,627.90

**Nuclear Submarine Study:**

Environmental Agency	26/03/01	Courier icw water & soil samples to UK	4,156.18
NNC Ltd	26/03/01	Consultancy Ser iro radiological monitoring	17,645.57
Foot Antsey Sargent	19/03/01	Consultancy Fee	3,948.70
Clear Advance Account	31/03/01		<u>89,463.98</u>
			115,214.43

**NO. 1177 OF 2001**

**THE HON DR J J GARCIA**

**DIRECTIVE ON THE TAXATION OF SAVINGS INCOME**

Have the Gibraltar Government been able to persuade the British Government to allow Gibraltar to enjoy transitional provisions from the application of the future directive on the taxation of savings income?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No.

**SUPPLEMENTARY TO QUESTION NO 1177 OF 2001**

**HON DR J J GARCIA:**

Can the Chief Minister say whether the British Government have been able to persuade other dependencies, overseas territories to be part of this?

**HON CHIEF MINISTER:**

I imagine the hon Member means to ask whether the United Kingdom has yet delivered the sequencing provisions, delivered the other overseas territories, not all of them, the crown dependencies basically to the same measures, the answer is that we believe that those discussions are taking place as we speak but as yet it has not achieved success with any territory.

**NO. 1178 OF 2001**

**THE HON DR J J GARCIA**

**VISAS FOR NON-EU NATIONALS**

How many visas for non-EU nationals wishing to travel to Gibraltar have been issued at the British Consulate in:

- (a) Tangier
- (b) Casablanca

on a monthly basis since April 2001 inclusive?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The number of visas issued to Non-EU nationals by the British Consulate General in Casablanca and the British Consulate in Tangier since April 2001 inclusive is as follows:-

<b><u>CASABLANCA</u></b>	<b><u>Visas Issued</u></b>	<b><u>TANGIER</u></b>	<b><u>Visas issued</u></b>
April 2001	6	April 2001	94
May 2001	8	May 2001	112
June 2001	25	June 2001	78
July 2001	8	July 2001	217
August 2001	16	August 2001	122
September 2001	5	September 2001	85
October 2001	21	October 2001	92
<b><u>Up to and including 29.10.01</u></b>		<b><u>Up to and including 29.10.01</u></b>	

**NO. 1179 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

Can Government give the total cost of organising all the events related to Gibraltar Day in London, including the travel costs, giving a breakdown for each of the events?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1180 to 1185 of 2001.

**NO. 1180 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

What was the cost of printing the Gibraltar Day colour booklet, how many were printed, where were they printed and when did this go out to tender?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 and 1181 to 1185 of 2001

**NO. 1181 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many British Government Ministers attended the Gibraltar Day Events held in London on Tuesday 23 October 2001, who were they and what events did they attend?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179, 1180, and 1182 to 1185 of 2001.

**NO. 1182 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many Members of Parliament attended the Gibraltar Day Events in London on Tuesday 23 October 2001, who were they and what events did they attend?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 to 1181 and 1183 to 1185 of 2001.



**NO. 1183 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many persons attended the reception and lunch hosted by the Minister of Tourism at the Grand Turk in St Katherines's Dock, London, as part of the Gibraltar Day and how many were from Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 to 1182, 1184, and 1185 of 2001.

**NO. 1184 OF 2001**

**THE HON DR J J GARCIA**

**GIBRALTAR DAY IN LONDON**

How many persons attended the Chief Minister's dinner at Draper's Hall for Gibraltar Day this year, how many were from Gibraltar, and can Government supply a list of all those who went?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1179 to 1183 and 1185 of 2001.

**NO. 1185 OF 2001****THE HON DR J J GARCIA****GIBRALTAR DAY IN LONDON**

How many persons attended the Chief Minister's Reception at Draper's Hall for Gibraltar Day this year, how many guests were from Gibraltar and can Government supply a list of all those who went?

**ANSWER****THE HON THE CHIEF MINISTER****Answer to Question No 1178 of 2001**

The cost of organising all the events related to Gibraltar Day in London was as follows:

Draper's Hall Reception and Dinner	34,811.15
Grand Turk, St Katherine's Dock	6,531.96
Royal Gibraltar Regiment, Guildhall	1,500.00
London School of Economics	2,592.50
Gibraltar Day Brochure	8,328.00
Travel Costs	10,016.60
	<hr/>
	£63,780.21
	<hr/>

**Answer to Question No 1179 of 2001**

Of the colour booklet 9,200 copies were printed at a cost of £8,328. These were printed by Multiprint Lithographics & Co of London. This contract did not go out to tender because it was placed by the Gibraltar Government Office in London.

**Answer to Question No 1180 of 2001**

The following three British Government Ministers attended the Chief Minister's Reception and two attended the Dinner.

**The Rt Hon Geoffrey Hoon**

Secretary of State for Defence – Dinner and Reception

**The Rt Hon Baroness Patricia Scotland of Astral QC**

Parliamentary Under- Secretary of State, Chancellor's Department – Dinner and Reception

**Mr Benjamin Bradshaw**

Parliamentary Under-Secretary of State, Foreign Office – Reception

**Answer to Question No 1181 of 2001**

I am advised that 12 Members of Parliament attended the Chief Minister's Reception and eight attended the dinner.

**Answer to Question No 1182 of 2001**

I am advised that 107 persons attended the reception and lunch hosted by the Minister for Tourism at the Grand Turk, St Katherine's Dock of which 24 persons were from Gibraltar.

**Answer to Question No 1183 of 2001**

I am advised that 101 persons attended the Chief Minister's Dinner of which 14 were from Gibraltar.

**Answer to Question No 1184 of 2001**

I am advised that 415 persons attended the Chief Minister's Reception at Draper's Hall of which 27 guests were from Gibraltar.

The Government have taken the view that it is not in the public interest to publish the guest list because it gives others the possibility to counter lobby guests. However, I am happy to provide the hon Member with a copy of the guest list on a confidential basis if he will accept it.

**SUPPLEMENTARY TO QUESTION NOS 1178 TO 1185 OF 2001**

**HON DR J J GARCIA:**

I will accept the guest list on a confidential basis, there is one area for clarification and that is the £2,500 cost of the London School of Economics which we understand was a lecture which the Chief Minister gave, could he perhaps elaborate on that one?

**HON CHIEF MINISTER:**

Extraordinarily it appears that we had to pay for the hire of the hall and also for the reception that followed immediately afterwards.

**HON DR J J GARCIA:**

Could the Chief Minister also say whether the eight MP's who attended the dinner were part of the 12 MP's who attended the reception or are they eight different ones?

**HON CHIEF MINISTER:**

Yes the dinner guests are included.

**NO. 1186 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

How many licences issued under the Entertainments Ordinance were in force in Gibraltar as at 30<sup>th</sup> June 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1187 and 1188 of 2001.

**NO. 1187 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

Can Government say how many bars were licensed in Gibraltar as on 30<sup>th</sup> June 2001 providing a list of names and where they are located?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1186 and 1188 of 2001.

**NO. 1188 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

Can Government say how many discotheques were licensed in Gibraltar as on 30<sup>th</sup> June 2001, providing a list of names and where they are located?

**ANSWER**

**THE HON THE CHIEF MINISTER**

There are no bar licences issued under Gibraltar Law. Discotheques as such were not licensed prior the 2<sup>nd</sup> August 2001. However, Tavern licences issued under the Licensing and Fees Ordinance and Entertainment Licences allowing licence holders to play music to a paying public are issued under the Entertainments Ordinance. As at 30<sup>th</sup> June 2001 there were 106 Entertainment Licences issued and 151 Tavern Licences. In relation to discotheques there were as at 30<sup>th</sup> June 2001, 13 establishments with Tavern Licences making provision for extended hours until 4 am which were also licensed under the Entertainments Ordinance. I now hand the hon Member the list containing the names and location of tavern licence holders.

**Answer to Question No 1188 of 2001**

List of Premises granted a Tavern Licence with Extended Hours by the Magistrates' Court acting as Licensing Authority as at 30<sup>th</sup> June 2001:-

- |    |                        |   |                        |
|----|------------------------|---|------------------------|
| 1. | Hello California       | - | Casemates House        |
| 2. | Pig and Whistle        | - | Watergardens           |
| 3. | Kowloon Bar Restaurant | - | Watergardens           |
| 4. | Pizza Hut              | - | ICC Building           |
| 5. | Captain's Cabin        | - | John Mackintosh Square |
| 6. | Viceroy of India       | - | Horse Barrack Lane     |



7.	Cool Blues Café	-	Main Street
8.	The Mermaid	-	Catalan Bay
9.	The Killick	-	Europort
10.	La Mamela	-	Catalan Bay
11.	Bianca's	-	Marina Bay
12.	Safeway's	-	Westside Reclamation Area
13.	Beach Bar	-	Both Worlds
14.	Nelson's Bar	-	Both Worlds
15.	Waterfront	-	Queensway Quay
16.	Devil's Bar	-	Devil's Tower Road
17.	Copacabana	-	Main Street
18.	Buddies	-	Cannon Lane
19.	Stakis Casino Club	-	Europa Road
20.	Da Paolos	-	Marina Bay
21.	Goggles	-	Europa Point
22.	Picasso's	-	Main Street
23.	El Rincon	-	Watergardens
24.	Cannon Ball Pool Palace	-	West Place of Arms
25.	The Gibraltar Arms	-	Main Street
26.	Bacchus Wine Bistro	-	John Mackintosh Square
27.	Quarterdeck	-	Watergardens
28.	Roosters Takeaway	-	Rosia Road
29.	El Cortijo	-	Town Range
30.	Piccadilly Gardens	-	Rosia Gardens
31.	Calpe Hounds	-	Cornwalls Lane
32.	Bahia Restaurant	-	Queensway
33.	Bahia Restaurant	-	Pre Tiffany's
34.	Chicago	-	10 Cannon Lane
35.	Salsa Café Restaurant	-	4 Cornwall's Parade
36.	Hong Kong Chinese Restaurant	-	Market Lane
37.	International Casino Club	-	Europa Road
38.	Ye Olde Rock	-	John Mackintosh Square
39.	Sax II	-	International Commercial Centre
40.	Cares Discotheque	-	Boyd Street
41.	Trafalgar Tavern	-	Rosia Road
42.	Piazza Grill	-	Main Street
43.	Rotunda Sobar (The Factory)	-	Winston Churchill Avenue
44.	Rotunda Sobar (The Factory)	-	Winston Churchill Avenue
45.	Maharaja	-	Tuckey's Lane
46.	Tony's Restaurant	-	Main Street
47.	St Michael's Cabin	-	Cave Branch Road
48.	Royal Oak	-	Irish Town
49.	Corks Wine Bar	-	Irish town
50.	Leanse Koster Restaurant	-	Bomb House Lane
51.	Raffles Restaurant	-	Ragged Staff Wharf Quensway
52.	La Bayuca	-	Turnbull's Lane
53.	Simon's Restaurant	-	Cornwall's Lane
54.	The Buccaneer	-	Reclamation Road
55.	Schooners	-	Marina Bay
56.	Jumpers Wheel	-	Jumpers Bastion
57.	The Market Restaurant	-	Waterport
58.	The Barbary Ape Cafeteria	-	Boyd Street

59.	The Sea Wave	-	Catalan Bay
60.	The Anchor Bar	-	Watergardens
61.	Kerry's	-	Cornwall's Centre
62.	Bunter's	-	College Lane
63.	Charlie's Tavern	-	Admiral's Walk
64.	Milk and Honey	-	Main Street
65.	Claus on the Rock	-	Queensway
66.	Meson Jabugo	-	Marina Bay
67.	Paradiso	-	Queensway
68.	Jolly Parrot	-	Queensway
69.	McDonald's	-	Europort
70.	McAuto	-	Europort
71.	Yvey's	-	Casemates Square
72.	Radical Pizza	-	Watergardens
73.	El Gaucho	-	Turnbull's Lane
74.	Auto Beverages Ltd	-	Eaton Park
75.	Norma Jeans Roadside Diver-	-	John Mackintosh Square
76.	Anglo Hispano Co Ltd	-	Crutchett's Ramp
77.	Rover Holdings Ltd	-	Watergardens
78.	Café Roma	-	Cornwall's Parade
79.	The Paddock	-	Watergardens
80.	Al Andaluz	-	Cornwall's Lane
81.	Ministers	-	Main Street
82.	El Piccolo Mondo	-	Governor's Parade

**NO. 1189 OF 2001**

**THE HON DR J J GARCIA**

**ENTERTAINMENTS ORDINANCE**

Have the Government come to any conclusion on the question of licensing hours a review which was expected for this autumn?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Not yet.

**SUPPLEMENTARY TO QUESTION NO 1189 OF 2001**

**HON DR J J GARCIA:**

When do the Government expect to have reached their conclusions.

**HON CHIEF MINISTER:**

Well the review of Licensing Hours is a matter of Government policy and the Government will deploy their policy when they are ready to do so and that is not yet. We had given an indication that it would be autumn.

**NO. 1190 OF 2001**

**THE HON DR J J GARCIA**

**EXEMPT AND QUALIFYING COMPANIES**

Can the Government specify the nature of the interim relief being sought from the European Court of First Instance in relation to the EU Commission's investigation into state aid rules affecting qualifying and tax exempt companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1191 of 2001

**NO. 1191 OF 2001**

**THE HON DR J J GARCIA**

**EXEMPT AND QUALIFYING COMPANIES**

Can Government explain whether the fact that they believe they will have to suspend the legislation on tax exempt and qualifying companies if they fail to obtain a favourable ruling in the EU Court of First Instance means that entities currently operating under the above legislation would have to cease operations on its suspension?

**ANSWER**

**THE HON THE CHIEF MINISTER**

On an interim basis the Government seeks the suspension of the Commission's decision of 11<sup>th</sup> July 2001 and in particular an Order prohibiting the Commission from publishing its decision. The Government are advised that if they fail to obtain a favourable ruling in their interim application the Companies (Taxation & Concessions) Ordinance and the Qualifying Company Regulations will have to be suspended. This does not require that entities currently enjoying the provisions of those legislative measures should cease operation, but, upon suspension of the legislation, the entities would cease to enjoy the benefits of its provisions.

**SUPPLEMENTARY TO QUESTION NOS 1190 AND 1191 OF 2001**

**HON J J BOSSANO:**

Can the Government state what is entailed in suspending the legislation, would that mean that the matter would have to be brought to the House?

**HON CHIEF MINISTER:**

Yes absolutely, legislation would be required, I do not suppose primary legislation would be required to revoke the qualifying company thing because they are regulations but certainly principle legislation would be required to repeal the

Company's (Taxations and Concessions) Ordinance and lots of legislation would be required to implement possible alternative schemes.

**HON J J BOSSANO:**

I am not thinking at the moment of possible alternative schemes, given the fact that the word suspension has been used, I can understand that repealing legislation means the legislation no longer exists, but is it that the word suspension has been used as if it were interchangeable?

**HON CHIEF MINISTER:**

No, it is used correctly because that is what one would be required to do under Community Law given that the investigation by the country into whether these bits of legislation contravene or do not contravene, the state aid rules, has not yet taken place. The decision of the 11<sup>th</sup> July was a decision to commence the investigation. That investigation has not yet taken place so under Community Law the hon Members can qualify their own views in formulating the question by the use of such words as they believe they will have to do. The incontrovertible legal advice is that we would not need to do it, under Community Law, pending the conclusion of the investigation all we are required to do is to suspend the measure, not to eliminate it, simply to suspend it. It is a matter for the Government whether they suspend or repeal and it is probably a matter of practicality whether it is possible to suspend the measure whilst at the same time putting into effect an alternative measure. These are the realities of life, the law is either this or that, but one can not have this law suspended and then at the same time run this new one. We could leave the Ordinance on the statute book somehow without application we could declassify it, I suppose, I do not know if that legislative provision exists but subject to the advice that we might receive I would have thought that if one had to suspend it but one needs something to replace it with because otherwise the Finance Centre can not function in the meantime, then it seems to me that one has to, more than just suspend it, one has got to replace it, now whether replacing it can be done on a suspended basis or whether it requires one actually to remove it from the Statute Book is I suppose for consideration but I would have thought it would need that, it would need removal.

**HON J J BOSSANO:**

In the original answer we have been told that what the Government were seeking was an order prohibiting publication of the decision as I understood it, he said, how does not publishing the decision that they took on the 11<sup>th</sup> July change things?

**HON CHIEF MINISTER:**

Although some of the damage that the Government were seeking to avoid has been done by extremely injudicious articles recently written in the Times the market damage, the uncertainty which is what damages the marketplace, would be caused not by the outcome of the investigation but by the mere fact that it was taking place and the community procedures require that if the Commission makes a decision under the article that they have chosen to make it they have to publish the decision, that means publishing the letter. That letter contains things which would cause significant anxiety in the marketplace, therefore doing all the harm that would be done in effect by an adverse investigation outcome even though the investigation has not yet taken place. The damage done in the marketplace by reading all these things makes no

difference to the damage that will be done ultimately. The conventional wisdom is that the damage would be such that we might as well change the law anyway.

**HON J J BOSSANO:**

Can this letter which the Commission is required to publish, unless the Court rules otherwise, is a letter written when, on the 11<sup>th</sup> July, and is the letter addressed to the Gibraltar Government or the UK?

**HON CHIEF MINISTER:**

I do not think they published the letter as such I think they published the content of the letter in effect in a notice in the Official Journal.

**HON J J BOSSANO:**

Given the fact that at the time that it was announced that there was going to be an investigation if we were one of the 11 Member States is it that the content of the letters to the other 10 had been published?

**HON CHIEF MINISTER:**

I think that they are being published in the ordinary course of business the Commission would only have got round to publishing them end of October beginning of November, so it is some of them may have already been published others may be about to be published.

**HON J J BOSSANO:**

So in fact it means that no one else has raised objections to the publication of the contents of their letters, only us?

**HON CHIEF MINISTER:**

I do not know if anybody else has raised objections, certainly we are the only ones who have all the legislation upon which the whole industry is based challenged. Everybody else has got this particular aid or particular bits of legislation, we are the only ones in respect of which what is under challenge is in a sense a pillar, a legislative pillar, of an entire industry.

**HON J J BOSSANO:**

Can Government say when the investigation is due to start and does it have any notion of how long it will be expected to last?

**HON CHIEF MINISTER:**

Well normally these things would take about 18 months but of course the Commission would not start it in this case whilst the matter is before the Court until the Court gives its decision. There is a procedure called Expedited Investigation which in fact the Court has asked whether the Commission has considered using the expedited procedure in this case but we will await the Court's ruling.

**HON J J BOSSANO:**

The interim relief is as I understand it not to prevent the investigation from taking place?

**HON CHIEF MINISTER:**

It is to prevent the investigation from taking place under the particular one of two possible procedural routes available to the Commission. The Commission could have proceeded under so called existing Aid Procedure or it could have proceeded under so called New Aid Procedure. One is more benign than the other under the existing aid procedure the measure can remain in place whilst investigation takes place and there is no risk of the Commission ordering recoverability of the aid under the New Aid Procedure there is both immediate suspensiveness and the theoretical risk of an order of recoverability of the aid. The Commission has chosen the second more aggressive option and the essence of the litigation is to seek the Courts ruling that in the circumstances of this case the proper procedure for the Commission to have chosen is the more benign existing aid procedure. So, it is not to prevent the investigation but to prevent it under these rules as opposed to under those rules.

**HON J J BOSSANO:**

Has the UK as the Member State to whom the letter is addressed not taken a view on that distinction that is being drawn by the Gibraltar Government?

**HON CHIEF MINISTER:**

We have repeatedly urged the UK to do so, they have a difficulty and that is that under the so called 'Primorolo' group under the EU Code of Conduct they are advocating, indeed they have identified Gibraltar's exempt and qualifying companies as a harmful tax measure and they were reluctant to be seen to be defending in a court a measure which they themselves were identifying as harmful and seeking to have eliminated under a different European forum of which they were the Chair, Mr Primorolo is the Paymaster General. We argued unsuccessfully that in fact supporting the Gibraltar Government in the interim application did not require the UK to defend the merits of the legislation since we were not arguing that there should be no investigation, we were simply arguing the choice of rules in which the investigation took place because one had much more serious consequences for Gibraltar than the other. The argument did not prevail and the United Kingdom did not join the action although they did in answer to a letter from the Court, give very helpful answers as to whether Gibraltar should be bringing this action itself.



**HON J J BOSSANO:**

In the statement made originally when the Government announced in July what was taking place I think they do a distinction between two actions in the main case and two actions for Interim Relief.

**HON CHIEF MINISTER:**

One for Exempt and one for Qualifying.

**HON J J BOSSANO:**

The action on the main case is that affected by the result on the Interim Relief?

**HON CHIEF MINISTER:**

Theoretically no but in practice yes, in other words if the Government win the Interim Relief there is still the investigation to take place and there are still arguments that arise on the main case which do not arise on the Interim case. For example is this aid at all, is this legislation capable of being aid, and if it is aid, is it objectionable aid under the rules. Neither of those two questions which are the substance arise on the Interim application which is concerned exclusively with choice of procedural route and consequence pending the investigation for the victim of the order in this case us. We would have to act anyway because we cannot leave the industry for 18 months or as long as it takes without a proper act.

**HON J J BOSSANO:**

The Government were expecting that a decision was likely to materialise at the end of September, do they have an indication when we are likely to know one way or the other?

**HON CHIEF MINISTER:**

The latest indication we had from the Court was that a ruling was expected in the first week of November, which is now. Unless it has landed on my desk this afternoon, we have not had the ruling.

**NO. 1192 OF 2001**

**THE HON DR J J GARCIA**

**DATA PROTECTION LEGISLATION**

At what stage is the Government's review of computer data protection and computer privacy legislation?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government's work on Data Protection legislation is currently delayed by other priorities.

**SUPPLEMENTARY TO QUESTION NO 1192 OF 2001**

**HON DR J J GARCIA:**

Are the Government aware that certain European Union Directives that we have passed already like the Electronic Commerce Directive and the Electronic Signatures Directive envisage that the framework of data protection and privacy legislation already be in place before these directives are implemented?

**HON CHIEF MINISTER:**

Yes we are, the hon Member may remember when he last raised this with me in the House that I said to him that we have a draft ready and we have had it for some time but it is a draft of what is a very complex piece of legislation based on the English Draft and we were about to publish it when we read that the Federation of Small Businesses in England was complaining to the British Government that its transposition of the directive was unnecessarily copper bottomed at the expense of unnecessary burden on small businesses and when we heard that remark we sort of put it on hold to try and establish what we could eliminate from the transposition which was not required by the directive and which could protect what in Gibraltar are

practically all small businesses. If the Federation of Small Businesses in England is complaining about the effects on small businesses in England, those effects are likely to be felt in almost every company in Gibraltar because they are all small businesses. And it is that exercise which is complicated in the sense that one gets a piece of legislation, now it is fine, now identify the bits that are there voluntarily and if not strip them out, that had to give way to other priorities, so it is delayed as I said in my original answer by other priorities but for that reason, for the reason that we need to do this exercise to sanitise what is a draft based on the English Draft to eliminate the unnecessary burdens on small businesses.

**HON DR J J GARCIA:**

Can I ask the Chief Minister given the last answer, whether the Federation of Small Businesses in Gibraltar and the Chamber of Commerce have been consulted and also whether this Bill will also tackle the question of computer hacking?

**HON CHIEF MINISTER:**

I have asked the Federation of Small Businesses to contact the Federation of Small Businesses in the UK to try and get a statement from the Federation in the UK of what are its specific criticisms of the UK Legislation. I have read the hon Member in the press going on about this computer hacking, it is probably a year now since I read the draft of the Data Protection Legislation and I am not certain that it deals with Internet security issues, it is more to do with the obligation of companies that store data, personal data relating to individuals, the rights of access of individuals to that personal data whether it is held by the Government or by a small company, a right of access to dossiers on yourself or things like that, that is what the Data Protection Ordinance tends to deal with. I am not definitively saying that it has nothing to do with hacking but I must admit when I read it I was not left with any enduring impression that I can recollect, that it is to do with Internet Security which is what I understand the hon Member to be raising when he mentions words such as hacking.

**HON J J BOSSANO:**

Would it not be simpler to draw up the legislation based on the directive rather than sanitise the UK version which goes over the top?

**HON CHIEF MINISTER:**

It might well be, this is something that the Draftsmen will have to consider. It is a very complicated directive, why they started on the basis of the UK draft I do not know given that the UK legislation is complicated by the fact that the UK had Data Protection Legislation before the directive. My own view if I was doing the job is that it is probably easier to start afresh than to try and sanitise a "tainted" draft certainly when I next discuss these issues with the Draftsmen I will put it to them for consideration.

**NO. 1193 OF 2001****THE HON DR J J GARCIA****IMPORT DUTY**

What was the amount of import duty paid on building materials for each month of 2000 and 2001 to date on a monthly basis?

**ANSWER****THE HON THE CHIEF MINISTER**

The extensive factual and statistical information requested by the hon Member is set out in the schedule that I now hand to him.

**Answer to Question 1193 of 2001**

	<b>2000</b>	<b>2001</b>
	<b>£</b>	<b>£</b>
<b>January</b>	14,137	25,238
<b>February</b>	14,434	17,680
<b>March</b>	14,483	22,243
<b>April</b>	26,165	38,698
<b>May</b>	16,887	33,753
<b>June</b>	17,359	20,884
<b>July</b>	20,768	24,997
<b>August</b>	13,677	19,363
<b>September</b>	19,045	30,260
<b>October</b>	19,322	-
<b>November</b>	17,779	-
<b>December</b>	15,156	-

**SUPPLEMENTARY TO QUESTION NO 1193 OF 2001**

**HON J J BOSSANO:**

When the original decision was taken to introduce import duty there was a distinction drawn between projects that were already in existence, are these now out of the system?

**HON CHIEF MINISTER:**

I cannot think of any project that was, the hon Member may remember that it was projects in respect of which contracts had been signed either with the contractor or with purchasers. I cannot think of any project that is not complete that was in that category in that phase at that stage. I cannot say for certain whether there may be the tail end of, I do not know whether for example the project there in Lathbury Barracks, called Sunset Close, started by then or had not started by then it would have to be some residual, most of it is out.

**HON J J BOSSANO:**

In the case of Government projects such as the I&D and so on, are the building materials not charged because they are going to the Government or does it still go through the system?

**HON CHIEF MINISTER:**

No the Government made a policy decision sometime ago that all imports for the Government would pay import duty as a means of making the import system more secure rather than risk goods entering the marketplace duty free on the basis that they were for Government and then not being so especially when added to the Government's policy of tenderers who hold supplier tenderers holding stock on consignment. So the position now is that the Government pay import duty on everything.

**HON J J BOSSANO:**

How long has that been in place we were not aware of it?

**HON CHIEF MINISTER:**

If the hon Member wants the exact date I would have to check it but I would say it is a year or perhaps a month or two longer than a year. Something of that order 12 to 15 months I would say.

**NO. 1194 OF 2001**

**THE HON DR J J GARCIA**

**INTERNET CAMERAS AT THE FRONTIER**

Can Government say whether the internet cameras at the frontier are operational?

**ANSWER**

**THE HON THE CHIEF MINISTER**

They are not operational.

**SUPPLEMENTARY TO QUESTION NO 1194 OF 2001**

**HON DR J J GARCIA:**

Can the Chief Minister say since when have the cameras not been operational?

**HON CHIEF MINISTER:**

The cameras remain physically in place at the frontier but were disconnected due to the refurbishment works at the Four Corners Custom building.

**HON DR J J GARCIA:**

Will the cameras be reconnected and put back on line once the works have been completed?

**HON CHIEF MINISTER:**

The Government would have to make a decision on that, the hon Member knows that there are two schools of thought about the usefulness or otherwise of the camera. There are those who think that they are useful as advertising to the world the queues that Spain generates at the border and there are those who think that for that very reason they are a very bad advertisement for Gibraltar because tourists before they set out for Gibraltar look at the Internet, see that there is a long queue and therefore decide not to come whereas if they come on speck, once they are here they join the queue they do not turn back, so there are representative organisations in Gibraltar that have consistently advised the Government or lobbied the Government, for their removal, particularly the hotels and people of that sort who think that actually it does Gibraltar more harm than good because all it is is like the frontier queue telephone with graphics attached.

**NO. 1195 OF 2001**

**THE HON DR J J GARCIA**

**FINANCIAL SERVICES**

What were the results of the talks held in London between the Gibraltar and British Governments at the end of July regarding Financial Services?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As announced in the Government's Press Release of 30<sup>th</sup> July 2001, discussions were held in London between the Gibraltar and UK Governments on financial services, specifically on State Aids, the Investor Compensation Scheme Directive and Investment Services Passporting. Nothing definitive was agreed on any of these issues and further discussion and correspondence continues. The State Aids issue has moved on since to the European Court of First Instance and further developments will have to await the outcome of the recent hearing.

**SUPPLEMENTARY TO QUESTION NO 1195 OF 2001**

**HON J J BOSSANO:**

On the State Aid issue had the Commission by that date decided to launch the investigation, is that correct?

**HON CHIEF MINISTER:**

Yes.



**HON J J BOSSANO:**

Did not the Government in that meeting look at the possibility of persuading the option of agreeing with UK what needed changing in order to make our companies legislation State Aid compatible, presumably that option has always been there?

**HON CHIEF MINISTER:**

The hon Member should by now be aware that the objective of the Treasury as represented by its Minister in the Primorolo Group is to see the Gibraltar Tax Exempt and Qualifying companies legislation immediately stand still and then rolled back within two years. That is what the Primorolo Group in the Code of Conduct Forum chaired by Mr Primorolo has identified, there are 66 other measures in Europe but these are the two that affect Gibraltar and also the Development Aid Ordinance which is caught by the code of conduct group but not by the OECD thing and that to sit down and discuss with Treasury officials how Gibraltar's Exempt and Qualified Status Regime might survive is really like inviting the inmates to decide what the rules of the asylum should be, not a course of action that recommended itself to the Government. At that meeting on the 30<sup>th</sup> July the thrust of the discussion of the State Aid was to try and persuade the UK Government of the need at least to buy the time for Gibraltar that success in the interim application would have meant in the sense that the system could have remained in place whilst the investigation took place as I explained to him yesterday evening. There is, as the hon Member will learn when we start debating, proposed alternative schemes, I think the hon Member will quickly realise that there is no way forward on the basis of tinkering with the Exempt Status and Qualifying Status Ordinance, because it fails to save a large enough chunk of the industry, in order to save that large enough chunk of the industry there will be loss, the whole of the industry is not saveable but the solution needs to be much more radical than that and it can not be delivered by discussing with anybody even between ourselves how the existing legislation might be sanitised so to speak. That option was reviewed by the Government at a very early date and we very quickly concluded that it actually for a number of reasons did not offer a way forward.

**HON J J BOSSANO:**

Is there not a list, from what I have read the little that has come out in public, it would appear that the guidelines issued by the Commission clearly indicates that not everything is necessarily contrary to state aid and I think that the statement made by the Government that was circulated I think it was in May to the industry pointed to certain kinds of companies which were non-trading not being caught by the State Aid Rules because the State Aid are in connection with the distortion of the single market as I understand it?

**HON CHIEF MINISTER:**

Yes and the hon Member may recall that before the 11<sup>th</sup> July the Government had been in discussion with the European Commission already. The European Commission instead of accepting any of those arguments launched the investigation of the 11<sup>th</sup> July. The decision of the 11<sup>th</sup> July does not purport to draw a distinction between bits of the legislation, it simply says that the whole legislation is in breach of State Aid so there is no forum now in which it would be possible legalistically speaking

even if it was in practical terms a viable option which I believe it is not, but even if it were in practice a viable option there is now no forum in which to continue the process the Government had been embarked under the Commission which is to see whether there was a viable extent, viable for us, of the objections to our legislation so that the rest of it could ring-fenced and that process was completely overtaken by the unilateral act on the 11<sup>th</sup> July on the part of the Committee driven by completely different agendas driven by a squabble inside the Code of Conduct Group a row between the Council and the Commission in which the Commission felt that the Council was not acting quickly enough. In other words that the Primorolo Group was not advancing quickly enough on its political agenda for the elimination of so called harmful tax measures and that the commission actually in that meeting said, "We have had enough and now we are going to fire the State Aids we are going to deploy the State Aid weapon encouraging you all into getting on with life," and it was in that context that they then issued the 11<sup>th</sup> July letter affecting not just Gibraltar but 13 others so we were really caught up, having been in this discussion with the Commission to see whether the document that we published in April not in May, the booklet revealed that there were discussions taking place, it was all overtaken but as hon Members know the discussions did not continue and since then we have been busy preparing the litigation and preparing as well as possible for the aftermath of the legislation. The hon Member at this stage anyway will have to just accept it from me and I think it will become clearer to him when we start a full debate on these measures. The option which the Government have been working on sanitises the legislation and therefore saving as much of it as possible is actually no longer viable, it is what we were working on at a time when we thought it was a possibility.

**NO. 1196 OF 2001**

**THE HON J J BOSSANO**

**SUPREME COURT RULES**

Can Government say what additional revenue they anticipate will be collected as a result of the vessels that have been arrested this year and in what heads of revenue?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Under the Supreme Court Rules a fee is payable upon the sale by the Court of a ship or cargo. The fee is £1 per £100 of the sale price, that is, 1 per cent. The amount payable will not therefore be known until the sale takes place and the amount of the sale price is known. These Court fees are credited to the Consolidated Fund and accounted for under Head 6.36 Supreme Court (Admiralty).

**SUPPLEMENTARY TO QUESTION NO 1196 OF 2001**

**HON J J BOSSANO:**

Is this the only revenue increase that is likely to be produced by the ships, they do not have in addition to pay costs that they are being incurred while they are here and Port fees for being tied up or anything like that?

**HON CHIEF MINISTER:**

In the context of recent press coverage he needs to be careful what he means by the word cost. When a ship is under arrest in this jurisdiction it is under the care and custody of the Admiralty Marshal who is an officer of the Court. The arresting party is obliged to fund the Marshal from the date of arrest to the date of sale with money, an advance. So the Admiralty Marshal has money with which to pay costs of arrest, those costs of the arrest could be berthing fees, tonnage dues, the cost of maintaining

ship keepers on board the vessels, the cost of providing food and other services to the crew whilst they remain on board prior to their repatriation, so, that money is not paid by the Government in any sense, once the ship is sold the Admiralty Marshal recovers as a first call on the proceeds of sale any money that she spends on the costs of the arrests and pays it back on the party that has funded her which is as I explained the arresting party. From a Government point of view our revenue is limited to ordinary Port Revenue berthing fees tonnage dues and things of that sort in respect I think of two flips, the others being in neither the Admiralty berth or in the Cammell Laird berths.

**HON J J BOSSANO:**

The amounts that are estimated in Head 6 subhead 48 Berthing Charges of £270,000 are likely to be exceeded, is that right?

**HON CHIEF MINISTER:**

Sorry what Heading?

**HON J J BOSSANO:**

The one on berthing charges it says Head 6,47 we have got an estimate for this year of £270,000.

**HON CHIEF MINISTER:**

Under the Port.

**HON J J BOSSANO**

Under the Port yes.

**HON CHIEF MINISTER:**

There are two ships in our berths I do not know if any of the little ones are in our berths or whether the little ones, I do not know if hon Members have seen in the Detached Mole there are three large ships and stuck in-between there are two smaller ships. Those that are in Government of Gibraltar berths will pay berthing fees to the Government and those that are on the MOD berths will do so to the MOD indeed that is one of the contentious points currently outstanding between the Government and the MOD, but yes I think that those ships are bound to contribute in significant measure especially if they stay here because very often even after they are sold by the court especially when they are bought by the bank as seems to be the case here they are left here. The bank has no where else to take them and certainly if they stayed here for a more extended period of time as happened with the Abu Dhabi ships then they really do begin to make a significant contribution and let me say not just to the Government in respect of berthing, the presence of these ships in Gibraltar makes a very significant contribution to the economy as a whole not just to the Government revenues in terms of the Court fees on sale but these ships have got agents, they

have got crews on board who need to be victualled and provided, this provides work for the Port launches for Port employees, for shipping agents, repairs need to be done and it generally generates a considerable amount of activity in the economy.

**HON J J BOSSANO:**

I appreciate that probably more than if they just visited us for one day but the original question was to see whether there was in fact an estimate that the Government had of how if this would affect the Government's estimates of revenue and expenditure, that is what the original question is seeking to have.

**HON CHIEF MINISTER:**

There are figures bandied about what the bank is going to bid for the ships but it is not information upon which the Government can make an estimate or that it would be proper to record in Hansard in this House, it is much easier just to abide by events and see what it materialises there is a request from the plaintiffs in this action that the Government should consider making some sort of deal to reduce the 1 per cent apparently they have negotiated such a reduction with the court appointed broker who also gets 1 per cent, a second 1 per cent and there is a request for the Government to acknowledge the exceptional value of this transaction and also the fact that it is a fleet arrest and to introduce a tariff of fees which reflects that this, let me just put this whole situation in perspective, I may be wrong by a few couple of million dollars but I think hitherto no ship has been sold in Gibraltar for more than 20 million dollars. If a ship is sold for 20 million dollars by the Court it is thought to be a very big transaction, the Abu Dhabi's went for 14, 15, or 16 million dollars each. Each of these ships is thought to be worth in the order of 180 million dollars so just one of these ships is 10 times bigger than any ship that the Admiralty Quarters has sold in Gibraltar until now and there is five of the big ones and two smaller ones so we are interested in attracting these fleet arrests if they are going to take place and we are certainly interested in creating a tariff structure that attracts this business to Gibraltar and therefore we are giving serious consideration to putting in place a reduced tariff for mega-transactions of this sort.

**HON J J BOSSANO:**

It would appear therefore from the last answer then that we took, we could be talking about a very substantial revision of the estimated figure that was put in at budget time upwards?

**HON CHIEF MINISTER:**

I do not know what figure he was pointing at as he asked the supplementary, this would not go into the berthing fees, the principal source of revenue increase would be in the Court Revenue under Court Fees Admiralty because that will dwarf any increase in revenue from berthing but the berthing may be a couple of hundred thousand pounds or hundred thousand pounds or something like that but the tonnage, the court poundage as this 1 per cent commission is called is if a ship went for 180 million dollars and we left it at 1 per cent we are talking about 1.8 million dollars per ship.

**NO. 1197 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR CHRONICLE – PUBLIC COMMITMENT**

In the light of the public commitment given to the Gibraltar Chronicle on its bicentenary in May what is the nature of the agreement entered into to provide financial assistance?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No agreement has yet been concluded in this respect.

**SUPPLEMENTARY TO QUESTION NO 1197 OF 2001**

**HON J J BOSSANO :**

Was the £35,000 that we had in answer to a previous question that was given for the study, was that part of the commitment of the Government of Gibraltar to provide assistance to the Chronicle?

**HON CHIEF MINISTER :**

It was the initiation, the facilitation of a process to see what could be done to the Chronicle to put it on a sound economic footing. Government are driven in the whole Chronicle issue by three considerations. Firstly, by the fact that the Chronicle is Gibraltar's only daily newspaper and is an important part of Gibraltar's media institutions and I think it is worthy of salvation. Secondly, that there are a significant number of jobs in the printing works which are worthy of being saved if they can be saved, and thirdly that the Government think that Gibraltar has a strategic interest in

retaining a comprehensive indigenous printing industry, in other words, that we should not find ourselves in a position where printing has to go away from Gibraltar to Spain because we cease to have a capacity, because it is not economic, we cannot really compete with printing in Spain which is on a different scale and therefore the economy scales are different and it can afford capital investment which our printing industry cannot afford. The Government do not lose sight that there is at least one other significant domestic printer whose interests need to be taken into consideration. The report that the Government provided a grant in order to enable the Chronicle to commission it was a report into investigating (a) into the financial viability of the Chronicle, (b) what might be done and what would need to be done to place it on a sound financial footing, because the Government's indication had been that if the Government did agree to provide financial assistance, which they had in principle agreed to do subject to being able to be done properly, had to restore the situation. In other words, the Chronicle could not become another institution that needed annual Government assistance. It would have to be a once and for all restoration to health of the company with the printing works and all of that needed changes of working practices, in investment of equipment, investment in premises, which is what that study that the question is about, and then the discussions went on from there obviously.

**HON J J BOSSANO :**

In answer to a supplementary on the previous Question I think the Chief Minister said that they had not had a copy of the full study, only parts of it?

**HON CHIEF MINISTER :**

I have only myself looked at bits of it whether the whole of it is sitting on a file at No 6 may be so, if I gave the impression yesterday that we had not had access to the whole, that may not be right, I would have to check it. We may have the whole report, yes.

**HON J J BOSSANO :**

I was just going to make the point that obviously if the Government have provided the money and if the Government are going to be basing their decision on the study, I would think they should have access to the whole of the study.

**HON CHIEF MINISTER :**

This report was prepared by BDO FIDECS and certainly I have seen the whole of the financial part of it and then there were other bits of it relating to working practices and things of that sort, the contents of which I have discussed but may not have read, but, yes the Government do have access to the whole report, either already have had access to the whole report or could get it if they have not already had it.

**HON J J BOSSANO :**

Given the fact that the decision has been taken in principle, how far away from reaching an agreement with the Chronicle are the Government and who does it have to be agreed with?

**HON CHIEF MINISTER :**

Well the hon Member knows that we have already been consulted by the Chronicle about what we could call the structural aspects of a reincarnated Chronicle. Not on the financial side but on what form it might take in terms of ownership structure. On the financial side and on the new working practices side to ensure that it would be viable going forward, the Government have been in detailed discussions with the Chronicle Management and there are figures of the amount of finance that would be required available and there are new working practices thrashed out in management of the employees of the Chronicle, which would have to be put into place and I understand that those have been agreed. The delay at the moment is in the Government wishing to make sure that what ever might be the justification for assisting the Chronicle that in doing so we do not perpetrate a commercial injustice on other printers who would then have to compete with this financially restored Chronicle printing works and for those purposes we are at the very early stages of initiating talks with the other printers as well, to see how all the objectives might be achieved. That is to save the Chronicle for the three reasons that I explained at the outset and also in a way that does not create an unlevel playing field to the other printing works and also in a way that does not breach European Union State Aid rules.

**HON J J BOSSANO :**

Given that one of those three objectives is in fact the preservation of jobs in the Chronicle, I take it then that the question of providing assistance will not be conditional on people being made redundant. There would be a contradiction in terms.

**HON CHIEF MINISTER :**

No. It is absolutely not conditional on that, it is conditional on a change of antiquated uneconomic and unrealistic working practices in the Chronicle, but it is not conditional on the shedding of any number of jobs.



**NO. 1198 OF 2001**

**THE HON J J BOSSANO**

**SPANISH PENSIONERS**

Can Government say at what stage is the complaint before the European Commission by Spanish Pensioners seeking revalued pensions since 1990?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Following the complaint made by Spanish pensioners, the European Commission wrote to the UK as Member State responsible. I understand that the UK replied on the 27<sup>th</sup> September 2001.

**SUPPLEMENTARY TO QUESTION NO 1198 OF 2001**

**HON J J BOSSANO:**

Are the Government aware that the Spanish Ministry of Foreign Affairs informed the Pensioners Association in La Linea in writing that the Spanish Ambassador in London had been told by the British Foreign Office that the matter was being investigated with a view to finding out from the Gibraltar Government why the pensions had been frozen in 1990?

**HON CHIEF MINISTER:**

Yes the Government did see those press reports and have made the appropriate and predictable representations to the British Government in response.

**HON J J BOSSANO:**

This was of course well before the reply of September 2001 so I take it that the reply from the UK to the commission would not be on the same lines?

**HON CHIEF MINISTER:**

No, the letter from the Commission was a letter seeking information rather than a letter seeking legal justification or anything. We take the view that if Community law entitles Spanish pensioners to an annual or in any other period of time uprate table pension that the UK should simply pay the uprate.

**HON J J BOSSANO:**

Absolutely.

**HON CHIEF MINISTER:**

That is the view that we take, it is not a view entirely shared by the United Kingdom Government who try constantly to move the battleground onto other ground.

**HON J J BOSSANO:**

Well it does not surprise me given the history of this. What then is the position since September 2001, the Commission has not yet responded to the United Kingdom.

**HON CHIEF MINISTER:**

Yes there is no formal proceedings, there has not even be, I do not think this letter constitutes a pre-infraction letter, it is just a letter seeking information so it is private correspondence at that stage it is not part of the formal litigation process under European Community Law so I suppose that that will carry on I do not want to say too much but the hon Member knows whereas we focus this as an increase if there is a claim as being an increase, an entitlement to up-rating pensions which is how the Spaniards articulate their claim and therefore a matter for responsibility for the UK. The UK tries to focus it as a community care issue and therefore points the finger at Gibraltar and that is where matters stand.

**HON J J BOSSANO:**

In terms of how the Spanish Pensioners focus on it which is in fact something that does not give us any problems is it not the case that the United Kingdom is supposed to have cleared with the Commission in 1996 certainly they were claiming to be in the process of doing it just before the elections in April 1996 clearing with the Commission that the then imminent infraction proceedings would not go ahead on the basis of restoring pensions is that not a matter of record?

**HON CHIEF MINISTER:**

That is true to that extent, to the extent that the complaint then was that the pension scheme had been eliminated, that claim was disposed of by restoring the pension scheme which occurred and indeed the Commission approved the legislation restoring the scheme including the provisions in it which did not provide for up-rating. This is a different complaint now, this is a complaint not like the first one which related to the elimination of the scheme, this complaint relates to the fact that it does not provide for up-rated pensions which the Spaniards claim are being paid to the Gibraltarians by other means so this complaint is focused on the up-rating issue as opposed to on the restoration of the scheme issue.

**NO. 1199 OF 2001**

**THE HON J J BOSSANO**

**FRONTIER FENCE**

When is work expected to commence on the frontier fence?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The commencement date cannot yet be indicated since the project design has not been finalised.

**SUPPLEMENTARY TO QUESTION NO 1199 OF 2001**

**HON J J BOSSANO:**

Is it likely to happen in the current financial year?

**HON CHIEF MINISTER:**

I do not know the issue really is that we are having some trouble finding a fence design, literally it is a design issue, that is aesthetically more attractive than the chicken-wire that we have at the moment but which is not a physical barrier to sight. Most of these modern fencing, for example, we have looked at the fence around Fortress Headquarters I do not know if anyone has noticed in passing which is a modern style fencing and the technical people are looking for appropriate designs. So far the ones that have been found have been rejected for one reason or another. Is it likely to happen in this financial year , I would certainly hope that we will start in this financial year, I think aesthetically at least the part of the fence that coincides with where we cross the frontier and where we queue to cross the frontier, really from the Four Corners gates to at least the commercial gate, that is aesthetically now an

eyesore and I would hope that at least that section can be replaced and work on that could start in this financial year.

**HON J J BOSSANO:**

Have Government established whether any part of that fence is MOD responsibility, is any of it on MOD land?

**HON CHIEF MINISTER:**

I do not know what the position historically/technically is they do not take that view of life now. They do not consider that it is part of their responsibility to replace it, clearly part of the fence is on MOD land, for example, the western extremity and possibly also the eastern extremity are on MOD land, the middle bit clearly is not on MOD land, so I think the answer to his question probably varies with different sections of the frontier fence. In either case they have certainly not shown any inclination to replace it themselves, this is something that the Government wish to do as part of the physical restoration in the refurbishment of Gibraltar project and the MOD is not going to cough up for that.

**NO. 1200 OF 2001**

**THE HON J J BOSSANO**

**REASONED OPINION AGAINST SPAIN**

Has the European Commission now issued a reasoned opinion against Spain over the border delays?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As far as I am aware, the European Commission has not issued a Reasoned Opinion against Spain on delays at the Gibraltar Frontier.

**SUPPLEMENTARY TO QUESTION NO 1200 OF 2001**

**HON J J BOSSANO:**

Is there an avenue opened to the Government to take action against the Commission for failing to take action as it appears to be for the telephone company in the failure to act over non-recognition of the country code?

**HON CHIEF MINISTER:**

The matter is being looked into in legal detail in Brussels now, we believe there may be a speculative procedure loophole, if there is we will use it.

**HON J J BOSSANO:**

The complaint to the Commission which ought to have produced this came from whom from the United Kingdom?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

Presumably the prospects of persuading the United Kingdom to take action are minimal?

**HON CHIEF MINISTER:**

I think that is a safe presumption although in Parliament they continue to say that they continue to press the Commission to pursue the complaint but the chances of getting the UK to litigate against the Commission on this as on any other issue relating to Gibraltar I would have thought is worst than minimal.

**NO. 1201 OF 2001**

**THE HON J J BOSSANO**

**PAPER ON GIBRALTAR'S DECOLONISATION**

On what date did the Government receive a copy of the paper on Gibraltar's decolonisation prepared by the former Chairman of the Committee of 24, Ambassador Peter Donigi of Papua New Guinea?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The paper prepared by Ambassador Donigi of Papua New Guinea entitled "Decolonisation and the 21<sup>st</sup> Century" and which refers, amongst other territories, to Gibraltar was received on 21 June 2001. It represents Ambassador Donigi's personal views.

**SUPPLEMENTARY TO QUESTION NO 1201 OF 2001**

**HON J J BOSSANO:**

Would the Government not agree that this ought to be studied by the Select Committee of the House that is looking at Constitutional Proposals with a view to our eventual delisting given Donigi's personal views, he is a man who has held important positions in the Committee of 24 and before we both appeared?

**HON CHIEF MINISTER:**

Yes the Government have no difficulty making a copy of it available to the Committee and to the hon Members. Originally it was sent in-confidence but I think that that is now not the case. It has now been quite widely circulated within the United Nations as I understand so by all means the bottom two lines of his views about Gibraltar are that (a) the Special Committee on decolonisation does not have to adjudicate on



issues of sovereignty it is concerned solely with decolonisation and therefore it is not concerned to entertain the Spanish Sovereignty claim. The other bottom line is that there ought to be organised a plebiscite in Gibraltar, 'does Gibraltar wish to remain a non-selfgoverning territory of the United Kingdom?' and if that question is answered in the affirmative then the Committee should simply delist Gibraltar as being of no further interest to it in the context of decolonisation. We might have a useful discussion in the Constitutional Committee as to how useful those conclusions actually are although I can tell the hon Member that they have not gone down well in Madrid.

**HON J J BOSSANO:**

Is this view that it is possible theoretically for a territory to obtain delisting on the basis that it wishes to remain non self-governing one that he considers.....

**HON CHIEF MINISTER:**

No, no I did not say a non self-governing

**HON J J BOSSANO:**

Yes.

**HON CHIEF MINISTER:**

No, I meant, a self-governing territory, the plebiscite should say that we wish to remain a self-governing territory.

**HON J J BOSSANO:**

In association with UK?

**HON CHIEF MINISTER:**

A self-governing territory, it does not go into detail of what that means in practice or how one achieves it, so did I say before non self-governing?

**HON J J BOSSANO:**

That is correct.

**HON CHIEF MINISTER:**

I beg your pardon.

**NO. 1202 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN ENFRANCHISEMENT**

Are Government in a position to say when and how the British Government intend to enfranchise Gibraltar for the next elections to the European Parliament?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I have been assured that work is under way in Whitehall in preparation for the enfranchisement of Gibraltar to the elections in the European Parliament. As yet, I have no details of what exactly is being drafted or considered and what is the likely time-scale. At the UK's request a meeting is being arranged shortly between UK and Gibraltar Government officials to discuss this matter. I would remind the House that in a statement made on the 13<sup>th</sup> March 2001 to the House of Commons Standing Committee on delegated legislation, Mr Mike O'Brien, Home Office Minister said that Gibraltar's enfranchisement required primary legislation which ".....we shall introduce in the proper manner before the next European Elections, which are due in 2004."

**SUPPLEMENTARY TO QUESTION NO 1202 OF 2001**

**HON J J BOSSANO:**

Perhaps the Government are aware that in 1995 the UK was telling everybody that it required primary legislation to get Gibraltar banking licences accepted and they were not telling the truth then and it was done eventually, very recently by regulation so I do not think one can take necessarily as a biblical truth what Home Office Ministers say, but in any case are we talking about unilateral action from the UK whether it is primary or secondary legislation?

## **HON CHIEF MINISTER:**

This requires a degree of interpretation of Mr Hain's latest utterances in the House of Commons on the matter when he said that they hoped to do this with Spain's agreement. The position of the Government is very simple we have been saying to the British Government for the last five, six years, certainly since we have been in office and whilst the case was being conducted, whilst the Matthews case was being conducted the arguments were being formulated and projected that the UK was free to act unilaterally, in other words that the UK did not actually need to amend the Single European Act of 1976 which is the European Community Treaty that regulates the Eurovote, annexe (2) of which says in respect of the United Kingdom "this treaty will apply to the United Kingdom." The UK relies on that phrase to say "to the exclusion of Gibraltar" and therefore Gibraltar is not covered in the treaty, he knows the arguments, the acronym in UK has got to include a reference to Gibraltar for EU purpose in every other aspect of EU documentation of the treaty. Why should the acronym UK suddenly not include Gibraltar only in the interpretation of annexe (2) of the 1976 Act. There had been consistently resisting that interpretation and it was only when they lost the case and found that Spain was still proposing to be an obstacle to the amendment for the treaty that they then said we will act unilaterally as we had been saying that they were free to do for five years or six years. Therefore, the last I heard from the UK Government on this was that if by the summer of 2001 they had not obtained unanimous agreement to the amendment of the treaty and, of course, to amend that treaty does require the unanimity of all its signatories including Spain, so to amend the treaty does require Spain's consent but the United Kingdom's last dated position to me was that if they could not achieve that by this summer given that the end of this year was the cut off period really for, if they have not legislated by the end of this year they have run out of time to put the practical arrangements in place was what we were being told at that time that they would then act unilaterally. When Mr Hain says in answer to a question in the House of Commons as he did last week that he hopes to do it with Spain's agreement I can only assume that he means amending the treaty because it is the only thing for which he could conceivably require Spain's and the other 13 Member States agreement. He certainly does not need Spain's agreement and I sincerely hope he does not feel obliged to seek it to act unilaterally. To act unilaterally is simply a question of the UK amending its own national law to include Gibraltar in the voting arrangements and that certainly does not require Spain's agreement.

## **HON J J BOSSANO:**

It could of course mean that if it upsets Spain for the United Kingdom to act unilaterally it is not something that they would want to do, it easily means that.

## **HON CHIEF MINISTER:**

Well yes and it could mean that and that is what the Government think will be unacceptable and frankly it would be very serious for everybody not least the UK if the UK's willingness to free itself from the dock of a condemned human rights violator well less strong in its mind than the fear of upsetting Spain. There is only two ways that the UK can remove from its head the stigma of having been found to being a human rights violator in the case of Gibraltar and that is either to do it by changing the treaty which requires Spain's consent or to do it unilaterally which does not require Spain's consent, but if UK chooses to seek Spain's consent and does not obtain it we think it is objectionable that they should even seek it, but if they seek it and does not obtain it

it raises the question as to whether the UK prefers to remain in violation of human rights rather than upset Spain I do not think that that is the position, I have received no evidence, I have no suggestion that that is the position, the evidence that we have is to the contrary, several UK ministers have stated in Parliament on several occasions that the UK is committed to remedying this violation and to passing this legislation in time for the 2004 elections as Mr O'Brien who is the Minister responsible for voting in the United Kingdom has said "that is the option that we are running with at the moment."

**HON J J BOSSANO:**

Given that the time is running out for UK legislation, is there not a similar constraint on time in respect of changing the treaty, I would have thought changing the treaty would be an even longer process than changing domestic legislation?

**HON CHIEF MINISTER:**

At the time that we were discussing with the UK we were being told that Spain objected that some countries needed to take this to a referendum and all sorts of things, whether all those problems have suddenly disappeared I do not know. I still suspect that it is much more likely that the UK will have to pursue unilaterally.

**HON J J BOSSANO:**

The meeting that is planned to take place at UK's request is it that the Government at this stage do not know whether that is on the basis of the United Kingdom legislation being changed as opposed to getting the agreement to change the treaty?

**HON CHIEF MINISTER:**

As far as we are concerned the meeting that is being requested was to discuss the detail of the enfranchisement, election rules, how we would fit in, the mechanics, the nitty gritty of voting and there was almost a presumption at that stage between us that the UK was working on the unilateral route and indeed that might still be the position because all we have to suggest the contrary is this stowaway line by Mr Hain in the House last week where he says "With Spain's agreement" which leads us to believe that they might now be back on to the amendment of the treaty since we can not conceive that they would seek Spain's agreement to the unilateral enfranchisement, but of course the hon Members high levels of cynicism may be entirely justified.

**HON J J BOSSANO:**

Is there a date for this meeting?

**HON CHIEF MINISTER:**

The Chief Secretary who would know has just slipped out of the House I will let the hon Member know later.

**NO. 1203 OF 2001**

**THE HON J J BOSSANO**

**BRUSSELS NEGOTIATIONS**

Have the Government sought clarification from HMG in respect of the statement by the Minister for Foreign Affairs of the Kingdom of Spain that it had been clearly established between the two sides that advances in co-operation and on sovereignty would take place in parallel in the re-launched Brussels negotiations and be reversible conditional on the results obtained?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not Government policy to comment in this House on unconfirmed press reports. I can however tell the hon Member that all the statements of its policy made to me by HMG are to the effect that HMG does not accept that progress on co-operation should require, still less be parallel, to progress by Spain on sovereignty. The Gibraltar Government have already said publicly that such linkage would necessarily result in no progress on co-operation and therefore very early failure of any talks.

**SUPPLEMENTARY TO QUESTION NO 1203 OF 2001**

**HON J J BOSSANO:**

I am not asking the Chief Minister to comment on press reports what I am saying is, has he taken up the matter of the statement made by Señor Piqué himself with the British Government with a view to getting them to correct it publicly, does the Government not agree that if Señor Piqué says on his return to Spain we have got a very clear understanding between myself and Mr Straw and this is the case, and Mr Straw remains silent then whatever private assurances he may have the rest of the world has only got one version of reality?

**HON CHIEF MINISTER:**

Yes, this brings us constantly to the very convenient response that the United Kingdom does not engage in megaphone diplomacy. We have frequently asked the United Kingdom to effectively counteract Spanish statements because unlike most other international issues Spanish statements through Spanish press reports are constantly being consumed in Gibraltar and they are not ignored by public opinion in Gibraltar. We have only enjoyed very limited success on the odd issue here and there from the UK a contradictory or challenging response. I think the approach that they prefer which we have told them is entirely ineffectual is the one recommended most recently by Mr Hain in the House of Commons when he invited us all to ignore all the utterances of Spanish politicians and the Spanish press. It is not a realistic approach to life and we have certainly constantly making that part to the British Government. As specifically on the question of the linkage between sovereignty and progress and co-operation the British Government are under no illusion about what that would mean for Gibraltar participation in talks or the prospects of success of talks and it is precisely I do not want to raise with the hon Member now the differences that divide us generally in relation to the Brussels process but from our perspective it is precisely to protect Gibraltar from syndromes of that sort that we insist on having an equal say in terms of the need for veto that nothing can be agreed unless we agree so that precisely we do not find ourselves in a position where Spain with the UK or without the UK's acquiescence can in effect deploy this policy. Our position is we are willing to take part in dialogues as long as it is safe but if Spain tries to link sovereignty with any other progress on any other issue we have got to be in a position to arrest that linkage, to arrest that dynamic and let Spain get up from the table in a huff and walk away from dialogue because she is not getting satisfaction of her unilateral linkage policy and I do not expect the hon Member to agree with that because I know he disagrees with the strategy generally but that is one of the reasons the Government attach so much importance to the veto point.

**HON J J BOSSANO:**

I do not want to go either into areas where we may finish up disagreeing with each other, the important thing at the moment is to protect Gibraltar from Spain. In respect of this specific quote which was in fact, there is no question at all about the fact that Mr Piqué himself said this, this is very clear it is not speculation by third parties and I think that what was known was in fact that he actually emphasised that the co-operation was reversible if the inroads into sovereignty did not materialise and that this was Spain's safeguard obtained from Jack Straw at the meeting in London on the 25<sup>th</sup> July. Is this not sufficiently important, just this limited area of the many things that they say, but at least this one which seems to be from the formulation of the Spanish Foreign Secretary a corner stone of what is new in the re-launched Brussels negotiations which was not there before in the sense that Spain has always from the day they signed, and indeed from the day they signed in 1980 the Lisbon Agreement which failed precisely on that count, always argued that the two aspects were supposed to proceed in tandem but this is the first time they have actually come up with this notion that they have got a clear commitment from the United Kingdom Secretary of State from Jack Straw himself that it is reversible.

**HON CHIEF MINISTER:**

I do not think he has said that.

**HON J J BOSSANO:**

Yes he has said that.

**HON CHIEF MINISTER:**

No he has said what the hon Member, I am prepared to acknowledge that he has said he has linked the two things, he has said it frequently that for Spain's parallel progress on sovereignty has got to be in parallel or co-operation in parallel on sovereignty. He has also said that it is reversible what he has not said is that he has obtained that as an agreement for a concession from the British Government. Indeed it would be outrageous if that were true because the British Government first of all has not said that to the Gibraltar Government and continue to assert to the Gibraltar Government that the British Government's policy that there is no linkage between sovereignty and co-operation, but certainly I have seen nowhere reported in the press because had that been the case I would certainly have raised it with the Foreign Secretary there has been no press report to the effect that Britain has conceded this or that Mr Straw has agreed to this linkage. The Gibraltar Government on seeing these reports not for the first time, Señor Piqué has been saying these things now for about six months has made it perfectly clear that there is no scope for progress along that particular road. All that remains for us again trying to avoid areas of disagreement between us, all that remains for Gibraltar represented by the Government of the day is to ensure that that can safely be undertaken, in other words assuming the worst, assuming that is the agenda, assuming that everything that the Leader of the Opposition has said is the agenda which we have no reason to suppose that it is, assuming that it is that Gibraltar has inbuilt into its participation all the necessary safeguards to ensure safety for Gibraltar if it turns out to be the case.

**HON J J BOSSANO:**

He knows that we will not agree so I will not dwell on that but can I just say I am afraid I do not have the text, I thought I had but I will make it available to the Chief Minister will he then consider taking up the matter because it is absolutely clear it was in a question to Señor Piqué from a journalist as to the element of risk involved in participating in the re-launched Brussels Process which might get nowhere as previous attempts had done from Spain's perspective, that he said that there was a clear understanding between himself and his UK counterpart that the safeguard, that exposure to the risk was in the fact that the two aspects were in parallel and that it was reversible and it is the first time I have come across with this question of reversibility and the introduction of the concept that the fact that it can be unwound means as it were that Spain will not be in a position of giving us goodies which we then consume but then do not pay for in which case they can then be withdrawn. Certainly I would agree that that would be a very serious basis and either the United Kingdom ought to make clear to Señor Piqué that he has misunderstood the United Kingdom's position in which case the talks might never get going which might be good news or the UK will have to be flushed out in which case perhaps the Chief Minister will question the wisdom of going if that is indeed the case, in which case it would also be good news.

## **HON CHIEF MINISTER:**

Well he knows that we have different views of what is constructive for Gibraltar going forward in this respect, he appears to think that having no talks is good news we do not share that view of life we think that having safe talks on a proper basis is good news and it is because we have such different philosophies to life in this respect that we have the different policies that we have, that he now has given that he has not always had them. As to what would be the case if the UK were flushed out to use his words if the UK were flushed out and was not willing to deny what the hon Member says he still believes he has read in the press and is going to make available to me, namely that Mr Straw has agreed to this new corner stone, all it would do is strengthen the Government in their resolve which is already unshakeably strong by the way, that there is no question in participating in any dialogue. The hon Member appears obsessed with the Brussels Agreement for us the Brussels Agreement is not the issue, to us the issue is our conditions to the dialogue apply to any process of dialogue because these dangers, in all of these dangers the hon Member is concerned about exist in any process of dialogue not just in the Brussels Agreement and therefore the terms of dialogue have got to be got right in our estimation whether it is Brussels or non-Brussels. All it would do if we could not flush or if we did flush out the UK in the adverse sense that the hon Member suggests is it would re-enforce us in our conviction that Gibraltar could not safely take part in dialogue unless we enjoyed an effective veto so that if that was the unspoken and now flushed out agenda it could not prosper but would have the effect of making Spain break down the dialogue rather than Gibraltar and we think there is virtue in that.



**NO. 1204 OF 2001**

**THE HON J J BOSSANO**

**CORRESPONDENCE WITH THE PRESIDENT – EUROPEAN COMMISSION**

Can Government say when they wrote to the President of the European Commission Romano Prodi to complain about the uneven treatment of Gibraltar by the Commissioner who is pursuing State Aid rules in Gibraltar's case and yet has failed to take any action after six years of complaints from Gibraltar at Spain's refusal to recognise our 350 international dialling country code?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I wrote to the President of the European Commission on 1<sup>st</sup> October 2001.

**SUPPLEMENTARY TO QUESTION NO 1204 OF 2001**

**HON J J BOSSANO:**

I take it that it is still too soon to have produced a reply?

**HON CHIEF MINISTER:**

He can take it as he pleases I can certainly tell him that no reply has been received yet but the hon Member's supplementary assumes that it will receive a reply.

**HON J J BOSSANO:**

Yes and the Chief Minister's reply to the supplementary is that he does not necessarily assume that he will get one then I take it?

**HON CHIEF MINISTER:**

The letter certainly deserves a reply both for its content and for its provenance but it would not be the first letter that we address to the Commission that does not receive a reply.

**NO. 1205 OF 2001**

**THE HON J J BOSSANO**

**EU – WASTE FRAMEWORK DIRECTIVE**

At what stage is the action taken by the European Commission against UK for their alleged failure to comply with the Waste Framework directive in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I should perhaps clarify that the infraction is not simply about Gibraltar. The Commission is also proceeding against the UK in respect of alleged deficiencies in its domestic legal order. As at the 30<sup>th</sup> October the position is that HMG is finalising their proposed response to the Commission's 'reasoned opinion' in consultation with the Government of Gibraltar.

**SUPPLEMENTARY TO QUESTION NO 1205 OF 2001**

**HON J J BOSSANO:**

The actual implementation of this directive requires more than legislation, I think it actually requires infrastructure to be put in place, is that it?

**HON CHIEF MINISTER:**

I think the legislation might even already be in place this is an infraction for non-implementation.

**HON J J BOSSANO:**

Not from non-implementation of the directive but from not actually doing what the legislation says we should be doing I take it?

**HON CHIEF MINISTER:**

If one transposes directives into legislation one implements them on the ground that is in European jargon the distinction, this directive is not being complied with is another jargon that they use they sometimes draw the distinction that way between compliance. I believe that this legislation has been in place for sometime what there is not in Gibraltar is an urban wastewater treatment plant.

**HON J J BOSSANO:**

Is the nature of our system, the fact that it is saline, which does not appear to be the case in other countries, is that something that has an effect on how we can deal with the requirements of the directive and is it something that has been discussed at all with the Commission?

**HON CHIEF MINISTER:**

It does not have an effect if by that he means does it somehow make the conditions less applicable to us, no, it does have an effect but a complicating one in that there is very little technology around for the construction of urban wastewater treatment systems, plant, that can tolerate saline fluid transiting through it. One of the reasons there has been delay in getting this project off the ground is the need to find the appropriate technology to implement because of our saline because of the high salinity ratio of our urban wastewater which is not only flushed with brackish water but indeed there are backwash issues of seawater. So this is a long and expensive project it is something that is being intensely worked on just the choice of site for such an installation in Gibraltar is a major issue given physical dimensions of it and then the technology to put in the site because of the salinity is itself a major issue and the third major issue of course is the sheer cost of building this.

**NO. 1206 OF 2001**

**THE HON J J BOSSANO**

**BRUSSELS AGREEMENT**

Can Government inform the House what was discussed at the meeting with the Foreign Secretary on 9<sup>th</sup> October 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As explained in the Government's press statement which was issued shortly after the meeting with the Foreign Secretary, most of the discussion centred on the possibility of the Gibraltar Government's participation in talks under the Brussels Agreement and the Government's requirements therefore. It was agreed to engage in detailed discussions during the following weeks with a view to addressing the Gibraltar Government's terms for participation. The Foreign Secretary reiterated that there was no question of any change in sovereignty against the wishes of the people of Gibraltar and expressed the firm belief that a way could be found to normalise relations with Spain through dialogue.

**SUPPLEMENTARY TO QUESTION NO 1206 OF 2001**

**HON J J BOSSANO:**

And that took an hour and a half?

**HON CHIEF MINISTER:**

There were one or two other issues raised, some financial services issues and some OECD issues, state aids were discussed but the bulk of the discussion I would say slightly over an hour or about an hour were on this issue yes.

**HON J J BOSSANO:**

Given that we all know about the Preamble to the Constitution and so forth but given that in Mr Hain's interview of the 17<sup>th</sup> September and in subsequent statements there has been this business of the results of what emerges out of the negotiating process being put to the people nearer the referendum, how can that be reconciled with the process not being about changes to the status of the sovereignty of Gibraltar, I mean what else is there to a referendum?

**HON CHIEF MINISTER:**

I think the UK fully envisages that there would be discussion on options for ways forward I do not think anybody makes a secret of that what I think is less reconcilable is how the UK thinks that it is going to make progress in 12 or 18 months on what Spain expects to be progress for her on sovereignty given that the United Kingdom is committed to put the outcome in a referendum to the people of Gibraltar who are bound to turn it down. That really is the circle that is more difficult to square as we have constantly been telling the UK and both UK and Spain publicly and if that is the calculation then it is a misconceived one, a thoroughly misconceived one. Unless Spain has really changed, for which we can see no evidence and unless Spain has really lowered her sights and her aspirations and her ambitions in respect of Gibraltar for what we see no evidence and we might be pleasantly surprised when the discussions start, but certainly there is no evidence of that yet, unless either of those is the case then there is no prospect of anyone coming up with the way forward for the Gibraltar issue which will be acceptable in referendum for the people of Gibraltar or before that acceptable to the Government of Gibraltar in that process of discussion.

**HON J J BOSSANO:**

A way forward is inoffensive terminology for meaning a new status for Gibraltar or Gibraltar's decolonisation or something that would alter the status of Gibraltar, how do Government reconcile that happening in the re-launched Brussels process when that is what we are supposed to be doing in the Select Committee of the House?

**HON CHIEF MINISTER:**

That is because the Government do not share the simplistic analysis of life which the hon Member persistently and consistently makes. I know that it is the hon Members view which he repeats frequently that discussions with Spain are inconsistent with what he regards as the process of decolonisation by the modernisation of our Constitutional links with the UK or in short the Constitutional Committee process. The Government do not share that view. The Government have made it perfectly clear that they have no objection to Spain broaching issues of sovereignty, that they have no objections to Spain making as many proposals to the people of Gibraltar as Spain wishes provided that it is clearly understood that the people of Gibraltar in exercise of their right to self-determination are entitled to decide their own future, that nothing can be agreed above the heads of the people of Gibraltar and that their can be absolutely no change in sovereignty contrary to the wishes of the people of Gibraltar, and we have absolutely no difficulty within those parameters in sitting down with Spain and exploring to see whether there are possible ways forward acceptable to the people of Gibraltar. He and I may well have clear views about what are the prospects of anything emerging that will pass that test of acceptability to the people of Gibraltar but

that is not Gibraltar's problem, that is Spain's problem. That is not a reason for Gibraltar not to engage in dialogue and we do not think that a process of dialogue in which Spain is free to make proposals which we are free to reject, is in any sense inconsistent with a power on progress of amending our Constitution. The more burning question which I would expect the hon Member to be more concerned about is whether there is any real prospect that the United Kingdom will give us meaningful Constitutional modernisation at the same time as it has engaged in this impetus with Spain, that is the issue which we will discover when we get to the end of our exercise and start talking turkey with the United Kingdom.

**HON J J BOSSANO:**

It seems to me that the burning question as the Chief Minister puts it is entirely in our own hands. The sooner we conclude our deliberations in the Select Committee and bring the matter to the House and challenge the United Kingdom with our consensus view the sooner we will find out although I have no doubt that he must have been given indicators as to the prospects of the receptivity going back to the prediction of Spain going ballistic by Mr Cook, but the point about the re-launch of the Brussels process is, of course, precisely in the text signed in 1984 that it states clearly that Spain will be discussing the issues of sovereignty with the United Kingdom and with the representative of Gibraltar that forms part of the United Kingdom delegation, that was there in what was signed in 1984 and we objected to it then. The Chief Minister may consider I am simplistic well perhaps I am as simplistic as the majority of the people of Gibraltar who seem to have a very simplistic idea that they want to have nothing to do with Spain, now, if the majority do not want to have anything to do with Spain in terms of ceding anything at all whatsoever, well then what can be negotiated which might be acceptable in the judgement presumably of the Chief Minister, because I do not think that anybody else's judgement will count. If there was a process in which Spain put proposals for Gibraltar's future and in which he participated what would matter would not be what Mr Straw thought the people of Gibraltar would accept, or what Señor Piqué thought, it would be what he thought. If he thought it would not be acceptable and he said it was not acceptable there and then, presumably it would never go any further it would only come to the people of Gibraltar surely in that context if he thought he had a chance of being acceptable to a majority. Does he not realise that that formulation of the importance attached to the presence of Gibraltar seems to at least be coherent and makes sense from the perspective of what they are trying to achieve which is not neighbourly relations it is something more serious than that.

**HON CHIEF MINISTER:**

The hon Member speaks as if it were not his policy of commitment to open agenda dialogue. The hon Member went to the last election and to the one before professing a commitment to taking part in open agenda dialogue. I am prepared to debate on another occasion, as I did with him on television recently, I am prepared to debate with the hon Member his particular view that dialogue under the Brussels process is in his view bad and in my view on certain conditions okay, but I am not prepared to debate with him the issue of whether Gibraltar should take part in dialogue full stop until he asserts publicly that the policy of the Opposition is now that there should be no dialogue between Gibraltar and Spain, let us unclar the lines, there is a different debate on the one hand about whether Gibraltar should have any dialogue with Spain and a very different debate because it raises different issues about whether that dialogue should be inside or not inside the Brussels process, I cannot allow the hon

Member indefinitely to carry on clouding the distinction between those two positions. If the hon Member wishes now to assert that the Opposition's policy is that it should not take part in any process of dialogue under Spain, neither open agenda nor closed agenda, nor inside Brussels nor outside Brussels, contrary to everything that they have told the people of Gibraltar before because of this new impetus and because of the judgement and because Spain only wants sovereignty and because all the things that he is now deploying, I think that the starting position is that he has to say that and then he can debate not Brussels but dialogue. At the moment I have been engaged with him in a debate under what I hope is not the misapprehension that he is pro dialogue but anti dialogue under the Brussels process so that what I have been engaging him on is on issues that arise only under Brussels as opposed to issues that arise under any process of dialogue because then what we are discussing is dialogue generally not the ins and outs of Brussels in particular. The hon Member should know that we now have on dialogue the very same policy that he had between 1988 and 1994 when for reasons that he and I have never discussed and which he has never explained he changed track, fine, he changed his mind. I have known that he has always been anti participation in dialogue under the Brussels process in particular, we address those arguments, we listen to what people say about Brussels and then we formulate policies which are designed to give comfort in respect of those specific concerns about the Brussels process in particular which we believe the Government's terms for participation say. If his view is no dialogue with Spain under the Brussels process because I made a hobby horse of this in 1984 and I am dammed if I am going to get off my horse now, the Government are not only willing to but indeed are duty bound to have that debate with him and we have that debate with him but then we address issues that are raised exclusively by Brussels, for example, the alleged linkage to the United Nations resolutions on the Brussels process. That is an issue that arises from Brussels talks but does not arise from other talks so the Government addresses head on the arguments of those who say no to Brussels because of the UN resolution linkage. That is a debate about Brussels.

#### **HON J J BOSSANO:**

I think the problem with responding to the Chief Minister is that he is incapable of having a debate on any issue objectively without using adjectives to disqualify anybody that holds views different from him. So, if I have got a particular analysis he calls my analysis simplistic. I may think his analysis is deliberately misleading but I do not say he has a misleading analysis because he chooses to use the word dialogue because dialogue frightens people less than negotiations, but if the Chief Minister wants to know what my position is, of course, he has just remembered in the latter part of the lengthy contribution he has made that we have debated the position. We debated it in a motion in this House when he accused me seven years ago of not wanting any formal dialogue with Spain when in fact there was a motion in the House which was carried by Government majority which said that we should not participate in dialogue with Spain if they did not recognise our right to self-determination and if they were placing restrictions on us. It was a motion that was brought by Mr Cumming and amended by Government majority removing all the words after "This House." I am sure the Chief Minister remembers, and then he came out saying that meant that I was closing the door totally to dialogue with Spain. Well then if he says I am not consistent and he says I am doing that now then presumably I have been consistent at least for seven years which is more than we can say for him because he is not consistent for more than five minutes.



**HON CHIEF MINISTER:**

No because he then goes to an election saying open agenda, dialogue.....

**MR SPEAKER:**

Order, Order.

**HON J J BOSSANO:**

Since the Chief Minister has said that he wants to know whether we draw a distinction between talking to the Spaniards in an open agenda then the answer is yes we do and we think that there are dangers in a process which led to the opening of the frontier in 1985 in exchange for the United Kingdom accepting what they had been rejecting in 1973 where the Spanish Government as the Chief Minister knows has since 1973 been saying that this is a doctrine of the UN never once refuted and therefore what we have is a parallel of the question that I was originally raising with the Chief Minister which is if Señor Piqué says I have got a commitment from Jack Straw that what we are going to do in Brussels is to proceed in parallel and a commitment, the point that I made then is the same point that I made when I had spoken beside him in the United Nations this year. But when the United Nations hear that version from Spain and no reply from the United Kingdom from 1973 till the year 2001 one might forgive the International community for thinking that Spain is telling the truth but if people read the statements of Piqué and Jack Straw because he does not want to engage in megaphone diplomacy does not refute it then what stands as a matter of public record is that that is what is intended in the relaunch and if the relaunch is intended to produce a formula which can be put to the people in 15 months it seems to be incredible that they should not have a secret plan, not have something that they already know they are going to put and expect that that can be produced in 15 months. Now, I would think that the nature of the description of what is intended to take place recently by both the United Kingdom and Spain tends to confirm more than anything that has happened since 1984 what the intentions of the process is and therefore whereas we might not be as enthusiastic as the Chief Minister about sitting down to talk to Spain we see none of the dangers if there is as he originally from the Opposition supported when it was suggested at the time of Douglas Hurd a new forum which is not Brussels, which is not linked to Gibraltar's decolonisation, which does not require the resolution of all the differences where the Chief Minister is there independent of the United Kingdom and independent of Spain which is what he originally supported when we were not against the idea ourselves and it was suggested by the United Kingdom, and Spain almost bought it by they did not, and that is a different scenario but of course the Chief Minister can confirm to the House that what Mr Hain said on the 17<sup>th</sup> September in the Chronicle that he agreed with the Hon Mr Caruana that there was no alternative, that there was no option to the Brussels negotiating process, of course if he believes that then frankly to want to know whether our line would be different if an alternative exists which does not exist is a hypothetical situation which no doubt he would be telling me he can not answer if I was asking him the question. It is hypothetical according to all the information available publicly the British Government, the Spanish Government and the Government of Gibraltar are all in agreement on one thing that it is either Brussels or no dialogue. Now, if it is Brussels or no dialogue then the option for us is no dialogue obviously.

## HON CHIEF MINISTER:

It is clear then that the argument is not about dialogue but whether it should be in or outside the Brussels process, the Opposition according to what the hon Member has just said is perfectly content to engage Spain in dialogue and then when the hon Member says that he is consistent he should understand that he has just demonstrated the opposite because the motion to which he referred in the House by references to Mr Cumming and everybody else was no dialogue with Spain. [Interruption]. The Hon Mr Perez should know that he cannot prevent me from speaking just by trying to shout at the same time, the resolution to which the hon Member referred and which was passed by a majority of his Government which we voted against because we thought it was sheer insincerity, the motion, yes the motion was no dialogue with Spain unless Spain first recognises the right to self-determination, in the certain knowledge that that was an absolute non-starter and that was dishonesty. To profess to have a commitment to dialogue but to lay down preconditions which require the other side to capitulate 100 per cent before they even get to the negotiating table in any honest man's language is "I do not want dialogue with Spain" but having said in that resolution no dialogue unless Spain first accepts the right to self-determination, his position in the subsequent election and this morning is not that, and therefore he is not consistent. His position now is so long as it is outside Brussels on an open agenda. Well look, on an open agenda dialogue Spain does not have to accept that he has the right to self-determination first and therefore his position now is not no dialogue unless Spain first accepts my right to self-determination which was his position the day he passed that motion, his position now is dialogue with Spain yes, provided that it is on an open agenda even if there is no recognition of the right to self-determination and when he accepts, when he professes an alleged willingness to dialogue with Spain on an open agenda basis presumably he understands that open agenda means open agenda for both sides and that if it is open agenda for both sides and he knows that Spain is only, in his own language, Spain is only interested in sovereignty then when he professes as he has done in his election manifesto and as he has done this morning that he is willing to engage Spain in a process of open agenda dialogue he must presumably understand that that includes sovereignty because open agenda means open for him and open for Spain as well and he knows that Spain is only interested in sovereignty. So when he professes a willingness to open agenda dialogue he is also professing a willingness to engage in a process of dialogue in which Spain is able to raise the question of sovereignty, otherwise he is being insincere again because presumably he does not mean open but only for us. As far as Spain is concerned it is closed, they cannot raise the dreaded 'S' word and therefore, it all boils down to this. Yes because he can longer get away with what he did in the House for eight long years which is to say one thing one day, another thing another day, shift his ground and then accuse everybody else of being the chameleon when the biggest chameleon ever in the history of politics in Gibraltar has been him. The hon Members giggle prematurely at their imminent peril as this debate on dialogue, if the Government's condition should happen to be met, if this debate on dialogue continues then of course everyone's view has to be fully exposed to public scrutiny. Given that the hon Member is willing to take part with dialogue with Spain under an open agenda and without Spain having accepted the right to self-determination which is also our position, all that remains between us is whether that dialogue should or should not be under the Brussels process and therefore which is frankly what I thought the hon Member's position was, until I heard him say some of the things he has said earlier this morning, and therefore the issues between us are, is dialogue safe or not? Is dialogue under Brussels safe? Which is what the Government attach importance to, or is dialogue under Brussels against Gibraltar's interests for some other reason which is what he says, and that is where we disagree so by all means let us continue with our debate about whether the

Government should or should not participate in dialogue under the Brussels agreement and let us not confuse that argument by raising arguments that arise equally in that alternative process of dialogue in which the hon Member claims he is willing to participate.....

**HON J J BOSSANO:**

Which does not exist.....

**HON CHIEF MINISTER:**

.....but the hon Member has said that he is willing to participate in dialogue under an open agenda and without Spain first having accepted the right to self-determination and therefore, the hon Member should not in an argument to try and persuade the Government not to take part in talks under the Brussels process because he does not like the Brussels process, he should not deploy arguments which arise equally under the Brussels process as in any other alternative process of dialogue because that is just a confusion of the issues that arise, and that is the Government's approach to participation in these talks. The Government are not persuaded, have never been persuaded, by the hon Member's arguments which we believe to be a matter of personal political obsession on his part. The Government are guided only by whether talks are on terms which are in Gibraltar's interests, which are safe for Gibraltar, which protects us in all circumstances from the machinations of other parties, which protects us from any change to our sovereignty or our status contrary to our wishes, and the structure of which is not per se incompatible or inconsistent with our right to self-determination. That is the Government's policy, that will continue to be the Government's policy, if our terms are met we will go, and if our terms are not met we will not go. That has been our position since the 16<sup>th</sup> May 1996 in terms of whether we have gone or not gone to talks in 1996 and 1997 and that will continue to be the case and as far as we are concerned this argument whether Brussels yes or Brussels no, has been fought in the past already, the hon Member appears to overlook the fact, he is of course free to continue with his arguments and we engage him in the argument we do not take the view –“ well you know we have won the last two elections therefore we do not even engage in arguments we think are closed,” we continue to engage that is why I participate with him in debates on television on Brussels yes and Brussels no arguments, but the fact of the matter is that the hon Member attempts at all costs to try and create a situation in which the Government decide whether they go to Brussels or not according to his view of Brussels as opposed to according to our view of Brussels and our terms for a decision is bound to fail.

Whether the Gibraltar Government take part in talks under the Brussels process is in neither his hands or in his argumentative lips nor in my hands nor in my argumentative lips. It is actually in the hands of the British Government. If they deliver the Gibraltar Government's clearly spelt out terms for participation we will participate, if they do not, we will continue not to participate. Why? Because if they deliver our terms, in our judgement and we have been elected to exercise our judgement, in our well sign posted and accepted twice by the electorate judgement that would render the Brussels process safe for Gibraltar, and if they are not met it will not render the Brussels process safe for Gibraltar and therefore we would not go and that is what it depends on and he and I can continue and will continue no doubt to discuss it, I know what his views are I respect him for the views that he holds I think he is mistaken, I do not share his views and we on our part have set out our stall over 10 years to the

electorate, it has been accepted by the electorate, it has been clearly spelt out by us, it is clearly understood, the hon Member will understand that we deploy our policy and not his. The hon Member understands that, which does not to say that we disregard his arguments let me tell him, we listen to the arguments of all those who caution against participation and talks under the Brussels Agreement and then in measure that we think that there is virtue or a point in those arguments against participation we incorporate those virtues, we see what we think is right about those arguments in our own position in terms of the conditions that we impose for participation. That is how the Government have arrived at the position that it has under the Brussels Agreement today. We start with our own position and then we listen to what other people with a different view have to say on the matter, we take on board as much as is required to be taken on board without throwing the baby out with the bath-water and without prejudicing what we think is necessary for the safety of Gibraltar. The hon Member I know does not agree with that view of life, is never going to agree with that view of life, but I am sure that he is long enough in the tooth politically to know that Governments govern according to their views and not according to the views of Oppositions.

**NO. 1207 OF 2001**

**THE HON J J BOSSANO**

**TECHNICAL TALKS BETWEEN UK/SPAIN**

Have Government been informed of the content of the technical talks between UK and Spain which reportedly took place in London on Monday 22 October?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No.

**SUPPLEMENTARY TO QUESTION NO 1207 OF 2001**

**HON J J BOSSANO:**

Have the Government asked for information?

**HON CHIEF MINISTER:**

No, the view that the Government take is that the business of the coordinators of talks under the Brussels process is not for discussion at this stage unless the Government agree to participate in talks under the Brussels Agreement, otherwise in this particular period of time we would just find ourselves embroiled in the process without actually being participants in it and the Government have thought that that is tactically not right.

**NO. 1208 OF 2001**

**THE HON J J BOSSANO**

**OECD TAX INITIATIVES**

When did the last meeting between the Gibraltar Government and officials of the OECD take place?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question Nos 1172 and 1173 of 2001**

The Government expects to provide the OECD a letter of commitment prior to the deadline for doing so subject to ensuring that there is a level playing field for all finance centres with which we are in competition. Spain continues with its last minute objection to Gibraltar dealing directly with the OECD on this matter even though we have been doing so for the last three years. Spain also objects to Gibraltar's categorisation as a tax haven because this suggests that we are separate from the UK. Under the OECD report members with offending tax regimes are categorised as having 'preferential tax regimes' rather than as being 'tax havens'. The differences in nomenclature is so as not to offend the sensitivities of the members of the OECD. Spain therefore argues that by having been categorised as a tax haven, the OECD has in effect adjudicated that Gibraltar is separate from the United Kingdom because had we been treated as part of the United Kingdom, so here is Spain sort of arguing the Leader the Opposition's integrationist policies of the past, we are sort of categorised as a 'preferential tax regime', So there are two different objections, one is that they should deal with us in meetings and accept commitment letters directly from us and a separate objection is that we are categorised as a 'tax haven' as opposed to a place with 'preferential tax regime' because one means that we are part of the UK and the other 'tax haven' means that we are separate from the UK.

### **Answer to Question No 1208**

The last meeting between the Gibraltar Government and officials of the OECD took place on 3<sup>rd</sup> May 2001 when Mr Torsen Fensby and Mrs Katrina Becker-Wittur (OECD officials) met with me, with the Minister for Trade, Industry and Telecommunications and officials to discuss the text of the commitment letter. There have been subsequent telephone conversations between Government of Gibraltar and OECD officials but no meetings.

### **SUPPLEMENTARY TO QUESTION NOS 1172, 1173 AND 1208 OF 2001**

**HON DR J J GARCIA:**

Can the Government say whether the United Kingdom is still of the view that this is a matter, the letter of commitment et cetera, is a matter purely for Gibraltar.

**HON CHIEF MINISTER:**

Yes the United Kingdom is very firmly of that view. In fairness to them they have been of that view throughout, the difficulty has been making sure that they do not depart from that view under the usual last minute pressure but I am glad to say that they appear not to be doing so.

**HON J J BOSSANO:**

Can I ask in relation to Question No 1208 of 2001, was the meeting in May in Gibraltar or it was not?

**HON CHIEF MINISTER:**

When I said in my original answer last minute objection by Spain, literally last minute objection, we had been to Paris twice to meet with the OECD there, they had been here twice, certainly once in May I think they have been here before that, there have been numerous meetings between officials and this has been with all the overseas territories not just Gibraltar.

**HON J J BOSSANO:**

Did the Spanish objection materialise after the May meeting?

**HON CHIEF MINISTER:**

Yes the Spanish objection materialised at the time that the OECD Council came to approve literally at the 11<sup>th</sup> hour. There is a July 2001 update report which amongst other things was going to include the abandonment of the ring-fencing criteria under American pressure and that has not been able to be published because Spain vetoed

its adoption and under OECD rules one requires consensus decisions by all its members, so in effect Spain has vetoed the publication of that report until Gibraltar is dealt with in the manner that pleases it and that is where things stand.

**HON J J BOSSANO:**

When did that happen, was that in June then?

**HON CHIEF MINISTER:**

No in July.

**HON J J BOSSANO:**

July.

**HON CHIEF MINISTER:**

Yes it actually happened at the OECD council Meeting which had been convened to adopt the report and decide on its publication. It could not have been later in the day.

**HON J J BOSSANO:**

If in fact at the main meeting the nature of the commitment letter was arrived at what is stopping the Government of Gibraltar from sending it and putting the ball in the court of the OECD?

**HON CHIEF MINISTER:**

Nothing whatsoever and that is what will happen. At the moment the problem is not that they would not accept our commitment letter, at the moment the problem is that we can not meet with them to continue to negotiate its terms but at the last minute there is nothing to stop us giving it in the terms that we know Jersey has given it and had it accepted, or the Isle of Man has given it already and had it accepted. So, at the end of the day the impasse now is not about Gibraltar's commitment letter, the impasse is about the publication of this wretched July report and about the OECD therefore moving forward because at the moment everything is stuck. The OECD which in July interrupted bi-lateral meetings with all the territories ostensibly because it was the summer holidays has only just started rescheduling them and we have not yet succeeded in persuading them to reschedule when we ask.

**HON J J BOSSANO:**

Is it the case then that if the OECD is unable to proceed in the case of Gibraltar they will not be seeking to put us on any black list or sanctions?



**HON CHIEF MINISTER:**

I do not know it will be beyond the pail if the OECD received a letter from us and nevertheless put us on the list I do not think it would come to that. The position that the Government have adopted is that the Gibraltar Government will not agree to any discriminatory treatment of Gibraltar, anything that is in the report that affects, applies to all overseas territories and to all Crown dependencies fine, but that there is to be no singling out of Gibraltar as to language in the report or for methodology of physical treatment in terms of meeting directly or not meeting directly without a UK chaperone. Whatever happens for everybody has got to happen for us. That is our position and I am glad to say that at least for now the UK is fully supporting that and I have no reason to expect despite the recent analogous situation that that would change in this instance.

**NO. 1209 OF 2001**

**THE HON J J BOSSANO**

**EU – FREE MOVEMENT OF GOODS**

At what stage are the five test cases commenced by the European Commission against UK for the failure to implement EU legislation in Gibraltar relating to the free movement of goods?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Commission has already filed its case before the European Court of Justice and HMG have already submitted their defence. The Spanish Government have sought leave to intervene – which has been granted.

They too have also submitted their intervention to the European Court of Justice. The Advocate General has still not delivered his opinion.

**SUPPLEMENTARY TO QUESTION NO 1209 OF 2001**

**HON J J BOSSANO:**

Do Government know whether the Spanish case is supportive of the view that this applies to us, the free movement provisions of goods applies to us or the opposite?

**HON CHIEF MINISTER:**

We have asked for sight of a copy of the Spanish intervention, all the other papers have been produced to us. Our understanding nevertheless is that Spain argues that they should all apply to Gibraltar?

**HON J J BOSSANO:**

That they should?

**HON CHIEF MINISTER:**

Yes that they should.

**HON J J BOSSANO:**

Would the application of the provisions of the free movements of goods have implications for our terms of membership in terms of us being outside the Customs Union, was there not a link between the two things?

**HON CHIEF MINISTER:**

No it would not have a consequence to the fact that we were outside the Customs Union and precisely what is not to be broken is the link that has always historically been thought to have existed as to what the consequence of that non-inclusion is. In the past it has always been assumed and declared, not just by the United Kingdom, but indeed by the Commission itself, that one consequence of the fact that Gibraltar was outside the Common Customs Union was that it was therefore not part of the single market in goods, and because it was not part of the single market in goods no measure adopted under the articles of the treaty relating to the single market in goods with that legal base could apply either. What is now under threat, what is now being re-tested by the Commission is not the proposition whether Gibraltar is in or outside of the Customs Union which is incontrovertible because it is unambiguously provided for in the United Kingdom's treaty of accession, what is being re-tested by the Commission is whether accepted that Gibraltar is not part of the Customs Union whether that means as a consequence that it is not part of the single market in goods and therefore whether all measures taken under the single markets do not apply, for example, labelling, packaging directives, things of that sort, so it is the consequences of exclusion from the Customs Union that are being re-tested.

**HON J J BOSSANO:**

Would it apply also to fiscal measures which have an impact on the free movement of goods, that is to say on the freedom of the Government of Gibraltar or this House to levy import duty. Is that not considered incompatible with the free movement of goods?

**HON CHIEF MINISTER:**

Well it is precisely issues and arguments of that sort amongst others that the UK is relying on to demonstrate that the current position is the correct one that it would be unworkable to have Gibraltar outside of the Customs Union but inside the Single Market in Goods the issue that the hon Member has alighted on is just one of numerous anomalies that would arise if the correct position were that we are outside the Customs Union but inside the Single Market in Goods. How can you be inside a Single Market in Goods where goods are freely circulating if there is a customs tariff

barrier between one and the rest of that market. It is a nonsense, complete nonsense and it is arguments of this sort that has led the United Kingdom to resist the Commission's test. The Commission is testing rather than, it is testing through test cases in which it asserts that the historical view is wrong and that the correct view is a different one to the historical view.

**HON J J BOSSANO:**

Within what timescale is it probable that the test case then will reach a conclusion and we will have a decision on it?

**HON CHIEF MINISTER:**

I do not have here any indication of what that might be, I think that question has been put to the UK and there may be a note on the file about what their view is but I think a year, it is not anymore imminent than that.

**NO. 1210 OF 2001**

**THE HON J J BOSSANO**

**MR RICHARD BALFE MEP**

Were the Government aware of the views of Richard Balfe MEP before inviting him here for National Day this year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government had not met with Mr Richard Balfe MEP before his visit to Gibraltar on National Day.

**SUPPLEMENTARY TO QUESTION NO 1210 OF 2001**

**HON J J BOSSANO:**

Presumably they did not need to meet him to find out what his views were, I am talking about the views that he expressed in an interview which appeared in the Chronicle subsequently which did not seem particularly sympathetic to us?

**HON CHIEF MINISTER:**

Those views were subsequent but I ought to say the Labour delegation for that visit was selected by Labour, MEP's were not individually invited by the Government but having said that, which is I suppose the answer to his question, in a sense there is a greater interest in inviting MP's and MEP's that are wayward in some of their views to Gibraltar than in inviting the ones that are friends. I just want the hon Member to understand that the Government do not share what is implicit in his question and that is that even if we had known what his views were on two particular items which emerge subsequently in an interview in the Chronicle we would not have regarded

that as a reason for not inviting him on the contrary, we would have regarded that as a reason for inviting him and therefore have the opportunity to disavow him of his views. As to whether his views are generally unfriendly I think that there is not a lot of evidence in this article that he is unfriendly to Gibraltar, I think he has views on two issues that he has obviously taken from the latest Foreign Office briefing or his latest chat with Mr Hain or something. I must say that I am happy with the policy of the Labour Government towards Gibraltar, he then says "in my opinion the denial of your basic European Rights" and I suppose this is the only real thing that he says with which we might take issue in my opinion "the denial of your basic European Rights is exactly why a settlement of the Gibraltar problem is needed, I also think that the Spanish Government should have a say in any revision of the Constitution." Those are the two sentences in the entire page which is otherwise helpful and supportive but if those are the views that he really has on those two points then they are views which are not shared by Gibraltar and we must work further on him in disavowing the mob rather than abandoning him to the opposite camp.

**NO. 1211 OF 2001**

**THE HON J J BOSSANO**

**CIVIL CONTINGENCY COMMITTEE**

What are the contingency plans in the event of a chemical or biological terrorist attack?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Contingency planning against any form of potential terrorist attacks is handled at two levels. First, there is a Security Co-ordination Group which comprises representatives of the Governor's Office, the Gibraltar Government and the Ministry of Defence. This Group was established in 1996 and deals with all aspects relating to internal security. Secondly, following the September 11<sup>th</sup> terrorist incidents in the US, a Civil Contingency Committee was set up by the Government under the Chairmanship of the Chief Secretary in order to co-ordinate the planning and operational activities of all Government departments. Operational procedures are in place to react to any form of chemical attack. These have already been applied during the recent Anthrax scares which we experienced in Gibraltar. Similar arrangements would be activated in the event of a biological attack although in the event of such an attack additional measures would be required. These relate mainly to the need to provide appropriate medical treatment, including possibly vaccination.

**SUPPLEMENTARY TO QUESTION NO 1211 OF 2001**

**HON J J BOSSANO:**

In terms of the actual physical resources has there been identified a need for extra provisions following the events of the 11<sup>th</sup> September because presumably like the rest of the world something might have appeared so remote before that was not something that required to be calculated as a possibility is no longer seen in that light?

## **HON CHIEF MINISTER:**

Yes it is not possible for any Government in any country in the world let alone one with limited resources to make provision against every conceivable form of attack, just biological attacks could take the form of many, many different types of bacterium and things of that sort. Government's reaction and response to the events of the 11<sup>th</sup> September have been at several different levels, there has been a very significant stepping up of physical what one could call sentinel security presence, at the airport, frontier, cruise terminal and at the ferry terminal. In other words a major increase in security presence at points of entry into Gibraltar in an attempt to improve the prospects of intercepting any possible perpetrator of terrorist attacks in Gibraltar. There has been a considerable increase in security procedures at the airport itself in order to protect Gibraltar departing aircraft from becoming the victim of September 11<sup>th</sup> type terrorist intervention, every piece of hold baggage and hand baggage is now individually screened and that happens in very few airports around the world.

There has been this mobilisation that I have given in the answer of the creation of a second Government Security Co-ordination Committee which co-ordinates Customs, Gibraltar Security and Immigration Limited, Police, the Health Authority, the Environmental Health Authorities and generally ensures that resources are identified and that the financial resources to procure them on an urgent basis are available. The Government have taken steps to ensure that there are in Gibraltar sufficient stocks of the antibiotics required to treat Anthrax but the next threat may come from something else. We are also trying quietly to make provision for other things which are speculatively mooted in the press without sort of calling anybody to panic, for example, there is all this talk about a potential source of threat being smallpox, well the Government are trying to acquire, difficult at this stage in the international market but the Government are trying to acquire sufficient smallpox vaccinations to vaccinate the entire population should that be necessary. So there is a significant procurement effort taking place to acquire whatever can be acquired in the current climate to be as ready as possible for as many as possible of the threats that can be identified even though they may be remote, Gibraltar is small enough to be able to do things that other countries which are larger cannot do and the Government's policy is to be as ready as possible whatever the cost might be. I am just being reminded that the security enhancements have extended not just to points of entry but indeed to key installations in Gibraltar, power stations, water supply and telephone installations are all now subject to enhanced round the clock security to ensure that they are not, particularly the water supply issue should not be the subject of any external tampering which may constitute a threat to public health. So, in our own way as a small community we are responding sensibly and prudently but without assuming that Gibraltar is going to be the target of a terrorist attack by doing all that can be reasonably and prudently be done to prepare for the eventuality that it might be and then also deploying security resources to do the most that we can to prevent it from happening in the first place.

## **HON J J BOSSANO:**

In terms of the requirements that have been identified as a result of this exercise has this involved the need to increase the provisions in the estimates of expenditure in any area?



**HON CHIEF MINISTER:**

I think there will be a need for supplementary appropriation at some stage in the year for example organisations like Security and Immigration Limited and the Police are operating at much higher rates of overtime and the additional security presence is being produced by an unexpanded number of people and that generates additional costs as the hon Member knows, there will be expenditure, has indeed already been some expenditure on procuring of equipment, biological suits for the emergency workers, additional luggage inspections, luggage x-ray facilities for the cruise terminal, the ferry terminal and things of that sort, CCTV machines in those areas where I said yesterday we had agreed to install them, things of that sort will generate a degree of additional expenditure which is unlikely to be absorbable through savings in any existing heads.

**NO. 1212 OF 2001**

**THE HON J J BOSSANO**

**SHORT TERM BENEFITS FUND**

Can Government say what transfers, if any, have been made to the Consolidated Fund from the Short Term Benefits Fund since the law was changed to enable this to be done?

**ANSWER**

**THE HON THE CHIEF MINISTER**

None.

**SUPPLEMENTARY TO QUESTION NO 1212 OF 2001**

**HON J J BOSSANO:**

Is it envisaged that any such transfers will take place in the current financial year?

**HON CHIEF MINISTER:**

It is envisaged when we get round to the next restructuring of finances to do transfers, I cannot say whether it is envisaged this financial year or next. There is no great priority but at some stage there will be a relocation of funds from this fund.

**NO. 1213 OF 2001**

**THE HON J J BOSSANO**

**ABSTRACT OF STATISTICS**

Given that the last published Abstract of Statistics related to 1997 have Government decided to discontinue publication of this Abstract?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government Statistician has simply failed to produce the Annual Abstract of Statistics. I cannot offer the hon Member an acceptable explanation but I have instructed the Chief Secretary to conduct a formal enquiry into this unacceptable administrative failure.

**SUPPLEMENTARY TO QUESTION NO 1213 OF 2001**

**HON J J BOSSANO:**

That means it will be continued to be produced?

**HON CHIEF MINISTER:**

Yes indeed.

**NO. 1214 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

Can Government now state what was the redemption yield at which the £3 million and £7 million of Gibraltar Loan 11.875 per cent were purchased from Community Care Ltd on 1<sup>st</sup> November 1999 and 1 February 2001 respectively?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1237 and 1238 of 2001.

**NO. 1215 OF 2001****THE HON J J BOSSANO****I & D FUND - EXPENDITURE**

What is the estimated expenditure from the Improvement and Development Fund to the end of September 2001 by Head of Expenditure?

**ANSWER****THE HON THE CHIEF MINISTER**

The tentative expenditure of the Improvement and Development Fund from 1<sup>st</sup> April 2001 up to 30<sup>th</sup> September 2001 by Head of Expenditure, to the nearest thousand, is as follows:-

<b>HEAD</b>	<b>HEAD DESCRIPTION</b>	<b>AMOUNT £,000</b>
101	Housing	581
102	Educational & Cultural Facilities	1,417
103	Tourism & Transport	2,576
104	Infrastructure & General Capital Works	2,560
105	Electricity	224
106	Industry & Development	1,283
	<b>Total Improvement &amp; Development Fund</b>	<b>8,641</b>

**SUPPLEMENTARY TO QUESTION NO 1215 OF 2001**

**HON J J BOSSANO:**

Given that the estimated expenditure was £25.1 million do the Government consider the expenditure of £8.6 million in the first six months to indicate that there will be an underspending in the I and D Fund?

**HON CHIEF MINISTER:**

I think there will be an underspending but not pro rata this for the next six months. I think that we will spend more than £17.5 million but I do not think that it will get to £25 million.

**HON J J BOSSANO:**

Is there a particular reason for the Housing underspending where the gap seems to be the biggest?

**HON CHIEF MINISTER:**

There are projects now in the pipeline at tender stage involving quite significant expenditure so that expenditure will increase significantly between now and the year end.

**NO. 1216 OF 2001****THE HON J J BOSSANO****CONSOLIDATED FUND – EXPENDITURE**

What is the estimated expenditure from the Consolidated Fund to the end of September 2001 by Head of Expenditure?

**ANSWER****THE HON THE CHIEF MINISTER**

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

**Answer to Question No 1216 of 2001**

The expenditure of the Consolidated Fund from 1<sup>st</sup> April 2001 up to 30 September 2001, by head of Expenditure, to the nearest thousand, is as follows:

<b>CONSOLIDATED FUND</b>		
<b>HEAD</b>	<b>HEAD DESCRIPTION</b>	<b>AMOUNT £,000</b>
<b>1A</b>	Education and Culture	<b>8,018</b>
<b>1B</b>	Training	<b>175</b>
<b>1C</b>	Health	<b>7,355</b>
<b>2</b>	Employment and Consumer Affairs	<b>217</b>
<b>3A</b>	Housing – Administration	<b>292</b>
<b>3B</b>	Housing – Buildings and Works	<b>3,210</b>
<b>4A</b>	Environment	<b>2,831</b>
<b>4B</b>	Technical Services	<b>5,788</b>
<b>4C</b>	Electricity	<b>6,598</b>
<b>4D</b>	Fire Service	<b>1,245</b>
<b>4E</b>	Post Office	<b>782</b>

4F	Highways and Sewers	419
4G	Sport, Leisure and Youth Affairs	414
4H	Broadcasting	596
5A	Social Security	6,768
5B	Social Services	3,553
5C	Prison	428
6A	Tourism	1,433
6B	Transport – Airport	121
6C	Transport –Traffic	505
6D	Transport – Port	715
6E	Transport – Shipping Registry	169
7	Trade, Industry and Telecommunications	1,211
8A	Secretariat	2,632
8B	Personnel	230
8C	Civil Status and Registration Office	226
8D	Gibraltar Regulatory Authority	380
9A	Financial and Development Secretary	78
9B	Treasury	1,730
9C	Customs	1,483
9D	Income Tax	457
10	Law Officers	177
11	Police	4,256
12A	Supreme Court	283
12B	Magistrates' and Coroners Court	135
13	House of Assembly	360
14	Audit Office	174
15	Supplementary Provision	0
16	Contributions From Consolidated Fund – Reserve	3
<b>Total Consolidated Fund</b>		<b>65,447</b>

<b>CONSOLIDATED FUND CHARGES</b>		
<b>HEAD</b>	<b>HEAD DESCRIPTION</b>	<b>AMOUNT £,000</b>
1	Statutory Offices	232
2	Judicature	213
3	Pensions	5,689
4	Employer's Contributions	1,332
5	Public Debt Charges	3,940
6	Public Services Ombudsman	74
<b>Total Consolidated Fund</b>		<b>11,480</b>

<b>SUMMARY</b>		
<b>HEAD</b>	<b>HEAD DESCRIPTION</b>	<b>AMOUNT £,000</b>
	Consolidated Fund	65,447
	Consolidated Fund Charges	11,480
	<b>Total Expenditure</b>	<b>76,927</b>



**NO. 1217 OF 2001**

**THE HON J J BOSSANO**

**CONSOLIDATED FUND**

Can Government state if there is any change in the forecast balance of the Consolidated Fund as at 1<sup>st</sup> April 2001 this year compared to the figure of £24.95 million?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The balance of the consolidated Fund as at 1<sup>st</sup> April 2001 was £26 million compared to the forecast of £24.95 million.

**SUPPLEMENTARY TO QUESTION NO 1217 OF 2001**

**HON J J BOSSANO:**

Can Government say whether in fact the extra £1 million is the result of higher revenue in any of the forecast outturns or lower expenditure than the forecast out turn?

**HON CHIEF MINISTER:**

I regret that I do not have any supplementary information, that was a pretty predictable supplementary and the information should have been provided to me, it has not, can I provide the information to the hon Member separately? I apologise to him.

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I can give the hon Member information on some of the questions. He asked why the Consolidated Fund Balance was £1 million higher, the answer is recurrent revenue was up by £900,000 and recurrent expenditure was down by £0.1 million, so it is £1 million there.

**NO. 1218 OF 2001**

**THE HON J J BOSSANO**

**GOVERNMENT DEBENTURES**

What is the value of 4 per cent Monthly Income Debentures and 5 per cent Pensioners Monthly Income Debentures issued by the Gibraltar Savings Bank?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The value of Monthly Income Debentures as at 29<sup>th</sup> October 2001 stood at £18,525,400, and the value of Pensioner's Monthly Income Debentures as at 29<sup>th</sup> October 2001 stood at £14,426,900.

**SUPPLEMENTARY TO QUESTION NO 1218 OF 2001**

**HON J J BOSSANO:**

In respect of the Pensioner's Monthly Debentures I believe the previous fixed term pensioner bonds were of the order of £30 million, is it that when they came up for redemption not many people reinvested in the new monthly debentures?

**HON CHIEF MINISTER:**

Well I do not know what the figures of monies left invested in that one are but certainly to the extent that monies came up for reinvestment this is the amount that has reached this replacement instrument. I am not sure if the 7 per cent bond is now closed, it is closed for new entrances but it is still there for those that have them, I do not think that they have all been redeemed. I will give them the answer in just a few moments.

**HON J J BOSSANO:**

Presumably when these bonds come up for redemption people are invited to reinvest in the Government I take it, when the Savings Bank notifies people that it is up I would imagine that they are encouraged that they can if they wish reinvest in whatever is available at the time?

**HON CHIEF MINISTER:**

Yes the 5 per cent is not very different compared to current interest rates to what 7 per cent was to what interest rates then were. There is a very good service offered particularly to pensioners by the Treasury Unit dealing with the Government Savings and I have no doubt that they bring the alternative products to the attention of investors.

~~~~~

The Pensioner Debentures refer to, the £29.9 million held in the 7 per cent fixed Pensioner Debenture which is closed for new money but of course until, I think it is 5 year, until it is redeemed one is in there. It closes for new business but one keeps whatever one has got until it is renewed, so there is actually a staggering £48.4 million currently in total with Pensioner Debentures. We must have the wealthiest pensioner population of the Western World.

**NO. 1219 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now declared a taxable profit (a) above £35,000 and (b) below £35,000 for the tax year ending June 2001 and what is the total amount of tax assessed and tax paid in each category and can they further state in each category how many were qualifying companies and what were the amounts assessed and paid by such companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1220 and 1221 of 2001.

**NO. 1220 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now declared a taxable profit (a) above £35,000 and (b) below £35,000 for the tax year ending June 2000 and what is the total amount of tax assessed and tax paid in each category and can they further state in each category how many were qualifying companies and what were the amounts assessed and paid by such companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1219 and 1221 of 2001.

NO. 1221 OF 2001THE HON J J BOSSANO**INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now declared a taxable profit (a) above £35,000 and (b) below £35,000 for the tax year ending June 1999 and what is the total amount of tax assessed and tax paid in each category and can they further state in each category how many were qualifying companies and what were the amounts assessed and paid by such companies?

ANSWERTHE HON THE CHIEF MINISTER

The extensive factual and statistical information requested by the hon Member is set out in the written schedule that I hand to him.

Answer to Question No 1221 of 2001

<b>COMPANIES OTHER THAN QUALIFYING COMPANIES</b>			
	<b>Question No 1221 of 2001</b>	<b>Question No 1220 of 2001</b>	<b>Question No 1219 of 2001</b>
	<b>Year of Assessment</b>		
	<b>1999/2000</b>	<b>2000/2001</b>	<b>2001/2002</b>
<b>Under £35,000</b>			
<b>No of Companies assessed</b>	<b>154</b>	<b>176</b>	<b>43</b>
<b>Total Assessed (ie total tax payable)</b>	<b>£0.32M</b>	<b>£0.39M</b>	<b>£0.11M</b>
<b>Total paid under</b>	<b>£0.3M</b>	<b>£0.34m</b>	<b>£0.01M</b>

	1999/2000	2000/2001	2001/2002
<b><u>Over £35,000</u></b>			
<b>No of Companies assessed</b>	40	45	9
<b>Total assessed (ie total tax payable)</b>	£6.4M	£5.53M	£1.70M
<b>Total paid over</b>	£5.9M	£5.42M	£0.03M
<b>QUALIFYING COMPANIES</b>			
	<b>Year of Assessment</b>		
	1999/2000	2000/2001	2001/2002
<b><u>Under £35,000</u></b>			
<b>No of Companies assessed</b>	2	NIL	NIL
<b>Total assessed (ie total tax payable)</b>	£2K	NIL	NIL
<b>Total paid</b>	£2K	NIL	NIL
<b><u>Over £35,000</u></b>			
<b>No of Companies assessed</b>	7	1	NIL
<b>Total assessed (ie total tax payable)</b>	£0.9M	£0.02M	NIL
<b>Total paid</b>	£0.4M	£0.02M	NIL

**SUPPLEMENTARY TO QUESTION NOS 1219, 1220 AND 1221 OF 2001**

**HON J J BOSSANO:**

In respect of 1999/2000 there appears to be an abnormally low number of companies, is there an explanation?

**HON CHIEF MINISTER:**

Those are the figures, not unusually low, it is 21 less.



**HON J J BOSSANO:**

For the year 1999/2000 under £35,000 the answer I am being given is that 154 companies have been assessed. In answer to Question No 804 of 2001 I was told that the number was 1,064, is this 154 on top of the 1064?

**HON CHIEF MINISTER:**

No I think that the explanation to that is that previous answers included estimated assessments issued by the Commissioner. This information now is on the basis of the profits declared which is how the question is formulated.

**HON J J BOSSANO:**

No the question was formulated in the same.....

**HON CHIEF MINISTER:**

Well it might have been but I am told that in this area of statistics the answers provided to previous House of Assembly Question Nos 610 of 2000, 440 of 2001, and 804 of 2001 include estimated assessments raised in the absence of accounts. The information now provided is exactly what the question seeks, that is, profits declared by the companies on accounts available to the Income Tax Office at the time of preparation of this answer.

**HON J J BOSSANO:**

So therefore these statistics cannot be compared with any of the previous answers that have been provided to the question formulated in exactly the same way before.

**HON CHIEF MINISTER:**

I can get him that information.

**HON J J BOSSANO:**

Can the Chief Minister explain how it is that £300,000 have been paid according to this and the figure was £600,000 before, is it then that people have paid on what they have been assessed without having made a return?

**HON CHIEF MINISTER:**

A lot of people do that, I cannot assure him that that is the reason for the comparison that he makes but certainly there are companies that pay on an assessment if they think that it is more favourable to them than otherwise.

**HON J J BOSSANO:**

I see.

**HON CHIEF MINISTER:**

That happens, I am not saying that that is the only explanation for the comparison that he has made.

**HON J J BOSSANO:**

I would draw the attention of the Government to the fact that in formulating this question and all the previous ones and the basis of companies declaring a taxable profit, it was on the assumption that they would pay on the basis of what they had declared not that they would be paying an assessment without question. So clearly I would be grateful if I would be provided the information on the same interpretation that was put to the question the last time so that I can see what the change is.

**NO. 1222 OF 2001****THE HON J J BOSSANO****INCOME TAX - CORPORATION TAX**

Can Government state how many companies have now been assessed for company tax for the tax years 1995/96, 1996/97, 1997/98, 1998/99, 1999/2000, 2000/2001, the total amount of tax assessed and the amounts paid to date?

**ANSWER****THE HON THE CHIEF MINISTER**

I hand the hon Member a schedule giving the information that he has requested.

	<b>1995/96</b>	<b>1996/97</b>	<b>1997/98</b>	<b>1998/99</b>	<b>1999/2000</b>	<b>2000/2001</b>
	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>	<b>£m</b>
<b>Assessed</b>	15.7	15.2	17.1	22.8	82.9	16.1
<b>Discharged</b>	5.1	4.1	5.8	9.1	68.6	4.6
	10.6	11.1	11.3	13.7	14.3	11.5
<b>Paid</b>	9.5	10.2	10.1	12.5	11.7	8.3
<b>Outstanding</b>	<b>1.1</b>	<b>0.9</b>	<b>1.2</b>	<b>1.2</b>	<b>2.6</b>	<b>3.2</b>
<b>No of Tax payers</b>	1363	1338	1367	1414	1443	1297

## **SUPPLEMENTARY TO QUESTION NO 1222 OF 2001**

**HON J J BOSSANO:**

Their seems to be a lower number of companies for 1995/96 and 1996/97 than the last time the question was answered?

**HON CHIEF MINISTER:**

Yes there are indeed, in previous replies to this question the data in respect of companies assessed contained an element of double counting hence the reduced total of the number of companies assessed in some of the years reported on. I have not unfortunately got details of which years are affected by alleged double counting but if he is particularly interested for comparison purposes I can try and get those details for him and I suppose he will notice in due course the inordinate figure for 1999/2000 of assessed and discharged, I am surprised that he did not immediately notice it, the explanation for that, figures of £82.9 million and £68.6 million, the explanation for that is that imputing errors were made which once made can only under the new computer system can only be corrected and cancelled by a corresponding contra entry, so apparently they cannot just wipe, if they make an input error they have got to make a corresponding contra entry to cancel it and of course that results in both sides of the column being artificially high. The result is that the hon Member has the real nett figure, £14.3 million, but does not have the two real constituent figures of assessed and discharged.

**HON J J BOSSANO:**

In Question No 450 of 2001 the 1995/96 number of companies assessed was given as 1,430 as opposed to 1,363, what exactly does double counting mean, the actual amount of tax do not seem to change all that much so it does not affect that part of the column?

**HON CHIEF MINISTER:**

I am told that the double counting affects the number of companies, the number of companies that went up to make the total of cash assessed.

**HON J J BOSSANO:**

Did somebody count 100 companies twice?

**HON CHIEF MINISTER:**

There must be companies in different categories and they were recounted in both categories.

**NO. 1223 OF 2001****THE HON J J BOSSANO****INCOME TAX - CORPORATION TAX**

Can Government state what was the amount collected in Corporation Tax in each month since March 2001?

**ANSWER****THE HON THE CHIEF MINISTER****Answer to Question No 1223 of 2001**

The Corporation Tax collected in each month since March 2001 (nett of refunds) was as follows:

<b>Month (2001)</b>	<b>€M</b>
<b>March</b>	1.9
<b>April</b>	1.6
<b>May</b>	0.5
<b>June</b>	3.4
<b>July</b>	1.3
<b>August</b>	1.6
<b>September</b>	0.3

These figures are subject to Treasury Books reconciliation.

**NO. 1224 OF 2001**

**THE HON J J BOSSANO**

**1997/1998 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 1997/98 Employers Declaration PAYE Certificates and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1225 to 1227 of 2001.

**NO. 1225 OF 2001**

**THE HON J J BOSSANO**

**1998/1999 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 1998/99 Employers Declaration and PAYE Certificates and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1224,1226, and 1227 of 2001.

**NO. 1226 OF 2001**

**THE HON J J BOSSANO**

**1999/2000 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 1999/2000 Employers Declaration and PAYE Certificates and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1224,1225, and 1227 of 2001.



**NO. 1227 OF 2001**

**THE HON J J BOSSANO**

**2000/2001 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have not yet returned the 2000/2001 Employers Declaration and PAYE Certificates and what is the estimated number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 1224 of 2001**

One hundred and twenty employers, reporting on an estimated 141 employees have not lodged their 1997/98 Employers Declaration and PAYE Certificate, at the close of business on the 29<sup>th</sup> October 2001.

**Answer to Question No 1225 of 2001**

One hundred and thirty seven employers reporting on a total of approximately 164 taxpayers have not lodged their 1998/99 Employers Declaration and PAYE Certificates at the close of business on the 29<sup>th</sup> October 2001.

**Answer to Question No 1226 of 2001**

As at 29<sup>th</sup> October 2001 , 210 employers under which approximately a total of 474 employees are registered have not yet returned the 1999/2000 Employers Declaration and PAYE Certificate.

**Answer to Question No 1227 of 2001**

As at 29<sup>th</sup> October 2001, 433 employers under which approximately a total of 4206 employees registered have not returned the 2000/2001 Employer's Declaration and PAYE Certificate.

## **SUPPLEMENTARY TO QUESTION NOS 1224, 1225, 1226, AND 1227 OF 2001**

**HON J J BOSSANO:**

In respect of 2000/2001 are the Government included in the 443?

**HON CHIEF MINISTER:**

It does include approximately 2,840 Government employees and pensioners, details of whom have not yet been returned by the relevant departments.

**HON J J BOSSANO:**

What action is being taken in respect of those who are longest in default in making the return, those going back to 1997/1998?

**HON CHIEF MINISTER:**

This issue of PAYE arrears, there are two types, those that are disclosed on returned cards and indeed those that are incalculable because they are the subject of non-returned cards, both the subject of comment he may have seen already in the Principal Auditors Report to the Accounts and certainly the Government will be discussing with the Commissioner of Income Tax how the Government can help him in making a meaningful impact on this problem which I think needs to be addressed together with other sorts of Government arrears which are also extensively reviewed by the Principal Auditor. The whole question of arrears and the whole question of the aggressiveness of the follow-up across a broad front of Government Revenue I think now needs to be taken much more seriously than it has been in the past by successive Governments including this one.

**HON J J BOSSANO:**

Is some action taken after a certain time or not, I can understand the cards that should have been in by July or August this year are one thing and the ones that should have been there four years ago I would have thought would produce a different reaction from the Government Department.

**HON CHIEF MINISTER:**

In respect of disclosed arrears, that is to say in respect of arrears, some people send in the card but not the cheque, so those are identifiable arrears, I think that those at some stage are passed to the Central Arrears Unit. In respect of undisclosed arrears my understanding is that there is no real follow-up at the moment and that it is only when a company is the subject matter of a labour inspector that perhaps these things are included and other action taken, My understanding is that there is no particular follow-up action beyond of just being sent reminders in the post.

**NO. 1228 OF 2001**

**THE HON J J BOSSANO**

**2000/2001 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

Of the employers who have now returned the 2000/2001 Employers Declaration and PAYE Certificates how many have not yet paid the full amount of tax deducted and what is the amount outstanding?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at the 30<sup>th</sup> October 2001, from a total of 1494 employers who had returned the 2000/2001 Employers Declaration and PAYE Certificate, there is PAYE outstanding on 289 returns totalling £4.37 million.

**SUPPLEMENTARY TO QUESTION NO 1228 OF 2001**

**HON J J BOSSANO:**

I am not very clear of the answer, the amount of tax outstanding is in respect of how many employees?

**HON CHIEF MINISTER:**

I have not mentioned the number of employees, 1494 employers have returned the Declaration and PAYE for that year, there is PAYE outstanding on 289 of those returns amounting to £4.37 million.

**NO. 1229 OF 2001**

**THE HON J J BOSSANO**

**2000/2001 EMPLOYERS DECLARATION AND PAYE CERTIFICATES**

How many employers have now returned the 2000/2001 Employers Declaration and PAYE Certificates, what is the total number of employees and the total amount of tax deducted?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at 30<sup>th</sup> October 2001, a total of 1494 employers have lodged their 2000/2001 Employers Declaration and PAYE Certificate.

The total amount of PAYE tax deducted is £39 million. The PAYE Deduction Cards are currently being processed and it is not possible to provide the number of Deduction Cards returned.

**NO. 1230 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - PAYE**

Can Government state how much was collected in PAYE each month since March 2001.?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1231 to 1233 of 2001.

**NO. 1231 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

Can Government now state what was the amount of PAYE payable in the tax year 1999/2000 by area of employment and the number of employees in each area as follows:

- (a) MOD
- (b) Gibraltar Government
- (c) Government Owned and Joint Ventures
- (d) Private Sector Employment?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1230, 1232, and 1233 of 2001.

NO 1232 OF 2001

THE HON J J BOSSANO

**INCOME TAX – PAYE**

Can Government state what was the amount of PAYE payable in the tax year 2000/2001 by area of employment and the number of employees in each area as follows:

- (e) MOD
- (f) Gibraltar Government
- (g) Government Owned and Joint venture companies
- (h) Private Sector Employment?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos 1230, 1231, and 1233 of 2001.

**NO. 1233 OF 2001****THE HON J J BOSSANO****INCOME TAX – PAYE**

Can Government state what was the amount collected in PAYE in the Financial Year 2000/2001 by area of employment as follows:

- (a) MOD
- (b) Gibraltar Government
- (c) Government Owned and Joint Ventures
- (d) Private Sector Employment?

**ANSWER****THE HON THE CHIEF MINISTER**

The extensive factual and statistical information requested by the hon Member is set out in the written Schedule that I hand to him.

**Answer to Question No 1230 of 2001**

The figures (net of refunds) and subject to possible adjustments when reconciled with the Treasury Books are as follows:

	£M
March 2001	4.6
April 2001	4.7
May 2001	4.4
June 2001	4.4
July 2001	6.4
August 2001	4.4
September 2001	3.5



### **Answer to Question No 1231 of 2001**

The information sought is as follows:

	£M	Approximate No of employees
(a) Ministry of Defence	3.8	2700
(b) Government of Gibraltar	15.2	5000
(c) Government owned and Joint Venture companies	2.3	650
(d) Private Sector	25.2	16000
	-----	-----
	46.5	24350
	-----	-----

### **Answer to Question No 1232**

Given that a total of 433 employers, including some big Government departments have not returned the Employers PAYE Declaration and Certificate for the tax year 2000/2001 the figures that I now make available to the Hon Questioner are based on estimates made by the Income Tax Office.

	£M	Approximate No of employees
(a) Ministry of Defence	3.9	2700
(b) Government of Gibraltar	15.2	5000
(d) Government owned and Joint Venture companies	2.5	700
(d) Private Sector	29.4	16000
	-----	-----
	51.0	24400
	-----	-----

### **Answer to Question No 1233**

The total amount of PAYE collected in the financial year 2000/2001 was £49.9 million analysed as follows:

	£M
(a) MOD	3.8
(b) Government of Gibraltar	19.0
(c) Government owned and Joint Venture companies	2.4
(d) Private Sector Employment	24.7
	-----
	49.9
	-----

**1234 OF 2001**

**THE HON J J BOSSANO**

**INCOME TAX - SELF-EMPLOYED PERSONS**

Can Government state for the tax years 1995/96, 1996/97, 1997/98, 1998/99, 1999/2000 and 2000/2001 what is now the amount assessed in respect of self-employed persons giving a breakdown of the amounts discharged and the number of taxpayers involved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I am informed that it has not been possible, in the time available, to prepare a reply to this Question. I am advised by the Commissioner of Income Tax that the data is being collated through the new software in use at the department since April 2001. The information sought will be provided to the hon Member as soon as it becomes available which is expected to be in 10 to 14 days.

**NO. 1235 OF 2001**

**THE HON J J BOSSANO**

**ELDERLY CARE AGENCY**

In which area of employment are the employees of the Elderly Care Agency shown in the information provided on PAYE payable by tax year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Elderly Care Agency is now classified , for this purpose, as Government of Gibraltar.

**SUPPLEMENTARY TO QUESTION NO 1235 OF 2001**

**HON J J BOSSANO:**

Is that true of the Gibraltar Development Corporation as well?

**HON CHIEF MINISTER:**

Yes that was previously under Government owned/Joint Venture now it is under Government of Gibraltar. The categories now being used are Government of Gibraltar, Private Sector, Ministry of Defence and Government Owned/Joint Venture Companies. Those are the categories and there has been this re-classification of the Gibraltar Development Corporation and the Elderly Care Agency both of which were previously under, well the Gibraltar Development Corporation was previously under Government Owned/Joint Venture and is now under Government of Gibraltar, the

Elderly Care Agency was previously under Private Sector and is now under Government of Gibraltar.

**HON J J BOSSANO:**

Can Government say in which year the change took place so that we can take note of it when looking at the statistics that have been provided?

**HON CHIEF MINISTER:**

I think it is this year but I will check it and confirm it to the hon Member.

**NO. 1236 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

What has been the rate of interest paid to Gibraltar Community Care Ltd on its deposits with the Gibraltar Savings Bank since 1<sup>st</sup> November 1999?

**ANSWER**

**THE HON THE CHIEF MINISTER**

It is not appropriate for Government to divulge details of transactions between the Savings Bank and one particular depositing customer.

**SUPPLEMENTARY TO QUESTION NO 1236 OF 2001**

**HON J J BOSSANO:**

He has divulged it before when I asked about where the money was deposited when the Savings Bank purchased the 11.875 per cent loan stock he told me that it was an oncall investment account and I asked in a supplementary whether the rate of interest was the one being paid to the Government and he told me that he thought so but that he would check hence the reason for my question, I thought that he might have checked between April and November and be in a position to give me an answer not that he would be refusing to give me an answer after having checked.

**HON CHIEF MINISTER:**

I am willing to give the answer to the hon Member privately.

**NO. 1237 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

Have any further amounts of the Gibraltar Loan 11.875 per cent 2005 been purchased from Community Care Ltd by the Gibraltar Savings Bank since the 1<sup>st</sup> February 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1214 and 1238 of 2001.

**NO. 1238 OF 2001**

**THE HON J J BOSSANO**

**GIBRALTAR COMMUNITY CARE LIMITED**

Can Government say what was the nominal amount of Gibraltar Loan 11.875 per cent 2005 sold to Gibraltar Community Care Ltd by the Gibraltar Savings Bank, at what price was it sold and on what date and what was the redemption yield at the time of sale?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 1214 of 2001**

The redemption yields at the time of purchase of the £3 million and £7million Government of Gibraltar 11.875 per cent Loan Stock 2005 by the Gibraltar Savings Bank from Gibraltar Community Care Ltd on 1<sup>st</sup> November 1999 and 1<sup>st</sup> February 2001 were 7.485 per cent and 6.292 per cent respectively.

**Answer to Question No 1237 of 2001**

No further amounts of the Government of Gibraltar Loan Stock 11.875 per cent 2005 have been purchased from Gibraltar Community Care Ltd by the Gibraltar Savings Bank since February 2001.

**Answer to Question No 1238 of 2001**

The nominal amount of Government of Gibraltar 11.875 per cent Stock 2005 sold on the 1<sup>st</sup> December 1996 to Gibraltar Community Care Ltd by the Gibraltar Savings Bank was £46,438,000 at a price of £126.50 and the redemption yield at the time of the sale was 7.555 per cent. The market value was £58,744,070 with accrued interest of £453,247.60 making the total sale £59,197,317.60.

**NO. 1239 OF 2001**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Have Government now received the preliminary findings from Professor Fletcher on the Input/Output Study?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I gave this house an outline of the preliminary findings of the Input/Output Study during the Budget Session in June this year. I indicated then that the study was expected to be completed sometime in the autumn and explained that there had been some delay arising mainly from the recomputation of import data and from the loss of communications with the data processing company in India which was affected by an earthquake at the time. I regret to say that the Input/Output Study remains accident-prone and completion has been further delayed. Professor Fletcher, who is leading the study, suffered a severe shoulder injury earlier this month requiring surgery and post-operative convalescence. This means that the final results of the Study will not be available until the end of the year.

**SUPPLEMENTARY TO QUESTION NO 1239 OF 2001**

**HON J J BOSSANO:**

But have the preliminary findings not been available at all then? If the final result of the study is going to be available at the end of the year, which is what seven weeks away, have they had nothing at all?



**FINANCIAL AND DEVELOPMENT SECRETARY (Ag):**

The information that we have to hand are actually the preliminary findings of June/July, no further detailed work has been produced because there has been considerable difficulty in trying to validate the input data and this is actually being done month by month at the University itself. Until that is done I think Professor Fletcher was very reluctant to produce the tables although I may add that in connection with the State Aids case he did manage to produce some additional information on the possible impact of the changes in the Finance Centre arising for possible suspension which I think proved to be very, very useful in the pleadings before the Courts.

**HON J J BOSSANO:**

Will the final findings be in the form of the report that will then be available for debate or will that take sometime longer?

**FINANCIAL AND DEVELOPMENT SECRETARY (Ag):**

I think once the Government receive the report and have considered the findings then obviously they will consider whether or not to make it public or whether to release it in some other form.

**HON J J BOSSANO:**

I think that we have been told in the past that we will have an opportunity to debate it once the thing is completed when I have asked questions previously, obviously we have an interest in the technical part of it as well. We are interested in the technical part to see how they get from 'A' to 'B' so presumably unless it happens to be sensitive information that we do not want other people to get to know.....

**HON CHIEF MINISTER:**

I think that when the Government get the report we will be well placed, the Government would not have any great interest in withholding any part of the report from the public domain unless it is just for the reason that he has just mentioned which we could also discuss privately.

NO. 1240 OF 2001THE HON J J BOSSANO**IMPORTS**

What was the value of goods imported by land and sea, other than petroleum products, since March 2001?

ANSWERTHE HON THE CHIEF MINISTERAnswer to Question No 1240 of 2001

	£ (Thousands)	
	Land	Sea
<b>April</b>	19,440	2,535
<b>May</b>	23,767	8,330
<b>June</b>	21,014	7,471
<b>July</b>	15,063	5,109
<b>August</b>	12,890	1,104
<b>September</b>	17,561	2,594
<b>Total</b>	<b>109,735</b>	<b>27,143</b>

**NO. 1241 OF 2001**

**THE HON J J BOSSANO**

**SUPREME COURT OF GIBRALTAR – JUDGEMENTS**

Since the answer to Question No 811 of 2001 in April has there been any instance of a Supreme Court judgement being accepted for enforcement in Spain?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This is the sort of request the Government would expect to deal through the Post-Box. I can confirm that to date the Government have received no request for the transmission to Spain of a Supreme Court judgement.

ORAL

**NO. 1242 OF 2001**

**THE HON J J BOSSANO**

**HMS TIRELESS**

Have Government now obtained confirmation from HMG that the Anglo-Spanish Committee that was monitoring the HMS Tireless has now been dissolved?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1243 and 1244 of 2001.

ORAL

**NO. 1243 OF 2001**

**THE HON J J BOSSANO**

**HMS TIRELESS**

Have Government now taken a decision on whether to ask HMG to contribute to the costs incurred in relation to the repairs to HMS Tireless?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 1242 and 1244 of 2001

**NO. 1244 OF 2001**

**THE HON J J BOSSANO**

**HMS TIRELESS**

Have Government sought assurances from UK that they will not try to repair any nuclear submarines in Gibraltar again?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Since HMS Tireless is no longer in Gibraltar, the Gibraltar Government have no interest in the existence or otherwise of an Anglo-Spanish Committee to monitor it. Government have not yet taken a decision on whether to ask HMG to contribute to the costs incurred by Government in relation to HMS Tireless. Discussions continue with the MOD in relation to assurances about future repairs.

**SUPPLEMENTARY TO QUESTION NOS 1242, 1243 AND 1244 OF 2001**

**HON J J BOSSANO:**

When I raised the matter in April the Chief Minister said it would be very serious if the Committee was not being dissolved and gave the impression that he would find out to satisfy himself that it was being dissolved, I cannot understand why he has suddenly lost interest in something that was considered to be very serious if it did not happen.

**HON CHIEF MINISTER:**

It would be very serious if this was an Anglo-Spanish Committee to monitor the goings on at the Naval Base, but this is not a committee about that, this was a committee specific to the HMS Tireless situation and Tireless is now gone away, I assume actually that the answer to the hon Member is yes that it has been disbanded, but if, for some reason there is still an Anglo-Spanish Committee, first of all I doubt very much that the British Government are willing to share that sort of information with the Spanish Government but it is no longer a Gibraltar issue as it would be and as the hon Member's question would be more than justified if this was some sort of committee in

relation to, like Señor Piqué was trying to obtain, relating generally to the goings on at the border. The Government's understanding is in fact that the committee was not of that type but this was specifically specific to Tireless and that it is now defunct. It does not serve an on-going monitoring role, if it did, if it was in that category, then of course very different issues would arise of the sort that are presently being bandied around on the Spanish side on the current debate. I do not know if the hon Member is referring to April.....

**HON J J BOSSANO:**

This year.

**HON CHIEF MINISTER:**

In April this year? Yes, I am sorry, could the hon Member give me the question number?

**HON J J BOSSANO:**

Yes it is Question No 819 of 2001 in April and I am putting the question as a follow-up to the last one.

**HON CHIEF MINISTER:**

When I answered that question in April HMS Tireless was still in Gibraltar.

**HON J J BOSSANO:**

If I can remind the Chief Minister of the answer, he made no reference here to there being a difference because the Tireless was on a point of leaving and it would not matter if it left, what he said was that it would be a natural expectation because he said, the answer that I received was that the Committee had met 13 times and that given that the committee was constituted for that purpose, the Government would expect it to be dissolved, I did not ask whether it was going to be dissolved, the information was volunteered, my question was, how many times has it met and on what dates? I was told it has met 13 times and then the information was volunteered that the Government's expectation was that it should be dissolved. Having been told in April that that was the Government's expectation I am asking in November whether the expectation has been fulfilled because I would have expected then to pursue that expectation and in fact .....

**HON CHIEF MINISTER:**

The answer is yes, it has been dissolved.

**HON J J BOSSANO:**

It has been dissolved, well fine then that is the answer to the original question.

**NO. 1245 OF 2001**

**THE HON J J BOSSANO**

**COUNCIL OF EUROPE CIVIL LAW COMMISSION ON CORRUPTION**

Has the Council of Europe Civil Law Convention on corruption of 4<sup>th</sup> November 1999 been extended to Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1246 of 2001



**NO. 1246 OF 2001**

**THE HON J J BOSSANO**

**COUNCIL OF EUROPE CRIMINAL LAW CONVENTION ON CORRUPTION**

Has the Council of Europe Criminal Law Convention on corruption of 27<sup>th</sup> January 1999 been extended to Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Neither the Council of Europe Civil Law Convention on corruption nor the Council of Europe Criminal Law Convention have yet been extended to Gibraltar. Both Conventions contain clauses allowing for their unilateral extension by a Member State of the Council of Europe to its territories.

**SUPPLEMENTARY TO QUESTION NOS 1245 & 1246 OF 2001**

**HON J J BOSSANO:**

Have Government been consulted by the United Kingdom as to whether we want it extended which is the normal procedure?

**HON CHIEF MINISTER:**

It is the normal procedure at some stage not necessarily at the stage when conventions contain generic, general extension, unilateral territorial extension clauses, it is not always the case that we are consulted about the inclusion at that stage. At some stage the UK gets round to saying, "I have signed this treaty I can extend it to you do you want me to?" The answer is however no, we have discovered the existence of these conventions rather like the hon Member did by reading the

Chronicle on a particular day and we ourselves raised it at that particular time with the UK to find out what the situation was. In fact, the UK has signed but not yet ratified the conventions.

**HON J J BOSSANO:**

Given that the Government discovered it the same way that I did which presumably is attributable to Señor Aznar, who made certain public statements about Spain's non ratification of this because of concerns over Gibraltar, did the Government get any indication from the United Kingdom of a Spanish dimension to these two conventions when they raised the matter with the UK?

**HON CHIEF MINISTER:**

Yes Spain has not yet signed and stated that it will not sign the conventions until it is satisfied with its position on sovereignty of Gibraltar is safeguarded. Spain is adopting that position so in a sense she is, the convention exists, the language is closed the question now is whether she signs it and ratifies it or not. Whether the United Kingdom will help Spain out of its predicament in which it appears to have put itself by not having objected to the text earlier by refusing to extend its application to Gibraltar except on terms has yet not arisen.

**HON J J BOSSANO:**

Is there a particular advantage or disadvantage to us in wanting to have the conventions extended, independent of the Spanish issue if that was not there?

**HON CHIEF MINISTER:**

We are now studying the actual text of the convention, there is no specific benefit, Gibraltar has its own corruption laws in Ordinances already but of course there is an image issue about not subscribing to the European standard on anti-corruption proceedings which is capable of being seen by those who do not know the reasons for any difficulty that we might have in being included, might be misinterpreted by them as suggesting that somehow we want to be free to be corrupt, so I think there is an imagery issue here and I think that the Government will wish to be included in both of these conventions.

**HON J J BOSSANO:**

Is it possible to be provided with copies of these conventions?

**HON CHIEF MINISTER:**

Yes.

**ORAL**

**NO. 1247 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

When in 1999 did the Government bring to the notice of the UK the need to ensure Gibraltar's inclusion in the European Open Skies Proposal?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 1248 of 2001.

**NO. 1248 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

What proposals and which date have been put by HMG to the Government to include Gibraltar in the European Open Skies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government were first alerted in November 1999 to the EU Single Skies proposal in the context of the EU's proposed accession to the revised Eurocontrol Convention. On the 22<sup>nd</sup> November 1999 the Government notified the UK Government of the importance of Gibraltar's inclusion in the proposed measures. The UK Government replied on the 8<sup>th</sup> December 1999 stating that it had made clear its position during EU negotiations that it would not accept a clause suspending the application of the EC's accession to Gibraltar. This encapsulated both the EC's accession to Eurocontrol and the related Single Skies measures. Throughout 2000 a number of compromise formulae of wording were suggested, none of which proved acceptable to Spain. In June this year, the EU Presidency intervened. The Presidency proposal was not accepted by the UK Government which insisted on Gibraltar's inclusion. Further negotiations ensued during which time the Government continued to seek information on developments and reassert their position and the rest as they say is history.

**SUPPLEMENTARY TO QUESTION NOS 1247 AND 1248 OF 2001**

**HON J J BOSSANO:**

This comprised formulas that were not acceptable to Spain were these compromised formulas arrived at by discussion between the UK and the Government of Gibraltar?

**HON CHIEF MINISTER:**

They were bounced off us, yes, they were put to us, "could you live with this?" and often we would say "no we cannot leave with that but we could live with this and...." That sort of process did take place on two or three occasions perhaps during the year.

**HON J J BOSSANO:**

And these proposals were to include us, not to exclude us?

**HON CHIEF MINISTER:**

Well of course, the Government's opening position from which we made it clear that we would not depart was that we were not willing to negotiate language of exclusion. In other words there was no acceptable language of exclusion, it was not a question of making the blow less hard, we were willing to negotiate non-prejudicial language of inclusion but we were not willing to negotiate language of exclusion.

**HON J J BOSSANO:**

Apart from the two or three formulas for including Gibraltar were the United Kingdom at any stage suggesting to the Government of Gibraltar a suspension clause other than the one that finally made it which was the one that Spain presumably has been asking for from the beginning?

**HON CHIEF MINISTER:**

No.

NO. 1249 OF 2001

THE HON J J BOSSANO

**EUROPEAN OPEN SKIES**

Can Government say whether, following the exclusion of Gibraltar from the Single European Skies, the UK is no longer opposed to the systematic inclusion of 1987 Suspension Clause to all aviation measures?

ANSWER

THE HON THE CHIEF MINISTER

The Government cannot speak for the British Government, although no change of policy on HMG's part has been communicated to the Gibraltar Government. However, facts speak for themselves. Gibraltar has been suspended both from the proposed Single Skies measures and the proposed Aviation Security Regulations. If HMG has agreed to Gibraltar's suspension even from Aviation Security Regulations it is difficult to imagine what aviation measure it would not agree to suspend us from.

**NO. 1250 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

Have the Government now established whether they are able to take legal action to challenge the suspension of Gibraltar from the European Open Skies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are awaiting receipt of the legal opinion that they have sought from eminent European lawyers as to possible legal actions against various parties in various fora arising out of the intended suspension of Gibraltar from EU Single Skies measures.

**SUPPLEMENTARY TO QUESTION NO 1250 OF 2001**

**HON J J BOSSANO:**

When do Government expect to get that opinion, how soon?

**HON CHIEF MINISTER:**

I cannot give the hon Member an indication, soon, a week, two weeks, three weeks, four weeks, that sort of time.

**HON J J BOSSANO:**

That sort of time scale, can I ask in terms of intended exclusion does that mean then that there is not yet a text which has the presumably 1987 clause saying this will not apply in Gibraltar until the airport agreement is implemented?

**HON CHIEF MINISTER:**

Yes, we have not yet seen any such text but the text would be, included in each measure from which we are excluded because what we are being excluded from now is the measures, but we have not yet seen any text in its final form with the Gibraltar suspension language in it.

**HON J J BOSSANO:**

And the United Kingdom has not then informed the Government of Gibraltar of exactly what the phrasing will be?

**HON CHIEF MINISTER:**

I think it has been indicated to us that it is the usual formula but we have not yet been formally informed nor seen it in print nor been informed in writing.

**HON J J BOSSANO:**

I am in fact trying to establish whether what the Spaniards have claimed at one stage, which is that it is the Gibraltar airport as opposed to Gibraltar, that is being suspended from the application of that measure, is it something that the Government are aware of?

**HON CHIEF MINISTER:**

No not yet, I will look into that.

**HON J J BOSSANO:**

Presumably the way the possible challenge is tackled will need to take that into account whether we are talking, in terms of what the relevant Minister of the Spanish Government has said that it was the airport because of the isthmus issue but not Gibraltar as a whole.

**HON CHIEF MINISTER:**

Yes, my understanding of the possible grounds for legal challenge is that it would not affect them, the UK's obsession with the word suspension as opposed to exclusion however is relevant to the legalities of the situation but we believe that it is relevant in a way which is not sufficiently helpful to those that would seek our exclusion or our suspension. In other words, it is possible in certain circumstances to temporarily suspend the application of EU Law to certain parts of the community but we believe not in the circumstances which are being used for the purposes of the Single Skies exclusion are not such circumstances.



**HON J J BOSSANO:**

If indeed the actual phrase that eventually appears in the measures is a repetition of what was done for the first time in 1987, the implications are that there is no other than by challenging it there is no way to be reinserted presumably other than by giving effect to the measures negotiated in 1987 is that right?

**HON CHIEF MINISTER:**

That is our understanding of the position, yes.

**ORAL**

**NO. 1251 OF 2001**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

On what terms, other than the future implementation of the terms of the 1987 Airport Agreement, has HMG suggested to the Government that the suspension of Gibraltar from the European Open Skies might apply and on which dates were such terms put to the Government for their consideration?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No other terms have been put to the Government.

**ORAL**

**NO. 1252 OF 2001**

**THE HON J J BOSSANO**

**AIRPORT AGREEMENT**

Is it still the UK Government's position that the arrangement provided for under the 1987 Airport Agreement cannot and will not be put into effect and that they are not seeking that Gibraltar should implement these arrangements?

**ANSWER**

**THE HON THE CHIEF MINISTER**

This issue has not been broached with HMG since the position described in the question was stated and I therefore assume that it remains HMG's position. Certainly HMG has not requested the Government to implement the arrangements necessary to implement the 1987 Agreement, nor would Government do so.

**SUPPLEMENTARY TO QUESTION NO 1252 OF 2001**

**HON J J BOSSANO:**

Given that position and in the light of the last supplementary to Question No 1250 is this the way back in?

**HON CHIEF MINISTER:**

To the extent that the only way back in is implementing the 1987 Airport Agreement and to the extent that Gibraltar is unwilling to do so then that is correct.

**NO. 1253 OF 2001**

**THE HON J J BOSSANO**

**ANGLO-SPANISH COMMITTEE**

Is it still the position of the Government that "Anglo-Spanish Committees are not an appropriate mechanism through which to conduct mutually beneficial co-operation between Spain and Gibraltar?"

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes.

**SUPPLEMENTARY TO QUESTION NO 1253 OF 2001**

**HON J J BOSSANO:**

Have the Government got any information as to whether it is intended to set up such committees in the forthcoming round of Brussels negotiations?

**HON CHIEF MINISTER:**

Well tentative information from two sources, the Spanish Foreign Ministry, Minister and officials are trying to make reference to these committees in the Spanish Press and then in the run-up to the July Brussels meeting when we were shown what the Foreign Secretary was intending to say to Mr Piqué it did contain material in this respect upon which we expressed our views to the British Government then and my understanding is that it was as a result not said.

**HON J J BOSSANO:**

Not said, fair enough. Is there a parallel between this and the kind of structure that was originally set up in 1995 when the frontier opened?

**HON CHIEF MINISTER:**

I think there are obviously people who would like it to be so and I think there are even people, not in Gibraltar hopefully, who would like to be so to a deeper, broader, wider, more comprehensive extent and we are firmly opposed to two aspects of it, first of all we believe that any committees that are established to which we are not actually one can say opposed, should be genuinely technical and genuinely in relation to matters of co-operation between Spain and Gibraltar, as opposed to, being a device through which Spain gets a say or role in the internal affairs of Gibraltar. So I suppose if by way of co-operation Gibraltar and Spain are considering a different regime at the border, the Government have no difficulty to a committee being established dealing with that that is clearly about co-operation between Gibraltar and Spain. The Spanish Foreign Minister has spoken about financial services and military which are not structures to technically import into co-operation between Gibraltar and Spain but are in effect a cross border body of the law of the Irish variety designed to give Spain a stake in our internal affairs. That is absolutely out of the question and any committee that is established of the acceptable variety within the parameters of the distinction that I have just drawn, could not be Anglo-Spanish because that suggests bi-lateralism between the United Kingdom and Spain. They would have to reflect Gibraltar's full participation in the same sense as we are requiring in the talks themselves, in other words there would have to be the veto, the separate voice, nor could it even be called Anglo-Spanish because that nomenclature is inevitably bi-lateral.

**HON J J BOSSANO:**

Well the Chief Minister can keep on trying to persuade me and I will keep on trying to persuade him and presumably in the fullness of time either one will persuade the other or we will all finish emigrating one of the two.

ORAL

NO. 1254 OF 2001

THE HON J J BOSSANO

**BRUSSELS AGREEMENT**

Were Government consulted by the British Government over their intention to re-launch the Brussels process and if so when?

ANSWER

THE HON THE CHIEF MINISTER

If the hon Member means by consult before the decision was taken the answer is no.

SUPPLEMENTARY TO QUESTION NO 1254 OF 2001

**HON J J BOSSANO:**

I did mean before the decision was taken so in fact they were then informed after the event?

**HON CHIEF MINISTER:**

Yes, during the late afternoon of Monday 16<sup>th</sup> July I received a telephone call from a Senior Official at the Foreign Office to inform me that at a bilateral meeting in the margins of a European Counsel meeting in Brussels that very afternoon Mr Straw and Mr Piqué had just agreed to hold a round of talks under the Brussels process on Thursday 26<sup>th</sup> July. The hope was then expressed that I might participate.

**HON J J BOSSANO:**

Well I am glad that on that occasion I was more successful in my hopes than the Foreign Office in theirs.

**HON CHIEF MINISTER:**

Our non-participation had nothing to do with the hon Members persuasiveness, it was simply that our conditions were not met.

**HON J J BOSSANO:**

Fair enough, as long as he stays away I do not really want to hear what the reasons are. Can I just say, have the Government been informed of what allegedly took place at the level of Señor Aznar and Tony Blair prior to this date?

**HON CHIEF MINISTER:**

No.

**HON J J BOSSANO:**

There seems to be a clear indication that prior to the decision being communicated to the Chief Minister on the basis that an agreement had been reached by the two Foreign Ministers, an agreement in principal to re-launch had been taken by Señor Aznar and Blair. Have the Government sought confirmation whether this is the case or not?

**HON CHIEF MINISTER:**

It is entirely academic when we were informed. When it had been decided to hold the meeting on the 26<sup>th</sup> July the reasons for that became secondary. Certainly we were told, that the impetus came from the top.

**HON J J BOSSANO:**

Would the Government not agree that at least one aspect of the new factor and the new impetus which has been missing since the thing was signed in 1984 and which Spain considers to be evidence of an existence of a political will in London which was not there before appears to be the fact that it is at the level of the Prime Minister that a desire for a speedy resolution of this question seems to have been expressed.

**HON CHIEF MINISTER:**

Yes I think that is a fair analysis but I do not think it is justified on the part of the Spaniards. It is after all the same Prime Minister that then restates the absolute assurance to the people of Gibraltar on the question of sovereignty. There is that much in what Mr Hain says that I think is correct and that is Spain's utterances and

the utterances of the Spanish media and the Spanish assessments have got to be read in the light of other things that are said. Whatever may be the Prime Minister's desire that there should be impetus or change that his friendship with Señor Aznar and the obvious increasing alliance between their two countries should not be interfered with, whatever may be that desire, whatever may be the steps taken to try and make that happen it is all subject to the overarching assurance from which the Labour Government assures me they will not depart on the question of sovereignty, so, it is all down to persuading the hon Member and me. I just do not see how the Spaniards can purport to draw comfort from that but I can see that the Spaniards will draw an enormous amount of comfort if they had persuaded the British Government to renege on the Preamble or to remove the Preamble but they have not done so. The contrary is true the British Government continue to repeat the Preamble and therefore I do not see how the Spaniards obtain the level of satisfaction, the level of sense of achievement which, I accept what the hon Member has said, appears to be evident from some of the statements that have been reported, either what Britain is saying to us about the reliability of the assurance is not true or what Britain is saying to Spain is different to what they are saying to us, or the Spaniards are misunderstanding what Britain is saying to them. It can only be one of those three things. If the so called impetus depends for its success first persuading the Government and then persuading the majority of the people of Gibraltar, in order for us to have a better future and not to continue to be denied our EU rights we need to do the sort of sovereignty deals that the Spanish press appears to be mooting. No one that has observed Gibraltar politics and that observes Gibraltar politics could consider that there is the remotest prospect of the people of Gibraltar making a decision along those lines, and if that remains the objective within 18 months or any longer period. Then it seems to me that it is doomed to fail.

**HON J J BOSSANO:**

I would agree that it is doomed to fail because we are fully committed in ensuring its failure and therefore advocating its failure but would the Government have agreed?

**HON CHIEF MINISTER:**

The hon Member seems to advocate this failure and perhaps he might have more support and my support in doing so but whether we can ensure the failure of it is another matter.

**HON J J BOSSANO:**

I think we can, I am confident we can but would the Chief Minister not agree that part of the optimism evident in Spanish circles which was not there before could well be because in fact there is a new element in the British position which is of course they say they will respect the Preamble to the Constitution and of course they said that the package that emerges from the negotiations would not be imposed on us, and of course they say we will have the final say by invoking the guarantees in the Preamble to the Constitution but what they have never said before is that the choice that we make will be in a context where we will be rewarded if we vote one way and punished if we vote the other and that has not been there.



**HON CHIEF MINISTER:**

I am not sure that is new.

**HON J J BOSSANO:**

No, that is not new?

**HON CHIEF MINISTER:**

Well, it is new, I think it is now articulated clearly.....

**HON J J BOSSANO:**

Publicly.....

**HON CHIEF MINISTER:**

Yes, but in fact it has been our position since the 1960's that we have had to pay a price for our collective decision to resist the Spanish sovereignty claim and that the United Kingdom has not fought the battles as we would have liked them to fight to remove the unfair restrictions and the unfair denial of our rights, so what is new? Is that not where we have been for the last 10 years and longer and I think therefore that what is new is only the fact that it is now being articulated rather than just done without being articulated and I suppose if one wanted to be even more detailed in that analysis one could argue that it is not even new that it is being articulated. There is an interpretation, not a particularly strained one, there is an interpretation of the Hattersley Memorandum that really meant that, is it not? When Mr Hattersley said, pointed us to Spain as being where our future lay and then the British Government behaved as it did for the next 30 years, what was he articulating, or was he being more subtle? He was just saying in a sense the same thing as Mr Hain said a fortnight ago except that Mr Hain did not leave it to interpretation at least left it less to interpretation than Mr Hattersley did so. Certainly there is an impetus and where there is an impetus there is an increase in anxiety levels, but actually, provided the assurance on sovereignty remains firm and reliable I am not sure that it means very much because if the threat means that we are going to be left behind in Europe meaning that London is not going to fight Spain or litigate against the Commission to ensure that we are not excluded from this or that, surely that is were we have been for a number of years. I just do not see the demureness as significant as the hon Member.

**HON J J BOSSANO:**

It is probably true that many of us suspected that that was the position which the British Government were pursuing but which they always denied. I certainly think that by manifestly expressing it as they are doing now, if we compare as the Chief Minister has done with Hattersley well look there is one very clear distinction, Hattersley said, "you must keep the status quo and await developments in Spain", and those who saw negative aspects in that interpreted that to mean await developments in Spain in order to join Spain and those who wanted to take a more optimistic view interpreted it to mean "await developments in Spain and you will see Spain changing." Well neither

of us has changed since Hattersley said so 25 years ago, neither Spain nor ourselves but the alternative was that Hattersley said we keep the status quo, we are now being told that the status quo is unsustainable whatever that may mean.

**HON CHIEF MINISTER:**

Whatever that may mean yes, whatever that may mean on the context of the assurance of sovereignty because if anything, if the status quo is unsustainable but we are able to sustain it by exercising a vote in a referendum then it is not unsustainable. All that remains for us to discover is what is the price of continuing to sustain the status quo but it is not unsustainable.

**HON J J BOSSANO:**

Would the Chief Minister not agree that if now the United Kingdom is finding it unsustainable where as before we found it certainly not unsustainable but certainly imposing constraints on our rights we ought to be able to enjoy the same as everybody else in Europe which were legitimate and which the United Kingdom was not being sufficiently robust in defending and we are now in a situation were they are saying it is unsustainable.

**HON CHIEF MINISTER:**

I think the price is more of the same, more of what we have been finding unacceptable in the last few years.