

**GIBRALTAR**

**HOUSE OF ASSEMBLY**



**QUESTIONS AND ANSWERS**

**13<sup>th</sup>, 14<sup>th</sup>, and 19<sup>th</sup> February 2002**

**No. 1 to No. 353**



**The Speaker - The Hon Judge J E Alcantara CBE**

**GOVERNMENT (GSD):**

<b>The Hon P R Caruana QC</b>	-	<b>Chief Minister</b>
<b>The Hon K Azopardi</b>	-	<b>Minister for Trade, Industry and Telecommunications</b>
<b>The Hon Dr B A Linares</b>	-	<b>Minister for Education, Training, Culture and Health</b>
<b>The Hon J J Holliday</b>	-	<b>Minister for Tourism and Transport</b>
<b>The Hon Lt-Col E M Britto OBE , ED</b>	-	<b>Minister for Public Services, the Environment, Sport and Youth</b>
<b>The Hon H A Corby</b>	-	<b>Minister for Employment and Consumer Affairs</b>
<b>The Hon J J Netto</b>	-	<b>Minister for Housing</b>
<b>The Hon Mrs Y Del Agua</b>	-	<b>Minister for Social Affairs</b>
<b>The Hon R Rhoda QC</b>	-	<b>Attorney General</b>
<b>The Hon T J Bristow</b>	-	<b>Financial and Development Secretary</b>

**OPPOSITION (GSLP/ Liberals):**

<b>The Hon J J Bossano</b>	-	<b>Leader of the Opposition</b>
<b>The Hon Dr J J Garcia</b>		
<b>The Hon J L Baldachino</b>		
<b>The Hon Miss M I Montegriffo</b>		
<b>The Hon Dr R G Valarino</b>		
<b>The Hon J C Perez</b>		
<b>The Hon S E Linares</b>		
<b>D J Reyes Esq, ED</b>	-	<b>Clerk of the House of Assembly</b>

**13<sup>th</sup>, 14<sup>th</sup>, and 19<sup>th</sup> February 2002**

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**NO. 1 OF 2002**

**THE HON S E LINARES**

**NATIONAL WEEK COMMITTEE**

Can Government state how many meetings the National Week Committee have had since National Day on September 2001?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

None.

**SUPPLEMENTARY TO QUESTION NO 1 OF 2002**

**HON S E LINARES:**

Can the Minister state whether the members are still the same as originally put forward?

**HON MRS Y DEL AGUA:**

I think it was made clear in answer to a previous question that the original National Week Committee which was formed when Government took over the organisation of National Week is in effect now dormant. The role of this committee was to look at what events should take place in National Week and how the event should be run. That procedure has been well established for some time now and the actual hands on organisation of the events is now undertaken by a group of different people in different Government departments including some volunteers. I would have thought that the extensive debate which ensued as the result of the last question tabled on this issue would have served to clarify matters.

**HON S E LINARES:**

Well, it does not actually clarify it, it confuses matters more. I am asking this question because she has stated that they have not met which was the original question, since she said that they had not met it is confusing that she said that it had not met, which committee is she referring that had not met if there is a defunct committee anyway? So which committee is she talking about?

**HON MRS Y DEL AGUA:**

I think the hon Member is referring to the same committee that he was referring to in the previous question which is the original National Week Committee and I have responded accordingly. That committee has not met.

**HON S E LINARES:**

Can the Minister state how many times her new committee has met?

**HON MRS Y DEL AGUA:**

Although it is a completely different question I will answer. The committee as he puts it and I have explained previously and I will explain again, which is the people who organise the events leading up to National Week meet nearer the date but there is no necessity to meet at this early stage during the year.

**NO. 2 OF 2002**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many Gibraltar social insurance schedules have been issued to employers, the number of employers, and in respect of how many employees for the 4<sup>th</sup> quarter of last year?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 3 to 5 of 2002.

**NO. 3 OF 2002**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many social insurance schedules for self-employed persons were issued in respect of the 4<sup>th</sup> quarter finally last year?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 2, 4 and 5 of 2002.

**NO. 4 OF 2002**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many social insurance schedules have been issued to employers, the number of employers and in respect of how many employees for the 1<sup>st</sup> quarter of 2002 to-date?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question Nos 2, 3 and 5 of 2002.

**NO. 5 OF 2002**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many social insurance schedules for self-employed persons have been issued in respect of the 1<sup>st</sup> quarter of 2002 to-date?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

**Answer to Question No 2 of 2002**

In the 4<sup>th</sup> quarter 2001, 1,453 employers have been issued with social insurance contribution schedules covering 17,898 employees.

**Answer to Question No 3 of 2002**

In the 4<sup>th</sup> quarter 2001, 925 self-employed persons were issued with social insurance contribution schedules.

**Answer to Question No 4 of 2002**

In the 1<sup>st</sup> quarter 2002, 1320 employers have been issued with social insurance contribution schedules covering 8,410 employees.

**Answer to Question No 5 of 2002**

In the 1<sup>st</sup> quarter 2002, 935 self-employed persons have been issued with social insurance contribution schedules.

**SUPPLEMENTARY TO QUESTION NOS 2, 3, 4, AND 5 OF 2002**

**HON J J BOSSANO:**

Did the Minister say that in the 4<sup>th</sup> quarter the number of employers was 1,453 or did I hear that wrong?

**HON MRS Y DEL AGUA:**

That is correct.

**HON J J BOSSANO:**

How come that in fact in the previous answer the figure given was 1480, how could there be less now than had been issued before the quarter was over?

**HON MRS Y DEL AGUA:**

I made that query as well, the explanation that has been given to me is that the interim figure which was quoted in respect of the 4<sup>th</sup> quarter of 2001, at that time the quarter had not yet ended and in my answer to Question No 846 of 2001 the figure was higher due to the fact there was more than one transaction in respect of the same employer during the period in question. It should be noted that the schedules are issued for the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> quarters in advance and numerous changes take place in the course of the year in respect of new employment, changes of employment, terminations et cetera and because the question was asked in the middle of the quarter it did not reflect the accurate figure that resulted when the analysis was made at the end of that quarter.

**HON J J BOSSANO:**

Is the implication of that in fact that the same employer was issued with two schedules and counted as two employers?

**HON MRS Y DEL AGUA:**

It could be, yes.

**HON J J BOSSANO:**

Well it is just that it is difficult to understand how before the end of a quarter there could have been more schedules issued than after the end of the quarter.

**HON MRS Y DEL AGUA:**

We are talking technically of schedules issued which is what the computer dishes out to each and every employee for each employer but in the interim period we might have received notifications that either that employee was no longer working for that

employer, the company had ceased to trade and things of that nature which causes the end result to be different at the end of the quarter.

**HON J J BOSSANO:**

Well we are trying to make sense of the figures with the way that it is being done now which is different from the old system of social insurance cards. Now, the arguments the Minister is putting would make sense as regards the number of employees but surely the number of employers are the number of employers and even if they go bust before the end of the quarter they have still been issued with a schedule so that if the question is how many people have in the last three months of last year been issued with schedules it is a finite figure I do not see how it can change.

**HON MRS Y DEL AGUA:**

I understand what the Leader of the Opposition is saying but that is the way the computer dishes out the information, it can not give an accurate figure of how many schedules were issued but how many schedules were issued on active files and not those that have been issued or have ceased to exist, companies which have ceased to exist.

**HON J J BOSSANO:**

How are we to interpret the 1320 for the 1<sup>st</sup> quarter that we have just been given, what does that mean?

**HON MRS Y DEL AGUA:**

Well, that figure has been given after the 1<sup>st</sup> quarter was closed so to speak, we have the correct analysis of those figures because the quarter was over when the figures were asked for.

**HON J J BOSSANO:**

No, the figure is for the 1<sup>st</sup> quarter of this year it is not yet over we are in February.

**HON MRS Y DEL AGUA:**

By way of explanation all I can offer is the information that has been passed on to me I would be more than happy for maybe the Principal Secretary to meet with the hon Member and explain to him exactly how the system works. I think he would be in a better position to explain than I am at the moment.

**NO. 6 OF 2002**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state the number of employers who have now returned the social insurance schedules for the 2<sup>nd</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> quarter of last year and the number of employees covered by such returns, respectively?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

Answered together with Question No 8 of 2002.

**NO. 7 OF 2002****THE HON J L BALDACHINO****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> October 2001 to January 2002 receiving:-

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

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

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

**Answer to Question No 7 of 2002****A. UNEMPLOYMENT BENEFITS**

<b>MONTH</b>	<b>MALE</b>	<b>FEMALE</b>
October 2001	28	28
November 2001	42	44
December 2001	40	48
January 2002	46	40

**B. SOCIAL ASSISTANCE**

<b>MONTH</b>	<b>MALE</b>	<b>FEMALE</b>
October 2001	63	20
November 2001	60	23
December 2001	69	21
January 2002	68	28

### C. NO PAYMENTS

MONTH	MALE	FEMALE
October 2001	84	86
November 2001	72	72
December 2001	33	58
January 2002	Not available	Not available

### SUPPLEMENTARY TO QUESTION NO 7 OF 2002

#### HON J L BALDACHINO:

Has the Minister got a further breakdown of the age of the different persons from 18-25, 26-35, as she gave me before and if she has not got it is she prepared to give it to me at a later date?

#### HON MRS Y DEL AGUA:

The question did not ask for that but I am willing to provide him with that information if that is what he wants.

**NO. 8 OF 2002**

**THE HON J L BALDACHINO**

**SOCIAL INSURANCE SCHEDULES**

Can Government state how many employers have now returned the social insurance schedules and in respect of how many employees for each of the four quarters of 2001?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

In the 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2001, 1,163, 1,099, 986 and 754 employers respectively have returned the social insurance contribution schedules covering 12,181, 11,946, 11,542 and 7,212 employees respectively.

**SUPPLEMENTARY TO QUESTION NOS 6 AND 8 OF 2001**

**HON J J BOSSANO:**

In respect of the 1<sup>st</sup> quarter the number of employees covered was 12,181. I think the last time we were told it was 12,288 that were returned how can there be less returns now than there were before?

**HON MRS Y DEL AGUA:**

Simply because the employers have failed to return the schedules.

**HON J J BOSSANO:**

No we have been told before in answer to Question No 842 of 2001 we were told that employers had returned the schedules, the insurance records of 12,288. I would have expected the figure to either be the same or higher but not lower because those were already returned so what has happened to the 120 that were there before.

**HON MRS Y DEL AGUA:**

I have not got the answer Mr Speaker, we will find out.

**MR SPEAKER:**

She does not have the answer she will find out.

**HON J J BOSSANO:**

Could I ask the Minister whether she will investigate this because obviously we are talking about insurance contributions of 120 workers. It should not get lost, it may be that the original figure was mistaken, can I also ask in terms of the dates is there a need to seek to go back that far to see if more are being returned or would the Minister be satisfied that now that we are talking about 12 months ago the figure that she has just given us would be an accurate figure of the returns and it is not likely to be going up?

**HON MRS Y DEL AGUA:**

It is a more accurate figure, a much more accurate figure than what we could have provided originally but I am not sure that it is 100 per cent accurate still, there is still an element of weeding out involved in the procedure.

**HON J J BOSSANO:**

Would the Minister give an indication as to what time scale because we will stop asking questions going back to a certain date once she can tell us that figure is more or less the final one. She will agree that the last quarter which is much lower than the previous one is likely obviously to be revised upwards to come closer to the other but the 1<sup>st</sup> and 2<sup>nd</sup> quarters where we are talking about 11,900 and 12,100, is that likely to go up by much more or is that likely in her judgement or in the judgement of her department fairly close to what the final figure is?

**HON MRS Y DEL AGUA:**

I would have said that it would be fairly close .

**NO. 9 OF 2002****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 October, November, December 2001 and for January 2002 showing the amount from UK and local funds and the expenditure to former Spanish workers and to pensioners from local funds?

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

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

The balance of the Closed Long-term Benefits Fund from 1 October 2001 to 31 January 2002 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>31-Oct-01</b>	<b>30-Nov-01</b>	<b>31-Dec-01</b>	<b>31-Jan-02</b>
	<b>£</b>	<b>£</b>	<b>£</b>	<b>£</b>
Fund Account- Opening Balance	767,857	430,586	456,355	1,230,681
<u>"Local Account"</u> Opening Balance	472,477	112,088	130,238	665,999

<u>Add</u>				
Transfers from the Open Long-Term Benefits Fund	515,000	900,000	1,550,000	0
Other Receipts	4,601	2,677	2,452	1,720
	992,078	1,014,765	1,682,690	667,719
<u>Less</u>				
Pension Payments	(879,991)	(884,527)	(1,016,692)	(750,804)
Closing Balance	<b>112,088</b>	<b>130,238</b>	<b>665,999</b>	<b>(83,085)</b>
<u>"Spanish Account"</u>				
Opening Balance	295,380	318,498	326,117	564,682
<u>Add</u>				
Receipts from DFID	430,000	250,000	1,540,000	0
	827,738	741,271	1,584,323	789,755
<u>Less</u>				
Pension Payments	(406,882)	(242,380)	(1,301,435)	(252,668)
Closing Balance	<b>318,498</b>	<b>326,117</b>	<b>564,682</b>	<b>312,014</b>
<b><u>Fund Account – Closing Balance</u></b>	<b>430,586</b>	<b>456,355</b>	<b>1,230,681</b>	<b>228,929</b>

**NO. 10 of 2002****THE HON J L BALDACHINO****CLOSED LONG-TERM BENEFITS FUND**

Can Government state what was the number of pensioners being paid or with entitlement to payment for each month of November, December 2001 and January 2002 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**

I hand the hon Member a list of the information requested, however I should point out that in my answer to Question No 7 of 2001, I informed the hon Member that the British, Moroccan and other nationality pensioner files would be thoroughly checked, as we did with the Spanish pension files, to ensure that all the data transferred to the new computer system was 100 per cent correct. This task has now been completed and I am advised that an adjustment to the running balance has been made as from November 2001 to exclude 111 persons in receipt of Elderly Person's Allowance. Although these persons previously appeared in the old database as beneficiaries from the Closed Long-Term Benefits Fund I can confirm that the money paid out to them is being charged to the Social Assistance Fund.

**Answer to Question No 10 of 2002**

	<b>November 2001</b>	<b>December 2001</b>	<b>January 2002</b>
Pre-1969 Spanish pensioners	7,148	7,116	7,087
British pensioners (Gib/UK Nat)	4,604	4,616	4,625
Moroccan pensioners	1,225	1,225	1,246
Other nationalities	347	346	344
<b>Total</b>	<b>13,324</b>	<b>13,303</b>	<b>13,302</b>

## SUPPLEMENTARY TO QUESTION NO 10 OF 2002

**HON J J BOSSANO:**

Is the Minister saying that it has always been charged to the Social Assistance fund or only since this changed?

**HON MRS Y DEL AGUA:**

In respect of the Elderly Persons Allowance it has always been charged to the Social Assistance Fund.

**HON J J BOSSANO:**

Are these people who have got also an entitlement to a contributory social insurance pension or they have only got the other entitlement?

**HON MRS Y DEL AGUA:**

The Elderly Persons Allowance is exactly for people who did not contribute sufficient funds and do not get an old age pension.

**HON J J BOSSANO:**

So in fact they should never have been included in that?

**HON MRS Y DEL AGUA:**

They should have never been included as statistics.

**HON J L BALDACHINO:**

On the pre-1969 pensioners can the Minister confirm that the figure is actually now coming down?

**HON MRS Y DEL AGUA:**

I suspect that it will be going down as people obviously pass away.

**HON CHIEF MINISTER:**

If one takes the demographic factors here and the fact that people stopped, these are pre-1969 figures, they must by now, the people reaching pensionable age that worked here before 1969 must by now I would have thought be statistically exhausted so that figure can only come down as they go dying off.

**HON J L BALDACHINO:**

I fully appreciate that but the reason that I am asking the question is that when I asked a similar question about two years ago the department had obviously made an estimate that the figure would be coming down and at a certain point of time in a year it would be coming down and that is why I am asking is it that we have now reached that stage at the point where it is now coming down?

**HON MRS Y DEL AGUA:**

Yes, that is correct.

**NO. 11 OF 2002****THE HON J L BALDACHINO****OPEN LONG TERM BENEFITS - TRANSFERS**

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 October 2001?

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

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

October 2001	-	£515,000
November 2001	-	£900,000
December 2001	-	£1,550,000
		<hr/>
		£2,965,000
		<hr/>

**NO. 12 OF 2002****THE HON J L BALDACHINO****DISABILITY ALLOWANCE**

Can Government state how many persons applied for Disability Allowance under the Social Assistance Arrangements in 1996, 1997, 1998, 1999 and 2000 and how many of these applications were not successful, giving a breakdown for each year?

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

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

**DISABILITY ALLOWANCE**

<b>YEAR</b>	<b>APPLICATIONS RECEIVED</b>	<b>APPROVED</b>	<b>DISALLOWED</b>
<b>1996</b>	2	2	-
<b>1997</b>	7	7	-
<b>1998</b>	3	3	-
<b>1999</b>	7	4	3
<b>2000</b>	17	13	4

**SUPPLEMENTARY TO QUESTION NO 12 OF 2002**

**HON J L BALDACHINO:**

Can the Minister confirm if the people that were disallowed in 1999 and 2000 were people that did not have a disability at birth?

**HON MRS Y DEL AGUA:**

I would need previous notice of that question.

**HON J L BALDACHINO:**

Is the Minister willing to pass it over to me when she gets it?

**HON MRS Y DEL AGUA:**

Certainly.

**NO. 13 of 2002**

**THE HON J L BALDACHINO**

**DISABILITY ALLOWANCE**

Can Government state of persons receiving Disability Allowance payments under Social Assistance Arrangements how many are those who have had a disability from birth and how many are people who have become disabled later on in life?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

At present there are 103 persons receiving Disability Allowance payments under the Social Assistance Arrangements. There are 90 persons who have been disabled since birth and 13 persons who became disabled later on in life.

**SUPPLEMENTARY TO QUESTION NO 13 OF 2002**

**HON J L BALDACHINO:**

Can the Minister confirm that people seeking disability allowance, have to apply, it is not something that in some cases it is automatic, is that the position?

**HON MRS Y DEL AGUA:**

No. They have to apply.

**HON J L BALDACHINO:**

In the figures the Minister gave me before, the highest is 2000 where there is 17 persons and 13 were approved. We are now told that there is 100 odd persons receiving, is it that now more people have applied and how does that reconcile with the figures that the Minister has given me?

**HON MRS Y DEL AGUA:**

People apply as and when and the figure is increasing on a yearly basis.

**HON J L BALDACHINO:**

Yes I fully appreciate that but what I am saying is that apparently the answer that the Minister has just given me is that more people are applying now than in 1996, 1997, 1998, 1999 and 2000, is that the case?

**HON MRS Y DEL AGUA:**

The figure that I have given is an overall figure of the people receiving Disability Benefit.

**HON J L BALDACHINO:**

I just want clarification so that I am clear in my mind that I am correct in the analysis that I am making, for example, and I will get just one year, in 1996 two applications were received according to the answer that the Minister has given me and two were approved. Therefore there were only according to the question previously there were only two persons receiving Disability Allowance?

**HON MRS Y DEL AGUA:**

No, two applications.

**HON J L BALDACHINO:**

I see, but there could have been more in that year, is that correct?

**HON MRS Y DEL AGUA:**

Yes, the ones that have been there historically.

**HON J L BALDACHINO:**

I see.

**NO. 14 OF 2002**

**THE HON J L BALDACHINO**

**SOCIAL ASSISTANCE**

Can Government state the number of persons receiving social assistance each month from November 2001 to the end of January 2002 giving a breakdown by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

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

2001	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
November	118	188	306	50	96	91	69
December	122	174	296	46	93	84	73

2002	MALES	FEMALES	TOTAL	18/25	26/35	36/45	46/60
January	122	201	323	53	103	102	65

**NO. 15 OF 2002**

**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 October, November, December 2001 and for January 2002?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

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

<b>Respite Hours</b>	<b>Application</b>	<b>Met</b>	<b>Hours Used</b>	<b>Sitting Hours Numbers</b>	<b>Hours Used</b>
<b>October</b>	6	6	376	13	577
<b>November</b>	7	6	786	14	630
<b>December</b>	13	10	1357	13	524
<b>January</b>	4	3	802	15	488

**SUPPLEMENTARY TO QUESTION NO 15 OF 2002**

**HON J L BALDACHINO:**

Can the Minister say, when somebody applies for respite and the application is not successful or is not met, is it because there is not enough room in the Dr Giraldi Home or is it for any other reason?

**HON MRS Y DEL AGUA:**

Yes, the reasons for declining are mainly because there are overlapping requests for the same period and obviously there are certain number of beds available and all requests cannot be met.

**NO. 16 OF 2002**

**THE HON J L BALDACHINO**

**CHILDREN IN CARE**

Can Government state how many children are held in care giving a breakdown by age and sex?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

I hand the hon Member the information requested.

As at the 31<sup>st</sup> January 2002 twenty six (26) children and young persons were in care with the Social Services Agency.

The following statistical analysis gives details of age band and gender:-

<b>0-4 Years</b>	<b>M</b>	<b>F</b>	<b>5-9 Years</b>	<b>M</b>	<b>F</b>	<b>10-14 Years</b>	<b>M</b>	<b>F</b>	<b>15-18 Years</b>	<b>M</b>	<b>F</b>
6	3	3	2	2	-	7	2	5	11	3	8

**NO. 17 OF 2002**

**THE HON J L BALDACHINO**

**CHALLENGING BEHAVIOUR**

Can Government state how many persons there are who present challenging learning disabilities and behaviour giving a breakdown by age?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

There are varying degrees of what is described as 'Challenging Behaviour'. Some people presenting a moderate or mild challenge to the service being provided at Dr Giraldi can be catered for adequately within the system. There are, however several individuals who present more severe challenging behaviour and who are currently being assessed to see whether their needs can best be met in a specialist unit. It is therefore not possible at this stage to give the hon Member an accurate figure.

**SUPPLEMENTARY TO QUESTION NO 17 OF 2002**

**HON J L BALDACHINO:**

She has not even got the figures for the ones who have a severe challenging learning behaviour, is that correct?

**HON MRS Y DEL AGUA:**

As I said these people are being assessed and at this precise moment in time I do not have a figure.

**NO. 18 OF 2002**

**THE HON J L BALDACHINO**

**SENIOR CITIZENS – EXEMPTION TO PAY TELEVISION LICENCE**

Can Government state if they have now made a decision to exempt senior citizens from the payment of the annual television licence fee?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

A decision has not yet been taken.

**SUPPLEMENTARY TO QUESTION NO 18 OF 2002**

**HON J L BALDACHINO:**

I presume that it is still under consideration?

**HON MRS Y DEL AGUA:**

Yes it has not been discarded but a decision has not yet been taken.

**NO. 19 OF 2002**

**THE HON J L BALDACHINO**

**BISHOP HEALY HOME**

Can Government state when the adaptation of Bishop Healy House will be completed?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

It is envisaged that the adaptation works will be completed late this year.

**SUPPLEMENTARY TO QUESTION NO 19 OF 2002**

**HON J L BALDACHINO:**

The decision on this must obviously be based on the number of persons the Minister gave me in answer to Question No 17 of 2002.

**HON MRS Y DEL AGUA:**

There is a basic idea of how many people will fill the rooms in the new Challenging Behaviour Unit but as the adaptation works have not yet started there is still room to manoeuvre on how many rooms we need and things of that nature.

**HON J L BALDACHINO:**

I presume that what is being taken into account on the adaptation of the house is if people who have more severe disabilities will be put together with those who have less problems?

**HON MRS Y DEL AGUA:**

As I understand it there will be two units, one for children and one for adults obviously taking into account that their disability are more or less of the same severity.

**HON J J BOSSANO:**

The work that is currently already contracted out assumes how many occupants, the work that has been contracted out for the adaptation, subject to any changes that may happen how many occupants does that assume for, how many is there a provision at the moment?

**HON MRS Y DEL AGUA:**

The work has still not yet been contracted out. We have still not decided how many rooms will be needed.

**HON J J BOSSANO:**

How is the Minister able to say that the work will be completed if it has not even been contracted?

**HON MRS Y DEL AGUA:**

We are envisaging that the works will be finished, it is hoped that the contract will be tendered out very shortly.

**NO. 20 OF 2002**

**THE HON J L BALDACHINO**

**MILBURY CARE SERVICE**

Can Government state how many of the four posts held by persons contracted by Milbury outside Gibraltar will be localised and when is this expected to happen?

**ANSWER**

**THE HON THE MINISTER FOR SOCIAL AFFAIRS**

The four posts held by persons contracted by Milbury outside Gibraltar will be localised by the 9<sup>th</sup> November 2002.

**SUPPLEMENTARY TO QUESTION NO 20 OF 2002**

**HON J L BALDACHINO:**

Has that got anything to do with Milbury finishing as the contract is only for one year?

**HON MRS Y DEL AGUA:**

A fair assumption.

**HON J L BALDACHINO:**

Is it also a fair assumption that Milbury's contract will not be extended beyond 2002?

**HON MRS Y DEL AGUA:**

That could be considered a fair assumption as well.

**NO. 21 OF 2002****THE HON J L BALDACHINO****HEAD 5B SOCIAL SERVICES – 5(c) CONTINGENCIES**

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

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

A total of £18,136.52 has been spent to-date from head 5B Social Services, sub-head 5(C) contingencies. In addition the purchase of further equipment amounting to £16,000 is pending payment.

The following items have been purchased to-date:-

**MOBILITY AIDS**

Transit wheelchair	£501.44
Jupiter chair	1,469.00
Foldable wheelchair	528.22
2 symmetric chairs	254.58
Scooter	1,761.06
Specialised seating system	886.58
Jay gel seat cushion	328.44
Electric wheelchair	2,176.10
Giraffe chair	518.00

## **MANUAL HANDLING EQUIPMENT AND INDEPENDENT LIVING AIDS**

5 Bed rails	£455.60
Bed rails & clamp	£113.00
Special batteries for hearing aid	£200.00
Fitting of wheelchair lift in car	£817.00
Difference in payment as pro-forma invoice previously paid did not include several items	£87.86
Pressure mattress & cushion	£510.36
Overhead electric hoist	£2,661.03
Midi electric hoist & Slinge Oxford	£1,367.56
Contribution paid towards building an extension to house bathroom & toilet for disabled person	£3,000.00

Others	£500.00
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<b>Total</b>	<b>£18,136.52</b>
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<b>EQUIPMENT</b>	<b>AMOUNT</b>
Mobility Aids	£8,423.42
Manual handling equipment and Independent living aids	£9,213.10
Others	£500.00
<b>Total</b>	<b>£18,136.52</b>

**NO. 22 OF 2002****THE HON J L BALDACHINO****EMPLOYMENT - NUMBER OF UNEMPLOYED**

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

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

**( On behalf of 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 hand to him.

Gibraltarians who joined the Unemployment Register during the 4<sup>th</sup> Quarter of 2001

<b>OCTOBER</b>			
	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Under 18</b>	15	7	22
<b>18-24</b>	39	33	72
<b>Over 25</b>	40	31	71
<b>Total</b>	<b>94</b>	<b>71</b>	<b>165</b>

<b>NOVEMBER</b>			
	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Under 18</b>	9	3	12
<b>18-24</b>	23	16	39
<b>Over 25</b>	37	36	73
<b>Total</b>	<b>69</b>	<b>55</b>	<b>124</b>

<b>DECEMBER</b>			
	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Under 18</b>	0	3	3
<b>18-24</b>	9	13	22
<b>Over 25</b>	11	21	32
<b>Total</b>	<b>20</b>	<b>37</b>	<b>57</b>

**SUPPLEMENTARY TO QUESTION NO 22 OF 2002**

**HON J J BOSSANO:**

In terms of relating this information to the movement in the unemployment register would it be reasonable to expect that the movement in minus the numbers employed and elapsed would have to coincide with changes in the total or is there another factor?

**HON J J NETTO:**

I understand that the situation is as the hon Member has said that it is taking into account that particular movement. Movements of addition in the month, in other words people who have joined in the month along with those who have been employed in the month or those who have lapsed in the month.

**HON J J BOSSANO:**

There was an indication that in that final quarter there might be the effect of the changes in the gaming industry, that does not appear to be reflected in these numbers which do not seem to be different from any other quarter of people joining the register, is it that it did not happen or is it that the people went away rather than stay here looking for work?

**HON J J NETTO:**

Well, if the hon Member is referring to that particular quarter and what effect it might have had by way of new additions from the gaming industry obviously the figures provided here do not seem to make that .....

**HON CHIEF MINISTER:**

There is a question on the Order Paper about the employment levels in the gaming industry.

**HON J J BOSSANO:**

My question is in fact that the numbers entering the unemployment register, does not indicate people registering who have been previously employed in gaming given that the figures are different from other months.

**HON CHIEF MINISTER:**

Well, there is a netting effect that there may be people there in these figures who are from the gaming industry and the figure is no higher than usual because there are fewer people from others.

**NO. 23 OF 2002****THE HON J L BALDACHINO****EMPLOYMENT – NUMBER OF GIBRALTARIANS**

Can Government state of the Gibraltarians employed in the 4<sup>th</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 HOUSING)**

**(On behalf of 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 hand to him.

Registered Unemployed Gibraltarians employed during the 4<sup>th</sup> Quarter of 2001.

<b>OCTOBER 2001</b>			
	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Under 18</b>	6	5	11
<b>18-24</b>	15	20	35
<b>Over 25</b>	14	15	29
<b>Total</b>	<b>35</b>	<b>40</b>	<b>75</b>

<b>NOVEMBER 2001</b>			
	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Under 18</b>	5	5	10
<b>18-24</b>	14	13	27
<b>Over 25</b>	16	10	26
<b>Total</b>	<b>35</b>	<b>28</b>	<b>63</b>

<b>DECEMBER 2001</b>			
	<b>Male</b>	<b>Female</b>	<b>Total</b>
<b>Under 18</b>	2	1	3
<b>18-24</b>	6	3	9
<b>Over 25</b>	5	6	11
<b>Total</b>	<b>13</b>	<b>10</b>	<b>23</b>

**SUPPLEMENTARY TO QUESTION NO 23 OF 2002**

**HON J L BALDACHINO:**

On the figures that the Minister gave me for the 4<sup>th</sup> quarter on people who joined the unemployment register, the answer that he has just given me, is it that those people will also have been included in the other figure?

**HON J J NETTO:**

There are indeed occasions that a person can join the unemployment register at the beginning of the month and two weeks later could find a job and obviously gets employment, so it can happen and it does happen.

**NO. 24 OF 2002**

**THE HON J L BALDACHINO**

**BRITISH NATIONALS EMPLOYED**

Can Government state of the 221 British nationals employed in the 4<sup>th</sup> quarter how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 25, 26 and 27 of 2002.

**NO. 25 OF 2002**

**THE HON J L BALDACHINO**

**SPANISH NATIONALS EMPLOYED**

Can Government state of the 322 Spanish nationals employed in the 4<sup>th</sup> quarter how many were new entrants to the local labour market giving a breakdown for each month?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 24, 26, and 27 of 2002.

**NO. 26 OF 2002**

**THE HON J L BALDACHINO**

**MOROCCAN NATIONALS EMPLOYED**

Can Government state of the Moroccan nationals employed in the 3<sup>rd</sup> and 4<sup>th</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 HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 24, 25 and 27 of 2002.

**NO. 27 OF 2002****THE HON J L BALDACHINO****NON-EEC NATIONALS EMPLOYED**

Can Government state of the other Non-EEC persons employed in the 4<sup>th</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 HOUSING**

**(On behalf of 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 hand to him.

British Nationals employed in the 4<sup>th</sup> quarter 2001 which are new entrants to the Local Labour Market.

Month	New Entrants
October 2001	36
November 2001	34
December 2001	16

Spanish Nationals employed in the 4<sup>th</sup> quarter 2001 which are new entrants to the Local Labour Market.

Month	New Entrants
October 2001	67
November 2001	61
December 2001	36

Moroccan Nationals employed in the 4<sup>th</sup> quarter 2001.

Month	Total	New Entrants
October 2001	14	2
November 2001	10	0
December 2001	2	0
<b>Totals</b>	<b>26</b>	<b>2</b>

Other Non-EEC new entrants in the 4<sup>th</sup> quarter of 2001.

October 2001	American	Chinese	Swiss	Other	Totals
Managerial	1		1		2
Professional		3	1	5	9
Medical					
Clerical					
Semi-Skilled					
Domestic					
Catering					
Skilled					
Director					
<b>Totals</b>	<b>1</b>	<b>3</b>	<b>2</b>	<b>5</b>	<b>11</b>

November 2001	American	Chinese	Other	Totals
Managerial	1			1
Professional		4	1	5
Medical				
Clerical				
Semi-Skilled				
Domestic				
Catering				
Skilled				
Director				
<b>Totals</b>	<b>1</b>	<b>4</b>	<b>1</b>	<b>6</b>

December 2001	American	Other	Totals
Managerial			
Professional	2		2
Medical			
Clerical			
Semi-Skilled			
Domestic			
Catering		1	1
Skilled		1	1
Director			
<b>Totals</b>	<b>2</b>	<b>2</b>	<b>4</b>

**NO. 28 OF 2002****THE HON J L BALDACHINO****WORK PERMITS**

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

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

**(On behalf of 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 hand to him.

Oct 2001	American		Mor		Swiss		Chinese		Turkish		Other		Totals
	M	F	M	F	M	F	M	F	M	F	M	F	
Managerial	1				1			1					2
Professional			1			1			1				3
Medical													
Clerical							3				3	1	7
Semi-Skilled													
Domestic													
Catering			1										1
Skilled													
Director													
Totals	1		2		1	1	3		1		3	1	13

Nov 2001	American		Mor		Swiss		Chinese		Turkish		Other		Totals
	M	F	M	F	M	F	M	F	M	F	M	F	
Managerial	1												1
Professional									1				1
Medical													
Clerical							2	2					4
Semi-Skilled				1									1
Domestic													
Catering													
Skilled													
Director													
<b>Totals</b>	<b>1</b>			<b>1</b>			<b>2</b>	<b>2</b>	<b>1</b>				<b>7</b>

Dec 2001	American		Mor		Swiss		Chinese		Turkish		Other		Totals
	M	F	M	F	M	F	M	F	M	F	M	F	
Managerial													
Professional	1	1											2
Medical													
Clerical													
Semi-Skilled													
Domestic													
Catering												1	1
Skilled											1		1
Director													
<b>Totals</b>	<b>1</b>	<b>1</b>									<b>1</b>	<b>1</b>	<b>4</b>

**SUPPLEMENTARY TO QUESTION No 28 OF 2002**

**HON J L BALDACHINO:**

The two Moroccans who were given work permits, is it that they were actually persons that had married Gibraltarians or what is the reason then that they were given because I understand that the Minister had a policy were they offered a deal to the Moroccan workers and if that happened to all Moroccan workers how is it that we are now bringing new ones in?

**HON CHIEF MINISTER:**

The hon Member should not assume although I cannot identify these two cases particularly, but he should not assume that they are necessarily new arrivals in Gibraltar. They might be but they could be new entrants into the labour market from people who have been in Gibraltar without working, spouses, for example, but I am not saying to him that that is the case. The premise of his question may be correct they may be two people that have arrived newly into Gibraltar so to speak. The Government do from time to time although on a very exceptional and rare basis allow people, it is very much the exception, when a very strong case is made which justifies departure from the normal rule there is just one or two people probably not

more than three or four a year and a lot of them arise not from people coming into Gibraltar for the first time but from the regularisation of the status of people that have been here before. Very often children, it is not necessarily that somebody decides to recruit a butcher or somebody else. There are very rare cases of those but mainly it is the regularisation of people who are already in Gibraltar by virtue of family ties.

**NO. 29 OF 2002**

**THE HON J L BALDACHINO**

**VACANCIES FILLED**

Can Government state of the vacancies filled in the 4<sup>th</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 HOUSING**

**(On behalf of 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 hand to him.

Month	MALE			FEMALES			Total
	Under 18	18-24	Over 25	Under 18	18-24	Over 25	
October	5	9	15	5	26	52	112
November	5	14	13	3	20	37	92
December	1	12	3	1	7	81	105
<b>Total</b>	<b>11</b>	<b>35</b>	<b>31</b>	<b>9</b>	<b>53</b>	<b>170</b>	<b>309</b>

**NO. 30 OF 2002****THE HON J L BALDACHINO****EMPLOYMENT AGENCY**

Can Government state of the Gibraltarians registered with the Employment Agency as at the 4<sup>th</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 HOUSING**

**(On behalf of 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 hand to him.

Unemployed Gibraltarians registering in the 4<sup>th</sup> quarter of 2001.

Month	MALE			FEMALES			Total
	Under 18	18-24	Over 25	Under 18	18-24	Over 25	
October	0	0	1	0	5	11	17
November	0	0	0	0	5	13	18
December	0	0	0	0	4	10	14
<b>Total</b>	<b>0</b>	<b>0</b>	<b>1</b>	<b>0</b>	<b>14</b>	<b>34</b>	<b>49</b>

**NO. 31 OF 2002**

**THE HON J L BALDACHINO**

**TERMS OF ENGAGEMENT**

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

- (a) in October 2001;
- (b) in November 2001;
- (c) in December 2001;
- (d) in January 2002?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

The Number of Notice of Terms of Engagements registered with the Employment Service as at

31 <sup>st</sup> October 2001	-	18,139
30 <sup>th</sup> Novemebr 2001	-	18,225
31 <sup>st</sup> December 2001	-	18,043

**SUPPLEMENTARY TO QUESTION NO 31 OF 2002**

**HON J L BALDACHINO:**

Does the Minister have the figure for January 2002?

**HON J J NETTO:**

No I have not.

**HON J J BOSSANO:**

When information to this question has been given before a distinction has been drawn as to whether it contains directors or it does not, is this the figures with directors or without?

**HON J J NETTO:**

This includes everyone employed but if the hon Member wishes to know the figures excluding the directors that are employed I can give it to him now. As at the 31<sup>st</sup> October 2001, 16,381, as at the 30<sup>th</sup> November 2001, 15,462 and as at the 31<sup>st</sup> December 2001, 15,286.

**NO. 32 OF 2002**

**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 October, November, December 2001 and January 2002, and how many of these were Gibraltarians?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question No 33 of 2002.

**NO. 33 OF 2002****THE HON J L BALDACHINO****CAMMELL LAIRD**

Can Government give a monthly breakdown of the vacancies for Casual Workers opened with the Employment Agency by Cammell Laird or alternatively in the Shipping Industry in the 4<sup>th</sup> Quarter of 2001, and of these how many have been taken by Gibraltarians?

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

**(On behalf of 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 hand to him. The number of vacancies opened for casual workers in the Shipping Industry is as follows:-

<b>Month</b>	<b>Number of Workers Taken On</b>
October	1
November	1 (1 Gib)
December	0

The number of persons employed in the Shipping Industry on the 4<sup>th</sup> Quarter is as follows:

<b>Month</b>	<b>Gibraltarians</b>	<b>Other</b>	<b>Total</b>
31 <sup>st</sup> October	116	119	235
30 <sup>th</sup> November	115	119	234
31 <sup>st</sup> December	114	107	221

## SUPPLEMENTARY TO QUESTION NOS 32 AND 33 OF 2002

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

The number of vacancies for casual workers is shown as one in October, one in November and none in December. Given that this is a well known fact that Cammell Laird depends heavily on casual workers how does the Minister explain that, is it that they do not open these vacancies with the ETB?

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

I remember when I was the Minister for Employment that they did have vacancies opened for casual work and these figures seem to portray a very small amount indeed as the hon Member is rightly saying but that seems to be the case, that is the information given by the officials.

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

I accept that but the fact that the information presumably provided by the department is that the vacancies have not been opened other than this, but given the fact that in the past they were asked to open the vacancies and there was a record of the movement of labour in and out, is it that this has been discontinued? Do the Government think that if only one person in October, one person in November and no persons in December were actually taken on as casual workers in the shipyard, is this figure accurate?

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

I believe that the official probably got the information which is accurate but then again the hon Member ought to bear in mind, and I am talking again from my own experience, that in the shipping industry not only do they intend to rely for casual workers from time to time depending on the workload that they have but also with detached workers from time to time to do specialised type of works. Now, we are assuming here that perhaps the basis for casual workers has dropped down and perhaps, I am just speculating now, whether the vacancies for detached workers may have increased, we are in the realm of speculation here but again I can go back to the officials in the Employment Services and ensure that the information given is accurate.

### **HON CHIEF MINISTER:**

The only part of the hon Member's question for which the Government are accountable, we are not accountable in this House for the parts of the question that relate to business of Cammell Laird, but he has asked, I think I understood him to have asked, whether there had been a change of policy in how these casual workers were accounted for or whether they were no longer required. I am not aware of any change of policy so unless one has been implemented by the absent Minister for Employment without mentioning it to me which would be unusual, I am not aware of

any change in policy relieving employers in Gibraltar from the need to register casual workers as previously with the ETB.

**HON J J BOSSANO:**

So would the Government agree, given that this appears to be unusual in the context of previous experience, that if this is accurate it ought to be investigated just in case the requirements are not being complied with?

**HON J J NETTO:**

As I have said before I will definitely tell officials at the Employment Services to double-check the information to be accurate or not, and if it is not accurate then obviously then to pass the information to the hon Members.

**HON J J BOSSANO:**

No but what I am asking is for more.....

**HON CHIEF MINISTER:**

The hon Member suggests to ask whether these figures are significant of any fact and if the fact of which they are significant is non-compliance obviously that matter needs to be investigated.

**NO. 34 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT CONTRACTS TERMINATED**

Can Government give a breakdown by nationality and industry for each month from October 2001 to January 2002 in respect of employment contracts terminated?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of 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 hand to him.

Answer to Question 34 of 2002

Employment Contracts Terminated by Nationality & Industry for April – June 2001																		
Industry	October						November						December					
	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH	GIB	BRI	SPA	MOR	EEC	OTH
Shipbldg, repair etc.	2		14	1	1		3		1		2		1		12		2	
M/f of food, & tobacco							1							1		1		
Printing & publishing			1				1	1					1	1				
M/f n.e.c.(clothing etc)																		
Blding & construction	13	16	31	3	1		24	13	25	5	1	1	15	10	18	3	6	
Electricity supply		2																
Water supply																		
Sea transport/shipping	4		2	1			2		1					1				
Port & services		1												1				
Road transport																1		1
Post & telecomm.	1						1						3					
Air transport & related	3																	
W/sale food, drink	2	1	1				3		2				1	1	1			
W/sale fuel																		
W/sale n.e.c.				1			1			2			2	1				
Retail – food	5	3	11	1		1	12	4	7	3			6	2	5			
Retail-drink & tobacco	1						1		1				2	1		1		
Ret.-clothing, footwear	2		5				3		1				3		2			
Retail – h/hold goods	1	2						5					1			1		
Retail – n.e.c.	13		5			1	3	2	7				12	6	7	1	2	
Hotels,hostels,g/houses	4	4	2		5		3	1	2	1	1		4	2	2			
Restaurants, cafes etc	15	11	26	2	6		4	11	11	1			9	9	13	1	1	
Bars(lic to sell alcohol)	5	5	2	1			1	1	3	2				3				1
Tourist svcs n.e.c.	13	2	4		1	1	8	1	2				1	2	2		1	
Banking & finance	6	1	2			1	5	2	1		1	1	65	23	1		2	
Insurance & real estate	4	3					1						7	4				
Legal,account,other svc	23	8				2	8	6	3				12	3	1	2	1	
Public admin	13	3					17						12	2				
Education services	3	2					1							1				
Medical/health services	8	4					4	4						1				
Welfare,charity,rel svcs	1	3					1						1	1				
Entertainment & sport	1	3			1		6	2	1		1		4	4			3	1
Repairs-consumer good	4	3	3	1				2	1		1		2					
Police/fire services	1	2					4								1		1	
Defence	2							1					1					
Sanitary services													1					
Services n.e.c.	75	54	14	1	2	1	19	14	7	1	2	15	17	17	6	3	2	

**NO. 35 OF 2002****THE HON J L BALDACHINO****DETACHED WORKERS**

Can Government state the number of workers that were registered with the Employment Agency as "Detached Workers" in the 4<sup>th</sup> quarter 2001 giving a breakdown for each month, their trade and nationality?

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

**(On behalf of 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 hand to him.

The number of workers registered with the Employment Agency as Detached Workers in the 4<sup>th</sup> Quarter of 2001.

<b>October 2001</b>					
<b>Nationality</b>	<b>Professional</b>	<b>Semi-skilled</b>	<b>Skilled</b>	<b>Manual</b>	<b>Total</b>
Spanish	-	-	41	1	42
British	3	-	3	-	6
Other EEC	2	-	5	-	7
Other Non EEC	3	1	-	-	4
<b>Total</b>	<b>8</b>	<b>1</b>	<b>49</b>	<b>1</b>	<b>59</b>

<b>November 2001</b>					
Nationality	Professional	Semi-skilled	Skilled	Manual	Total
Spanish	-	1	84	-	85
British	-	-	3	-	3
Other EEC	-	-	2	-	2
Other Non EEC	-	-	1	-	1
<b>Total</b>	-	1	90	-	91

<b>December 2001</b>					
Nationality	Professional	Semi-skilled	Skilled	Manual	Total
Spanish	-	-	37	-	37
British	-	-	7	-	7
Other EEC	-	-	-	-	-
Other Non EEC	-	-	-	-	-
<b>Total</b>	-	-	44	-	44

**NO. 36 OF 2002**

**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 October, November, December 2001 and January 2002 under the Employment Regulations (Offences) Ordinance, and under which section of the Ordinance. Furthermore, whether the penalties have been paid or the matter is being pursued through the courts?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of 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 hand him.

October 2001

Number of inspections carried out were 16.  
No Fixed Penalty Notices were issued.  
No Fixed Penalty Notices were paid.  
No pending cases with the Attorney General.

November 2001

Number of inspections carried out were 17.  
3 Fixed Penalty Notices were issued.  
2 Fixed Penalty Notices were paid.  
No pending cases with the Attorney General.

December 2001

Number of inspections carried out were 4.  
2 Fixed Penalty Notices were issued.  
1 Fixed Penalty Notice was paid.  
1 pending case 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 7 of the Employment Regulations 1994 (Duty to apply to the Director for a permit in relation to a non-entitled worker.)
- (6) Regulation 13 of the Employment Regulations 1994 (Duty to notify Director of Termination).
- (7) Section 3 of the Business Trades and Professions (Registration) Ordinance 1989 (Duty to Register).

#### **SUPPLEMENTARY TO QUESTION NO 36 OF 2002**

**HON J L BALDACHINO:**

Are the inspections carried out at random or is it that there is a set procedure to carry these out?

**HON J J NETTO:**

They tend to do it in several ways, sometimes they do it by specific industry groups, sometimes they do it by specific areas of Gibraltar and sometimes they do it at random so it may come in different sequences on a weekly or a monthly basis.

**HON J L BALDACHINO:**

The inspections carried out in December is lower than the inspections that have been carried out to date, is there an explanation for that?

**HON J J NETTO:**

Yes, we have to understand that there are other duties assigned to the inspectors. The inspectors not only have to undertake the duties of these Regulations have to balance their workload and sometimes they do more of this type of work and less of the other and sometimes it is the other way around.

**HON J L BALDACHINO:**

Is it then, by the explanation that the Minister has given me, that they have more duties in December than there has been in previous months?

**HON CHIEF MINISTER:**

I would have thought the obvious reason for a dip in the December figure was that I suppose during the Christmas festivities people are less inclined to be bureaucratically aggressive than they might be throughout the rest of the year apart from the fact that it is a shorter working month in terms of the number of holidays of the holiday season involved, but it is, that explanation aside it is possible that in some months, this one happens to be December they have focused more on some of the other legislation that this same group of inspectors have to enforce. I do not think that Government are in a position to give the hon Member a single reason which explains why in this particular month of December the figure of inspection is 14 compared to 17 in November and 16 in October but if I have to speculate I would have thought it had more to do with the time of the year than any other consideration.

**NO. 37 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown in respect of table 11 of the 1999 Employment Survey Report, showing employment by the Gibraltar Government separate from Employment by MOD?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 38 to 42 of 2002.

**NO. 38 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown in respect of table 11 of the October 2000 Employment Survey Report, showing employment by the Gibraltar Government separate from employment by the MOD?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 37 and 39 to 42 of 2002.

**NO. 39 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown of full-time and part-time employment in respect of table 11 of the October 1999 Employment Survey Report with respect to employment in the official sector?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 37, 38 and 40 to 42 of 2002.

**NO. 40 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown of full-time and part-time employment in respect of table 11 of the October 2000 Employment Survey Report with respect to employment in the official sector?

**ANSWER**

**THE HON MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 37 to 39, 41 and 42 of 2002.

**NO. 41 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown of full-time and part-time employment in respect of table 12 of the October 1999 Employment Survey Report with respect to employment in the Private Sector?

**ANSWER**

**THE HON MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Answered together with Question Nos 37 to 40 and 42 of 2002.

**NO. 42 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government give a breakdown of full-time and part-time employment in respect of table 12 of the October 2000 Employment Survey Report with respect to employment in the Private Sector?

**ANSWER**

**THE HON MINISTER FOR HOUSING**

**(On behalf of 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 hand to him.

All Employee Jobs by Industry, Sex and Nationality, Official Sector, October 1999 - Gibraltar Government

ALL SECTORS	ALL		GIBALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Elec/Wtr Supply	102	5	95	5	2	0	2	0	3	0	0	0	0	0
Construction	260	10	230	10	5	0	23	0	0	0	2	0	0	0
Trans/Comm.	89	23	88	23	1	0	0	0	0	0	0	0	0	0
Public Admin.	671	283	605	273	49	10	10	0	1	0	6	0	0	0
Education	192	391	184	383	6	8	2	0	0	0	0	0	0	0
Health/Social Wrk.	200	530	163	469	21	54	4	2	1	1	2	2	9	2
Other Services	37	17	35	16	1	1	1	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>1,551</b>	<b>1,259</b>	<b>1,400</b>	<b>1,179</b>	<b>85</b>	<b>73</b>	<b>42</b>	<b>2</b>	<b>5</b>	<b>1</b>	<b>10</b>	<b>2</b>	<b>9</b>	<b>2</b>

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Official Sector, October 1999 - MoD

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Public Admin.	680	278	561	255	54	15	59	3	6	4	0	0	0	1
Health/Social Wrk*	1	0	1	0	0	0	0	0	0	0	0	0	0	0
Other Services*	1	2	1	0	0	2	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>682</b>	<b>280</b>	<b>563</b>	<b>255</b>	<b>54</b>	<b>17</b>	<b>59</b>	<b>3</b>	<b>6</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>

Note: \* These four employees have been incorrectly coded and should have been included under the private sector in the October 1999 Report.

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Official Sector, October 2000 - Gibraltar Government

ALL SECTORS	ALL		GIBALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Elec/Wtr Supply	98	5	92	5	3	0	1	0	2	0	0	0	0	0
Construction	263	12	235	12	0	0	26	0	0	0	2	0	0	0
Trans/Comm.	84	25	84	25	0	0	0	0	0	0	0	0	0	0
Public Admin.	672	281	611	274	45	7	9	0	1	0	5	0	1	0
Education	185	415	179	409	4	6	2	0	0	0	0	0	0	0
Health/Social Wrk.	201	528	161	460	23	61	3	2	1	1	1	3	12	1
Other Services	38	12	36	11	1	1	1	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>1,541</b>	<b>1,278</b>	<b>1,398</b>	<b>1,196</b>	<b>76</b>	<b>75</b>	<b>42</b>	<b>2</b>	<b>4</b>	<b>1</b>	<b>8</b>	<b>3</b>	<b>13</b>	<b>1</b>

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Official Sector, October 2000 - MoD

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Public Admin.	719	334	594	301	51	19	64	5	10	7	0	0	0	2
TOTAL	719	334	594	301	51	19	64	5	10	7	0	0	0	2

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Official Sector, October 1999 - Full-Time

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Elec/Wtr Supply	102	4	95	4	2	0	2	0	3	0	0	0	0	0
Construction	259	8	229	8	5	0	23	0	0	0	2	0	0	0
Trans/Comm.	88	18	87	18	1	0	0	0	0	0	0	0	0	0
Public Admin.	1,337	488	1,155	463	102	19	68	3	6	3	6	0	0	0
Education	191	252	184	246	5	6	2	0	0	0	0	0	0	0
Health/Social Wrk.	201	453	164	394	21	52	4	2	1	1	2	2	9	2
Other Services	38	12	36	9	1	3	1	0	0	0	0	0	0	0
TOTAL	2,216	1,235	1,950	1,142	137	80	100	5	10	4	10	2	9	2

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Official Sector, October 1999 - Part-Time

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Elec/Wtr Supply	0	1	0	1	0	0	0	0	0	0	0	0	0	0
Construction	1	2	1	2	0	0	0	0	0	0	0	0	0	0
Trans/Comm.	1	5	1	5	0	0	0	0	0	0	0	0	0	0
Public Admin.	14	73	11	65	1	6	1	0	1	1	0	0	0	1
Education	1	139	0	137	1	2	0	0	0	0	0	0	0	0
Health/Social Wrk.	0	77	0	75	0	2	0	0	0	0	0	0	0	0
Other Services	0	7	0	7	0	0	0	0	0	0	0	0	0	0
<b>TOTAL</b>	<b>17</b>	<b>304</b>	<b>13</b>	<b>292</b>	<b>2</b>	<b>10</b>	<b>1</b>	<b>0</b>	<b>1</b>	<b>1</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>1</b>

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Official Sector, October 2000 - Full -Time

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Elec/Wtr Supply	98	4	92	4	3	0	1	0	2	0	0	0	0	0
Construction	260	12	234	12	0	0	24	0	0	0	2	0	0	0
Trans/Comm.	84	21	84	21	0	0	0	0	0	0	0	0	0	0
Public Admin.	1,379	536	1,195	501	95	24	73	5	11	6	4	0	1	0
Education	184	260	178	256	4	4	2	0	0	0	0	0	0	0
Health/Social Wrk.	201	464	161	401	23	56	3	2	1	1	1	3	12	1
Other Services	37	10	35	9	1	1	1	0	0	0	0	0	0	0
TOTAL	2,243	1,307	1,979	1,204	126	85	104	7	14	7	7	3	13	1

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Private Sector, October 1999 - Full-Time

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Shipbuilding	229	9	114	8	25	1	22	0	56	0	11	0	1	0
Other Manuf.	113	47	57	33	14	11	26	1	42	2	2	0	2	0
Elec/Wtr Supply	113	12	91	12	7	0	10	0	4	0	1	0	0	0
Construction	1,057	69	510	41	229	20	132	0	166	6	17	2	3	0
Wholesale/Retail Tr.	1,304	627	690	411	159	103	177	8	182	79	25	17	71	13
Hotels/Restaurants	338	213	63	63	49	40	133	38	72	67	9	6	12	1
Trans/Comm.	438	126	315	100	56	20	28	1	28	2	9	3	0	0
Fin. Intermed.	403	555	266	396	64	118	0	0	21	18	29	16	31	7
Real Est./Bus.Ac.	411	345	271	227	71	74	19	6	29	24	15	12	8	2
Public Admin.	90	62	74	61	5	1	7	0	2	0	2	0	0	0
Education	3	23	2	17	0	5	0	0	1	1	0	0	0	0
Health/Social Wk.	15	118	14	96	1	18	0	2	0	2	0	1	0	0
Other Services	427	287	207	124	125	87	22	5	34	29	14	6	25	16
<b>TOTAL</b>	<b>4,939</b>	<b>2,474</b>	<b>2,866</b>	<b>1,589</b>	<b>805</b>	<b>498</b>	<b>576</b>	<b>59</b>	<b>607</b>	<b>226</b>	<b>134</b>	<b>63</b>	<b>151</b>	<b>39</b>

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Private Sector, October 1999 - Full-Time

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Shipbuilding	229	9	114	8	25	1	22	0	56	0	11	0	1	0
Other Manuf.	113	47	57	33	14	11	26	1	12	2	2	0	2	0
Elec/Wir Supply	113	12	91	12	7	0	10	0	4	0	1	0	0	0
Construction	1,057	69	510	41	229	20	132	0	166	6	17	2	3	0
Wholesale/Retail Tr.	1,304	627	690	411	159	103	177	8	182	79	25	17	71	13
Hotels/Restaurants	338	213	83	63	49	40	133	38	72	67	9	6	12	1
Trans/Comm.	436	126	315	100	56	20	28	1	28	2	9	3	0	0
Fin. Intermed.	403	555	258	396	64	118	0	0	21	18	29	16	31	7
Real Est./Bus.Ac.	411	345	271	227	71	74	19	6	29	24	15	12	6	2
Public Admin.	90	62	74	61	5	1	7	0	2	0	2	0	0	0
Education	3	23	2	17	0	5	0	0	1	1	0	0	0	0
Health/Social Wrk.	15	119	14	95	1	18	0	2	0	2	0	1	0	0
Other Services	427	287	207	124	125	87	22	5	34	29	14	6	25	16
<b>TOTAL</b>	<b>4,939</b>	<b>2,474</b>	<b>2,866</b>	<b>1,589</b>	<b>805</b>	<b>498</b>	<b>576</b>	<b>59</b>	<b>507</b>	<b>226</b>	<b>134</b>	<b>63</b>	<b>451</b>	<b>39</b>

Contd. Answer to Question 42 of 2002

ALL SECTORS	ALL		GIBALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Shipbuilding	6	8	5	4	0	1	0	2	1	1	0	0	0	0
Other Manuf.	1	13	0	9	0	2	1	0	0	2	0	0	0	0
Elec/Wtr Supply	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Construction	16	28	6	16	2	9	3	0	5	3	0	0	0	0
Whsle/Retail Tr.	101	427	42	283	11	53	18	6	23	69	3	4	4	12
Hotels/Restmnts.	53	129	25	29	8	33	7	9	11	47	2	6	0	5
Trans/Comm.	18	39	16	29	0	6	1	3	1	1	0	0	0	0
Fin. Intermed.	11	97	7	79	2	14	0	2	0	1	1	1	1	0
Real Est./Bus.Ac.	414	119	391	79	17	14	3	4	2	22	1	0	0	0
Public Admin.	1	7	1	6	0	0	0	0	0	1	0	0	0	0
Education	9	38	9	24	0	10	0	0	0	3	0	1	0	0
Health/Social Wrk	5	55	5	46	0	7	0	0	0	1	0	0	0	1
Other Services	48	108	32	53	8	19	6	6	2	21	0	7	0	2
<b>TOTAL</b>	<b>683</b>	<b>1,068</b>	<b>539</b>	<b>657</b>	<b>48</b>	<b>168</b>	<b>38</b>	<b>32</b>	<b>45</b>	<b>172</b>	<b>7</b>	<b>19</b>	<b>5</b>	<b>20</b>

Contd. Answer to Question 42 of 2002

All Employee Jobs by Industry, Sex and Nationality, Private Sector, October 2000 - Full-Time

ALL SECTORS	ALL		GIBRALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Shipbuilding	256	14	131	10	22	1	19	1	68	2	15	0	1	0
Other Manuf.	106	44	54	28	11	9	24	1	11	3	1	1	5	2
Elec/Wtr Supply	113	11	96	11	6	0	8	0	2	0	0	0	1	0
Construction	987	52	402	31	180	15	135	0	208	4	11	1	51	1
Whsle/Retail Tr.	1,248	654	669	429	124	78	169	9	207	117	21	11	58	10
Hotels/Restmnts.	333	245	62	35	47	54	110	39	77	103	22	14	15	1
Trans/Comm.	497	173	381	134	37	19	30	4	40	12	8	4	1	0
Fin. Intermed.	431	598	273	421	70	116	1	0	20	17	39	31	28	13
Real Est./Bus.Ac.	397	342	261	230	74	73	11	3	27	24	16	11	8	1
Public Admin.	98	67	82	65	5	1	6	0	2	1	1	0	0	0
Education	5	20	5	13	0	6	0	0	0	1	0	0	0	0
Health/Social Wrk	31	171	24	127	4	32	0	2	3	8	0	1	0	1
Other Services	524	336	252	153	173	111	27	5	38	34	23	17	11	16
<b>TOTAL</b>	<b>5,024</b>	<b>2,728</b>	<b>2,692</b>	<b>1,687</b>	<b>753</b>	<b>515</b>	<b>540</b>	<b>64</b>	<b>703</b>	<b>328</b>	<b>157</b>	<b>91</b>	<b>179</b>	<b>45</b>

Contd. Answer to Question 42 of 2002

ALL SECTORS	ALL		GIBALTARIAN		UK		MOROCCAN		SPANISH		OTHER EU		OTHER	
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE
Shipbuilding	29	2	8	1	2	0	2	1	8	0	3	0	0	0
Other Manuf.	6	15	1	13	2	1	2	0	1	1	0	0	0	0
Elec/Wtr Supply	2	0	2	0	0	0	0	0	0	0	0	0	0	0
Construction	60	27	39	21	6	3	4	0	9	2	0	1	2	0
Whsle/Retail Tr.	101	362	57	250	7	31	14	6	19	55	0	9	4	11
Hotels/Restmnts.	64	107	22	29	14	31	6	4	18	33	2	9	2	1
Trans/Comm.	21	38	16	29	4	0	0	0	1	10	0	0	0	0
Fin, Intermed.	15	62	10	45	1	10	0	2	2	2	1	3	1	0
Real Est./Bus.Ac.	422	138	398	96	13	8	2	7	6	26	3	1	0	0
Public Admin.	2	7	2	5	0	0	0	1	0	1	0	0	0	0
Education	6	34	6	26	0	5	0	0	0	3	0	0	0	0
Health/Social Wrk	7	46	6	41	1	4	0	0	0	1	0	0	0	0
Other Services	55	134	39	69	9	30	2	4	5	25	0	4	0	2
<b>TOTAL</b>	<b>784</b>	<b>973</b>	<b>606</b>	<b>625</b>	<b>59</b>	<b>123</b>	<b>32</b>	<b>25</b>	<b>69</b>	<b>159</b>	<b>9</b>	<b>27</b>	<b>9</b>	<b>14</b>

**NO. 43 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government state how many questionnaires have been sent to employers in relation to the Employment Survey 2001 and how many have been returned to date?

**ANSWER**

**THE HON MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

There were 1,136 Employment Survey October 2001 questionnaires sent to private sector employers. Of these, 969 have been returned to date.

**SUPPLEMENTARY TO QUESTION NO 43 OF 2002**

**HON J L BALDACHINO:**

By what date did the employers have to return the questionnaires or is it still open?

**HON J J NETTO:**

I do not have that information available but I will be glad to look it up and provide it to the hon Member.

**NO. 44 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT SURVEY REPORT**

Can Government state when they intend to publish the October 2001 Employment Survey report?

**ANSWER**

**THE HON MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

In the prefix to the October 2000 Employment Survey Report, the Government Statistician stated his intention to complete the October 2001 Employment Survey within six months from the date of the conduct of the Survey, that is, the end of October 2001. The October 2001 Employment Survey will be available for publication by April 2002 at the latest.

**NO. 45 OF 2002****THE HON J L BALDACHINO****BRUCE'S FARM**

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

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

**(On behalf of 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 hand to him.

Out-patients seen from 1<sup>st</sup> October 2001 – 31<sup>st</sup> December 2001

Age Groups	October 2001			November 2001			December 2001		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Under 18	2	0	2	2	0	2	2	0	2
18 to 24	3	0	3	0	0	0	1	0	1
25 and over	5	4	9	10	8	18	7	5	12

Admissions for in-patient treatment as from 1<sup>st</sup> October 2001 – 31<sup>st</sup> December 2001

Age Groups	October 2001			November 2001			December 2001		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
Under 18	2	0	2	2	0	2	2	0	2
18 to 24	3	0	3	0	0	0	1	0	1
25 and over	5	4	9	10	8	18	7	5	12

**NO. 46 OF 2002****THE HON J L BALDACHINO****JOB CLUB**

Can Government state how many persons have used the facilities provided at the Job Club from February 2001 to December 2001 giving a breakdown for each month, by sex and age groups?

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

**(On behalf of 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 hand to him.

Persons using the Job Club facilities from February 2001 to December 2001 by gender:-

<b>Month (2001)</b>	<b>Males</b>	<b>Females</b>	<b>Monthly Total</b>
February	8	0	8
March	7	5	12
April	6	3	9
May	3	1	4
June	6	9	15
July	4	4	8
August	8	5	13
September	5	7	12
October	3	2	5
November	7	3	10
December	4	0	4
<b>Totals</b>	<b>61</b>	<b>39</b>	<b>100</b>

Persons using the Job Club facilities from February 2001 to December 2001 by age group:

Month (2001)	Under 18	18-24	25 and Over	Monthly Total
February	4	3	1	8
March	3	4	5	12
April	4	1	4	9
May	2	0	2	4
June	4	4	7	15
July	3	3	2	8
August	4	3	6	13
September	1	6	5	12
October	0	2	3	5
November	1	5	4	10
December	0	2	2	4
<b>Totals</b>	<b>26</b>	<b>33</b>	<b>41</b>	<b>100</b>

**NO. 47 OF 2002**

**THE HON J L BALDACHINO**

**JOB CLUB**

Of the 82 persons that used the Job Club facilities from February 2000 to January 2001 can Government state how many found employment, how soon after using the facilities giving a monthly breakdown?

**ANSWER**

**THE HON MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Thirty-nine out of the 82 persons who made use of the Job Club facilities from February 2000 to January 2001 have gained employment. It is not possible to determine how soon after using the facilities of the Job Club a person may have found employment. Such data is not readily available and would require a voluminous and manual administrative exercise to check when the person last made use of the facilities of the Job Club and when the person commenced employment.

**SUPPLEMENTARY TO QUESTION NO 47 OF 2002**

**HON J J BOSSANO:**

Given the fact that we are talking about 82 persons in one year and that we were given a breakdown previously by months which showed in some months there was nobody at all, surely one can say how many people went in October to take a random example of which there is only half a dozen and know how soon after October they got a job that does not seem to be a major exercise given that we are talking about such small numbers.

**HON CHIEF MINISTER:**

Of course it is possible to find out the information, one gets the name of the individual and then one goes and finds out through his personal file when that person found a job. Whether it is eight or 80 it is not a productive use of time, the statistics are just not that valuable. The Job Club is a highly targeted service, it is for people who have systematically found difficulty finding employment, the Question asks for registration for use of the Job Club but it is not just people who register as Job Club users that use the facilities, many other people just use it generally without actually registering for the full treatment so to speak. There are facilities in the Job Club which are used by many other people, we think actually that it has been relatively successful. Since the Job Club started in February 2000 right up to January 2002, which is almost two years, 227 people have used it, 161 of those have found employment, joined a Government training scheme or gone on to further education of one sort or another. In respect perhaps of one month if the hon Members want a random sample of the people who registered and how many have found jobs and when, it might be okay to do the research in respect of one month if the hon Members would accept that as a random mark likely to be indicative of the sort of success rate or the lag time but what we could not do is over lengthy periods if they are interested to have it done in a one off basis for six or seven individuals in one month I am happy to ask the people at the ETB to do that for me.

**HON J J BOSSANO:**

I thought that this information was now computerised?

**HON CHIEF MINISTER:**

No apparently not. It seems to be the sort of thing that might be computerised if after all the registration as unemployed is registered in the computer the registration in the Job Club is registered in the computer and the gaining of employment is registered in the computer, it should not be beyond the wit of man to ask the computer to report against those three criteria but apparently it is not so just now.

**HON J J BOSSANO:**

Would the Government not agree that it would be useful to know whether the people, if one takes the prospects of employment, if one goes to the Job Club and if one does not go to the Job Club, the whole purpose of the exercise is of course that their prospects of employment will be enhanced and consequently the success rate in finding employment of those in the Job Club surely is the very justification of the existence of the Job Club?

**HON CHIEF MINISTER:**

The Question that the hon Member has asked before that one was not so much about success rate but about time lag, how long did it take them to find a job was the information that they were asking. We have told them how many have found jobs and then they wanted to know well how long did it take them to find jobs and it was the second part that we are not able to answer. Yes the Job Club is primarily about giving people who naturally are not attractive employees either because they do not

perform well in interviews or because they have presentational difficulty or for any other reason, coaching them up to maximise the chances that they will get a job when they apply rather than always be amongst the unsuccessful. That is how the Government measure success not by the rate or by the time it takes but rather, I mean any people that we can help to improve their chances of winning interviews for jobs is valuable particularly as a measure of the success of a measure that is designed specifically to be targeted at such people anyway. This is not for people who can get a job on their own anyway this are for people who for one reason or another need help in increasing their chances of winning interviews and making themselves attractive to employers. So, I think it is possible to work out a success rate, I am not sure that it is being done but certainly I agree it would be useful as a measure.

**NO. 48 OF 2002**

**THE HON J L BALDACHINO**

**EMPLOYMENT – SOCIAL ASSISTANCE**

Are Government now in the position to clarify the apparent contradiction in the information provided in answer to Supplementary Question No 28 of 2001 and Question Nos 37 and 284 of 2000 which was promised last year?

**ANSWER**

**THE HON MINISTER FOR HOUSING**

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Yes, the Government are in a position to offer the clarification that this Question seeks. The number of persons receiving Social Assistance and registered with the Employment Service as at the end of December 1999 was 92 as per answer to Question No 37 of 2000. In respect of answer to Question No 284 of 2000, there appears to have been made the erroneous assumption that because 26 of the 136 Social Assistance payees had been employed, that then the remaining 110 were still in receipt of Social Assistance and which was not the case. More confusion has no doubt been given rise to on account of the fact that in relation to Question No 37 of 2000 the number of persons registered and receiving no payments was by sheer coincidence also 110. It is hoped that these explanations will serve to clarify the apparent contradiction which the hon Member makes reference to in his Question.

**NO. 49 OF 2002****THE HON J J BOSSANO****EMPLOYMENT SURVEY REPORT**

Can Government state whether the Gibraltar Development Corporation, JBS Co Ltd and the Elderly Care Agency are included in the Private Sector in the October 1998, 1999 and 2000 Employment Survey Reports and if so give a breakdown by nationality of the number of full-time and part-time employees accounted for by these three employers?

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

**(On behalf of the Hon the Minister for Employment and Consumer Affairs)**

Yes, they are included in the private sector and the extensive, factual and statistical information requested by the hon Member is set out in the written schedule that I hand to him.

Employee Jobs in GDC, GJBS and Elderly Care Agency – October 1998

	<b>October 1998</b>		
	<b>Full Time</b>	<b>Part-time</b>	<b>Total</b>
<b>Gibraltarian</b>	218	13	231
<b>UK</b>	7	0	7
<b>Moroccan</b>	19	0	19
<b>Spanish</b>	1	0	1
<b>Other EU</b>	1	0	1
<b>Other</b>	1	1	0
<b>Total</b>	<b>247</b>	<b>14</b>	<b>261</b>

Employee Jobs in GDC, GJBS and Elderly Care Agency – October 1999

	October 1999		
	Full Time	Part-time	Total
Gibraltarian	264	21	285
UK	6	0	6
Moroccan	28	0	28
Spanish	3	0	3
Other EU	2	0	2
Other	1	0	1
<b>Total</b>	<b>304</b>	<b>21</b>	<b>325</b>

Employee Jobs in GDC, GJBS and Elderly Care Agency – October 2000

	October 2000		
	Full Time	Part-time	Total
Gibraltarian	264	22	286
UK	22	0	22
Moroccan	26	1	27
Spanish	8	0	8
Other EU	3	0	3
Other	1	0	1
<b>Total</b>	<b>324</b>	<b>23</b>	<b>347</b>

**SUPPLEMENTARY TO QUESTION NO 49 OF 2002**

**HON J J BOSSANO:**

I know it is not part of the original Question but would the Minister know in which sector they were included in terms of the classification of the private sector?

**HON J J NETTO:**

I do not have that information available but I would be glad to try and provide it and give it to the hon Member.

**NO. 50 OF 2002**

**THE HON J C PEREZ**

**BUILDINGS AND WORKS DEPARTMENT**

Can Government confirm that the staff of the Buildings and Works Department have proposed to Government the introduction of the same pay scales offered to employees in the Electricity Department?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I can confirm that I have received a letter from the Branch Officer (TGWU) to the effect that members of that section of the union do not desire their union to continue discussions and negotiations with the Government unless and until Government offers the same rate of pay as offered to those members employed in the various electrical departments. Furthermore, in a recent informal discussion between the shop stewards, convenor and myself, some shop stewards were of the view that they would not accept anything less than those rates offered in the electrical sector, and the convenor suggested a review of the proposed pay offer in line with the merit and circumstances related to the building trades.

**SUPPLEMENTARY TO QUESTION NO 50 OF 2002**

**HON J C PEREZ:**

The Minister has said what the union has told him, he certainly has not informed the House of what the position of the Government is in respect to those requests. Can the Minister say whether Government are well disposed to accept the offer?

**HON J J NETTO:**

Throughout the entire process the answer is no.

**HON J C PEREZ:**

Does the Minister see any prospect of proceeding in relation to the recommendations of the report in bringing about an authority in the Buildings and Works given the wide gap that exists in thinking definitely at the moment between the employees and the Government?

**HON CHIEF MINISTER:**

I think that answer requires two parts. First of all that the Government is very disappointed because we started the Electricity review on the clear understanding that it would be ring fenced to the department because of its historical alleged discriminations and would not be used as a precedent or as a justification for demanding the same elsewhere. So, certainly to the extent that Government proceeded on that basis and that basis is not available to the Government then the Government will not proceed along the basis of an authority by consensus with the staff. If the requirement of the staff to agree to transfer or to make alternative arrangements is parity with the electricity industry the answer is that they will not get that. They will get improved pay offer and therefore it leaves the Government having to follow a different path and route to resolving the problems of the Buildings and Works Department including the unacceptably poor service that Government housing tenants are receiving from that department and no one should be led to believe that a pay claim by the staff which may prevent the authority being introduced by consensus will be an obstacle or will prevent the Government from resolving the problems of Government tenants by another means.

**HON J J BOSSANO:**

Is it not a fact that there has been a significant improvement in productivity in that area?

**HON J J NETTO:**

Yes, the fact I have always said in my budget speech that productivity is up but the fact that productivity is up that does not mean that it is up to the level that the Government feel happy or satisfied with the performance of the department. The Government have made it clear in various statements that we are not satisfied with the overall performance of the department and or to improve further, hence the reasons why the Government wish to restructure that department.

**HON J J BOSSANO:**

Is it not a fact that it is better than the Minister expected at Budget time last year?

**HON J J NETTO:**

No.

**HON J J BOSSANO:**

Then how does the Minister explain that in the papers laid today in this House he has shown greater payments of productivity because the productivity has been higher than he budgeted for at the beginning of the financial year.

**HON J J NETTO:**

The answer to that question requires an analysis on the way Buildings and Works operates and at the moment as it operates with a system of grades and the procedures it operates then the papers that have been laid this morning shows that there has been an increase based on the way that it is operating but that is not to say that Government are satisfied with the structures, the procedures and the systems in place. We think that it needs to be reviewed and this will lead obviously to a higher performance in that department and more satisfaction to Government tenants.

**HON J J BOSSANO:**

Yes but there has been higher performance. According to the paper that was laid today the Government have paid more money than they budgeted for because more work has been produced so it is more than was expected no?

**HON CHIEF MINISTER:**

There is no doubt that overall as my Colleague said in his answer, the levels of output are being increased but there is great lack of uniformity throughout the workforce as to output. There are no doubts that there are people in the Buildings and Works Department who want to work, want to earn money, understand that under the new system their earnings is directly related to getting jobs done, accept it, get on with it and earn good money, but there are other people who do not share that view and make the output of the department overall be less than what it could be. Therefore the Government wish to prove the structures of the department not just for the benefit of the tenants but for the benefit of the staff themselves, the Government are intending to offer the staff enhanced remuneration packages in exchange for what the Government want out of them but we are simply not willing to offer them the same as is being offered in the Electricity Department which is for reasons peculiar to the Electricity Department and some historical alleged discriminations that are thought to exist there. So, the Government's desire to shake up the Buildings and Works Department is not judged against whether things are better this year than they were last year, I believe that things are much better since overtime was eliminated, well eliminated except for certain things and earnings above over above basic depended on the completion of specific jobs work. I think there has been improvements, considerable improvements in the productivity of the Buildings and Works Department in the last three or four years but it is a long way short of what it is possible and reasonable to expect by way of a quality of service and I have said this before in respect of the Buildings and Works Department and I have said it also about the other Government departments that the Government are looking to restructure. The Government do not proceed on the basis that this is exclusively the fault of the workforce, there are many other dimensions, the historical attitudes to working practice amongst the workforce is one, but there are others there are also management deficiencies, there might be resources deficiencies, Government systems. When we talk about reviewing a department we talk about looking at all

aspects that need to be reviewed in order to put the department or the agency or whatever it is on a proper footing and we do not view this as pointing the finger exclusively at one section of it as opposed to the other. I think there is general consensus in Gibraltar that the tax payer does not get the value that it should or could out of the Buildings and Works Department. I think that the workforce themselves accept that, we were engaged on a joint initiative with the unions and the management to radically alter the way that the Buildings and Works Department functions, it is viewed by the tenants and indeed the quality of product it gives to the tenant and it has just ground to a halt temporarily because of this read across to the Electricity Department, until that point it was a consensus exercise. We are all working at it together, it was not a question of the Government reading a riot act it was a question of all of us together identifying things that could be done better, identifying how the condition of the workforce could and should be improved et cetera, et cetera and rather like has happened in the Electricity and the Post Office but here we are now ground to a halt because of the desire to match what has been achieved elsewhere.

**HON J J BOSSANO:**

The point that I am making is not the changes over three years but given the fact that in the estimates this year clearly an amount of money was put in on an assumption of what the workforce was capable of doing with the existing set-up, much more has been done presumably because the explanation for the extra money being spent is not that one is paying more money to people who are doing the same, we are paying them more for doing more.

**HON CHIEF MINISTER:**

The hon Member is saying because more has been output than we estimated for, that therefore there has been an increase in productivity. There may have been an increase in productivity or there may not have been but he should not deduce it just from that because he knows how budgets are put together. There is a stringent exercise in keeping figures to the minimum, it may well be, I would have to check before I could agree with him, the department may have put in a higher bid than that and when it came to generally reducing the amount of bids that departments make they may have been required to shake something off their bid. So, all I am saying is that it does not necessarily follow that because more has been paid than was in the estimates that that necessarily means that more has been done than the department was expecting to be done. If the hon Member wants to know I am perfectly happy to tell him what the departmental bid was so that he can test his theory against departmental expectations.

**HON J J BOSSANO:**

With all due respects it is not my theory it is the explanation that the Government have provided to the House which obviously the Chief Minister has not read because in the paper tabled this morning it says "Industrial wages, Housing maintenance, bonus payment £100,000 increased productivity." That is £100,000 extra and then it says "materials for Housing maintenance £300,000 extra because of increased workloads and productivity." If this explanation is incorrect I would like to know what the correct explanation is but it is not speculation on my part, I am just accepting at face value the accuracy of what has been tabled.

**HON J J NETTO:**

I think the Leader of the Opposition did not pay sufficient attention to my answer. What I said before was that under the current systems and under the current procedures it does mean that there is more output but that does not mean to say that if we were to do an audit on the current systems and procedures that through a value for money exercise that necessarily one should conclude that there is more output as reflected in those papers which he is quoting this morning. Under the current systems procedure that is the case and it may be the case but what I am saying that when we analyse the system the incentive bonus scheme at the moment with hindsight, rather than from the beginning when it started in July 1997, we may appreciate that in the absence of introducing into the incentive bonus scheme a recognised schedule of rate for the industry it means that the calculation in itself does not necessarily or scientifically or objectively reflect an increase in output which may be the case I am saying. In other words if we have to bring an estimator to refurbish this particular chamber well of course in the specification we would put all the measurements for the walls, the floors, and the ceilings but when in the absence of a recognised schedule of rates or industry the estimator on his own back in his own experience may be 10 years experience, 20 years experience, but his own experience as opposed to a proper recognised yardstick for the industry. Therefore the answer to the Question is that under the current system, under the current procedure, yes, we need more money to be put for bonuses and we need more money to be put for materials but if we were to conduct an audit into value for money in order to arrive at the performance of the department we may not get that precise conclusion.

**HON J J BOSSANO:**

I am sure that the Minister has not forgotten how he and I used to see those alternative systems when we were both at the other end of the negotiating table, which we have both done, but is it not the case he is talking about the same workforce with the same experience and the same skills, if the system that operates now is the one introduced by the Government not the one that used to be before which the Minister defended as being more scientific and more accurate, so would he not agree that on that basis it is producing more results and that is the only basis he has got to go on.

**HON J J NETTO:**

Government have already said it, I have already said it that there is definitely more productivity and now more output from the department. The days before I was responsible for Buildings and Works was the days that it was based on social overtime it was not linked, the money from the bonus schemes related to the output, that was introduced when the current incentive bonus scheme was introduced in July 1997. There has been an enormous increase in output and in productivity but that is not to say what the Government have been saying that although we recognise that there is increases in productivity that the level of productivity in itself is sufficient to meet the demands of Government earnings and hence the reason why we seek further improvements.

**NO. 51 OF 2002**

**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> November 2001, broken down by month to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 52 and 55 of 2002.

**NO. 52 OF 2002**

**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> November 2001, broken down by month to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 51 and 55 of 2002.

**NO. 53 OF 2002**

**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**

Answered together with Question No 54 of 2002.

**NO. 54 OF 2002**

**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**

I hand the hon Member a Table with the data sought.

**Answer to Question No 53 of 2002**

There are 96 post-war flats currently vacant. The area, room composition and date they became vacant is as follows:

**South**

8 x 2RKB	-	19.02.01
		19.03.01
		08.05.01
		09.07.01
		14.09.01
		04.11.01
		22.11.01
		22.01.02
9 x 3RKB	-	19.03.01
		04.04.01 (x2)
		24.05.01
		17.07.01
		04.11.01

		19.11.01
		17.01.02
		24.01.02
3 x 4RKB		06.04.01
		17.11.01
		03.12.01
<b><u>North</u></b>		
5 x 1RKB	-	10.05.01
		18.07.01
		16.11.01
		22.11.01
		05.02.02
13 x 2RKB		08.05.01
		02.07.01
		05.09.01
		08.11.01
		12.11.01
		16.11.01
		03.12.01 (x2)
		17.01.02
		29.01.02 (x3)
		05.02.02
19 x 3RKB	-	14.06.00
		06.10.00 (x2)
		12.01.01
		26.06.01
		03.07.01
		01.08.01
		13.10.01
		17.10.01
		23.10.01
		12.11.01 (x2)
		07.01.02
		09.01.02
		13.01.02
		17.01.02
		21.01.02
		28.01.02
		04.02.02
5 x 4RKB	-	16.07.01
		14.09.01
		16.12.01
		17.01.02
		22.01.02

**Town**

2 x 1RKB	-	04.11.01 15.01.02
2 x 2RKB	-	04.04.01 01.10.01
18 x 3RKB	-	15.03.99 12.05.00 07.04.01 14.05.01 11.10.01 25.11.01 26.11.01 30.11.01 07.12.01 07.01.02 (x4) 15.01.02 (x2) 21.01.02 29.01.02 04.02.02
12 x 4RKB	-	12.08.00 04.06.01 06.07.01 02.11.01 12.11.01 14.11.01 03.12.01 13.12.01 21.12.01 17.01.02 30.01.02 04.02.02

**Answer to Question No 54 of 2002**

There are 38 pre-war flats currently vacant. The area, room composition and date they came vacant are as follows:-

**South**

2 x 2RKB	-	20.06.01 04.11.01
2 x 3RKB	-	21.05.01

## Town

5 x 1RKB	-	14.03.98 (x2) 22.01.01 25.01.01 15.08.01
13 x 2RKB	-	11.05.98 01.12.00 22.01.01 29.01.01 05.02.01 12.06.01 28.08.01 26.11.01 (x4) 22.01.02 04.02.02
11 x 3RKB	-	15.09.98 18.10.00 05.11.00 15.11.00 25.01.00 29.01.01 13.02.01 27.02.01 17.07.01 01.10.01 01.02.02
5 x 4RKB	-	04.09.00 26.02.01 11.06.01 01.10.01 27.01.02
1 x 5RKB	-	19.03.01

### SUPPLEMENTARY TO QUESTION NOS 53 AND 54 OF 2002

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

Noting the dates of some of these flats especially some that go back even a couple of years, in fact more there is one in 1999 and 1998 has the Minister any idea why some of these flats should have taken so long to have been fixed up and allocated?

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

The answer to that supplementary question takes me back to the previous debate that we were just having about the performance of Buildings and Works. Unfortunately the case is that not just in this category of work meaning flat

refurbishment there are delays but indeed there are in other categories, I wish it was not the case but this is the reason, one of the reasons the Government seek to improve Buildings and Works.

**HON DR R G VALARINO:**

I accept that explanation and I would simply urge the Minister to see whether when he does his improvement of Buildings and Works because he was basing his argument on the amount of money that was provided for.....

**HON CHIEF MINISTER:**

The hon Member is right precisely one of the things that the Government want to achieve is specifically is a faster turn around in the repair and reallocation of flats once they become empty. People out there amongst the general public complain that they have to wait for housing whilst there are 100 empty flats and that they have been empty for a long time. It is a perfectly legitimate frustrating complaint that is why the Government are determined to do something about it and I am glad that when we do do something about it we will have the wholehearted support of the hon Member.

**NO. 55 OF 2002****THE HON DR R G VALARINO****HOUSING – PRE/POST-WAR HOUSES**

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

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

I hand the hon Member a Table with the data sought.

**Answer to Question No 51 of 2002**

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

November 2001	-	18
December 2001	-	10
January 2002	-	10
		—
Total		38
		—

**Answer to Question No 52 of 2002**

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

November 2001	-	3
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January 2002	-	2
		—
Total		5
		—

**Answer to Question No 55 of 2002**

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

Pre-war	-	3
Post-war	-	12
		—
Total		15
		—

**NO. 56 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

Can Government state how many applicants are in the pre-list for housing (those who have not met the two-year qualifying period), giving a breakdown of their flat requirements?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 57 of 2002.

**NO. 57 OF 2002****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 year qualifying period , giving a breakdown of their flat requirements?

**ANSWER****THE HON THE MINISTER FOR HOUSING****Answer to Question No 56 of 2002**

A total of 346 applicants are on the pre-list. Their flat requirements are:-

1 RKB	-	187
2 RKB	-	31
3 RKB	-	74
4 RKB	-	44
5 RKB	-	9
6 RKB	-	1

**Answer to Question No 57 of 2002**

A total of 241 applicants are on the Hosing Waiting List. Their flat requirements are:-

1 RKB	-	116
2 RKB	-	31
3 RKB	-	54
4 RKB	-	34
5 RKB	-	6

## **SUPPLEMENTARY TO QUESTION NOS 56 AND 57 OF 2002**

**HON DR R G VALARINO:**

There are more applicants at the moment on the housing waiting list than when this question was last asked. In his previous answer the Minister valued that more houses were coming through the system. Why are there more applicants, is it because there were more applicants on the pre-list than previously thought ?

**HON J J NETTO:**

Exactly, it is true to say that there are more houses that are being refurbished by Buildings and Works but as the hon Member rightly says there are people moving from the pre-list to the actual waiting list and that factor has to be taken into account as well, hence the movement on the people in the waiting list.

**HON DR R G VALARINO:**

On a recommendation from the Ombudsman anybody coming from the UK instead of having to wait for three years to be able to get on the list, this would be reduced to one year. Has this recommendation been implemented?

**HON J J NETTO:**

It has just been gazetted, it came out in the last Gazette, they have changed the rule. The hon Member ought to realise that that particular rule and I have done a lot of research, as to why and when that particular clause, the actual clause goes back to the 1950's and the reason why it was introduced in the 1950's I am told is that a lot of Gibraltarian families emigrated to the United Kingdom all to find work and live at the time there but with the large amount of Gibraltarians that actually went to the United Kingdom there were some who made a pretence to go to the United Kingdom stayed there for a couple of months then came back to Gibraltar saying that they were homeless and short cutting the whole system. There must have been a recommendation from officials in 1950's to make this particular clause. Now, in my time we have looked at this again, in fact we are looking at the whole thing and we do not feel that there is a need to put conditions to accept the application, we feel that bringing it down to one year and allowing as well a certain level of discretion to the Housing Allocation Committee it would be more in keeping with the times that we live as opposed to going back to 1950's but anyway the short answer is that it is being done.

**HON J L BALDACHINO:**

I quite agree with what he has said because we have already a safety net in the two years qualifying period before a person is considered therefore by adding the three and the two we are now coming to five and I quite agree that that is outdated. May I ask a question on this one, a question on the pre-list, the highest number of applications that the Housing Agency is getting is on the 1 RKB is it that more younger people are applying for housing than elderly?

**HON J J NETTO:**

Sorry I have missed the point, could the hon Member repeat the question?

**HON J L BALDACHINO:**

Yes, out of the 346 applications that the Housing Agency is getting, the highest number is for 1RKB.

**HON J J NETTO:**

Correct.

**HON J L BALDACHINO:**

Is it that younger persons are applying , is it that the biggest amount of that figure is of young persons applying for Housing?

**HON J J NETTO:**

Without having the information available to me I would dare say that that is correct. It is younger people yes but I cannot say it 100 per cent because I have not got the information with me.

**NO. 58 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – RENT RELIEF**

Can Government state how many tenants of post-war housing units are on rent relief and how much has been spent on this from the £430.000 provided in the Social Assistance Fund Appendix 'G' to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 58 of 2002.

**NO. 59 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – RENT RELIEF**

Can Government state how many tenants of pre-war housing units are on rent relief and how much has been spent on this from the £430.000 provided in the Social Assistance Fund Appendix 'G' to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 58 of 2002**

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

**Answer to Question No 59 2002**

Sixty one tenants of pre-war housing units are currently on rent relief and £358,330.40 has been spent from the £430,000 provided in the Social Assistance Fund for both.

**NO. 60 OF 2002****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 total amount of £1,750,872 has been incurred to date under Head 101 Subhead 1. I hand the hon Member the information requested.

The analysis by projects is as follows:-

	£
Miscellaneous Works	115,543
Window Replacements	160,883
Scaffolding	155,192
Laguna Estate	247,908
Heathfield House	356,004
Anderson House	274,831
Glacis Estate	115,930
MacMillan House	238,997
Reconversion Works for Disability purposes/ Edinburgh House and Bishop Canilla House	85,584

Miscellaneous Works	£
North Depot	8,418
273 B Main Street	2,887
Varyl Begg Estate	3,207
3 Castle Steps	27,317
Laguna Estate	4,500
Electra Flats	4,354
Sandpits	8,865
Haymills	1,090
Moorish Castle Estate Club	20,640
Private Estates – Loans	34,265
<b>Total</b>	<b>£115,543</b>

Address	Amount (£)	Sub-Totals (£)
5 Medview Terrace	3,666.00	3,666.00
Aquitania House Chutes	1,113.00	1,113.00
Bado's Buildings	895.00	895.00
Ballymena House	3,445.83	3,445.83
Belvedere House	1,866.00	1,866.00
BW Main Street	5,224.50	5,224.50
Castle House Gantry	436.00	436.00
Castle Road	400.00	400.00
Chusan House	894.00	894.00
Crutchett's Ramp	485.75	485.75
Devil's Gap	560.00	-
Devil's Gap	4,861.00	5,421.00
Elliot's House Chute	348.00	348.00
Faulknor House	708.00	708.00
Fearless House	6,405.00	6,405.00
Flat Bastion Road	1,218.00	1,218.00
Gannet House	151.75	151.75
Gavino's Dwelling	1,087.50	1,087.50
Goole House	750.00	750.00
Harrier House	167.50	167.50
Hazle House	436.00	436.00
Hospital Steps	265.00	265.00
St Jago's Building	2,812.50	2,812.50
Jamaica House	436.00	436.00
Johnson's Passage	570.00	570.00
Keightley House	12,577.00	-
Keightley House	436.00	13,013.50
Knight's Court	6,762.00	-
Knight's Court	30,495.00	-
Knight's Court Bin Stores	216.25	-
Knight's Court Block 1	4,069.25	41,542.50
Lower Castle Road	436.00	436.00

Lower Castle Road No 24	4,199.00	4,199.00
Lower Witham's Road	1,007.50	1,007.50
Madeira House	3,516.50	3,156.50
Main Street No 3	148.12	148.12
Mallard House	847.50	847.50
Mauretania House	693.00	-
Mauretania House	387.00	1,080.00
McFarlane House	387.00	387.00
MacMillan House	428.75	428.75
Moorish Castle Play area	306.00	306.00
Morello's Ramp 16	562.50	-
Morello's Ramp 16	272.50	835.00
NavalGround Stage 1	2,,863.00	2,863.00
North Pavilion	465.00	465.00
Osprey House	483.75	-
Osprey House	2,425.50	2,909.25
Paradise Steps	605.50	605.50
Ragged Staff Joiners	270.00	270.00
Red Sands House	2,436.00	-
Red Sands House	2,772.00	5,208.00
Resolution House	1,206.00	1,206.00
Richardsons Steps	364.37	364.37
Road to the Lines 16	1,692.00	1,692.00
Rosia House	1,180.50	-
Ross House	1,968.00	3,148.50
Ross House West	1,257.50	1,257.50
Royal Oak House	547.50	547.50
Scud Hill	6,260.00	-
Scud Hill	760.00	-
Scud Hill	173.00	7,193.00
Sheffield House	330.60	330.60
South Pavilion	465.25	465.25
St Bernard's Nursery	2,281.50	2,281.50
Stanley Buildings	4,050.00	4,050.00
Tarik House	845.00	845.00
Tarik Road	825.00	825.00
Upper Withams House	1,315.00	1,315.00
Willis's Passage	6,387.50	6,387.50
Willis's Road	1,050.00	1,050.00
Willis's Ramp	2,963.00	2,963.00
<b>Total</b>	<b>£155,192.10</b>	<b>£155,192.17</b>

**SUPPLEMENTARY TO QUESTION NO 60 OF 2002**

**HON DR R G VALARINO:**

On the last one, Miscellaneous Works, private estates loans of £34,265, I imagine that the loans will be paid back to Government.

**HON J J NETTO:**

Yes, part of the conditions of the loans is that it has to be paid back.

**HON CHIEF MINISTER:**

There is a standard format of these loans, the hon Member will recall that we have a manifesto commitment to assist private estates in their refurbishment. There is a standard format of loan with a standard a repayment programme although the length of the repayment programme varies, lengthens, depending on the size of the loan and the purpose for which the loan is wanted but yes they are all loans repaid, the terms of the repayment may vary as to the length.

**HON DR R G VALARINO:**

Thank you very much.

**NO. 61 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – PENSIONER EXCHANGE LIST**

Can Government state how many housing 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 62 and 63 of 2002.

**NO. 62 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – NUMBER OF APPLICANTS**

Can Government state how many housing 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 61 and 63 of 2002.

**NO. 63 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – NUMBER OF APPLICANTS**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 61 of 2002**

There are 295 applicants in the Housing Pensioner Exchange List. The breakdown of Government tenants and private sector tenants is as follows:

Government tenants	-	233
Private sector tenants	-	62

**Answer to Question No 62 of 2002**

There are a total of nine applicants medically categorised as follows:

A – 2;            B – 2;            C – 5;

The housing requirement of these nine applicants is as follows:-

1 RKB – 4;    2 RKB – 3;    3 RKB – 2.

**Answer to Question No 63 of 2002**

There are 12 housing applicants socially recommended as follows:

A – 8;            B –1;            C-3.

The housing requirement of these 12 applicants is as follows:

1 RKB – 4;    2 RKB – 2;    3 RKB – 3;    4 RKB – 3.

Two are classified as homeless.

**SUPPLEMENTARY TO QUESTION NOS 61, 62 AND 63 OF 2002**

**HON DR R G VALARINO:**

The two who are classified as homeless I presume these are the same two as were classified as homeless when the Minister last answered this question, in fact he said that they were really not homeless but they were squatting at the time.

**HON J J NETTO:**

I remember something along those lines, that was information given to me I can also say that of those two classified as homeless, one has recently been categorised as social A the other one is either B or C, I have not got that information available with me.

**NO. 64 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – BISHOP CANILLA HOUSE**

Can Government state why has water penetration occurred this winter once again at Bishop Canilla House and the severe dampness that is present in some of the flats?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 65 of 2002.

**NO. 65 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – BISHOP CANILLA HOUSE**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 64 of 2002**

Following the recent heavy rains experienced during the last few weeks of December 2001, a number of reports were received concerning dampness/water ingress into a number of flats. This was reported to the relevant department and an inspection was undertaken. Two distinct problems were identified, either of which having affected different flats. The first such problem was identified as a tear in the lead flashing in some of the valley gutters on the roof. This is the first time that such a problem has occurred in this building. Immediate emergency repairs were undertaken at the time which proved totally successful. Permanent repairs are currently being effected. The second problem was re-occurrence of the previously experienced dampness problem in some flats. There has however been a noticeable improvement in the situation in respect of the number of flats affected and the degree of the problem. In any case, the situation is still wholly unsatisfactory, as it is not acceptable for even a single flat to have suffered such a problem. The contractor is currently actively involved in investigating the matter with a view to finally identifying the cause of this problem so that an effective solution can be found. Until such time as this investigation has been completed and a permanent solution identified, no further repair works will be undertaken within the affected flats although individual tenants will be offered the opportunity of having cosmetic repairs undertaken, should they so desire.

**Answer to Question No 65 of 2002**

There are no unoccupied flats at Bishop Canilla House.

## SUPPLEMENTARY TO QUESTION NOS 64 AND 65 OF 2002

**HON J C PEREZ:**

Is the Minister suggesting that it is still the obligation of the contractor and that all of those repairs that he has mentioned are covered by the contract and will be undertaken at the cost of the contractor?

**HON J J NETTO:**

That is the case.

**HON J C PEREZ:**

Including the new thing that has been identified now which he explained previously all of it?

**HON J J NETTO:**

My understanding is that that is the case.

**HON J C PEREZ:**

One will presume that there will be a check on what the contractor is doing given that the last time that the Minister came to the House he said that the whole problem had now been solved and we have had a repetition of some and new problems occurring, can the Minister say what grade in the department is checking the contractor to ensure the non-recurrence of this problem?

**HON J J NETTO:**

This has been checked in three different ways. This is checked first of all anything that may happen on a day to day basis by the actual people that we have got employed there as caretakers in terms of making forms and actually detailing where the flood is affecting and where it is affected so that is the first of level of checking. The second level of checking is by the Housing Inspectors, they also do their reports but finally at a much higher level of this it is all checked by Technical Services Department. They are the main persons who check not just what is visible to see and in terms of reporting but also checking the work that the contractor is doing.

**HON J C PEREZ:**

Can the Minister state whether there are still funds held by the Government from the contractor?

**HON J J NETTO:**

I have not got that information available with me. This is not part of the original question.

**HON DR R G VALARINO:**

The Minister mentions two aspects one was the initial repairs and the other one was the long standing repairs that obviously will be carried out by the contractor. Who did the initial repairs was it the Minister's department or the contractor?

**HON J J NETTO:**

I have already answered that question, the initial repairs were done by the contractor.

**HON DR R G VALARINO:**

On question No 65 of 2002 did the Minister give me a reply?

**HON J J NETTO:**

I think I did but the answer is that there are no unoccupied flats at Bishop Canilla House. There is one particular flat that we make available to the Occupational Therapist for their own assessments of people of mobility and diagnosis and these kind of things. Leaving aside the flat that we have given to the Occupational Therapist for this kind of analysis and treatment, everything is occupied.

**HON DR R G VALARINO:**

Well practically.

**HON J J NETTO:**

Well.

**HON J L BALDACHINO:**

The flat that has been given to the Occupational Therapist is it on a permanent basis or is it temporary until something else.....

**HON J J NETTO:**

Well for the time being yes, we have had an approach by that section of the GHA in which they said that not just to do their assessments in terms of housing demands but there are other demands made from other various Government Departments that they would have liked to have had a particular flat which is dedicated for this type of

work, so for the time being the answer is yes but obviously this kind of thing is reviewed from time to time.

ORAL

**NO. 66 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – VARYL BEGG ESTATE**

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 72 and 80 of 2002.

**NO. 67 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – GLACIS ESTATE LIFTS**

Can Government state how many of the lifts installed at Glacis Estate are presently in a working condition?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 68 of 2002.

**NO. 68 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – GLACIS ESTATE LIFTS**

Can Government state how many of the lifts at Glacis Estate have had water penetration this winter or have been subjected to vandalism?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 67 of 2002**

All the lifts at Glacis Estate are presently in working condition.

**Answer to Question No 68 of 2002**

Two of the lifts at Glacis Estate have had instances of water penetration this winter and all the lifts have been subjected to minor acts of vandalism at one stage or another since they were installed.

**SUPPLEMENTARY TO QUESTION NOS 67 AND 68 OF 2002**

**HON DR R G VALARINO:**

On the water penetration side, this occurred last year, why does it happen on these lifts?

**HON J J NETTO:**

The source of the problem is that if one goes down to Glacis Estate, we are talking about external communal corridors and when we have strong wind blown rain it actually moves along and actually penetrates into the lifts. So, what they are doing at the moment is to build up some kind of barriers in order to avoid this happening.

**HON DR R G VALARINO:**

I will await until next winter.

**NO. 69 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – LAGUNA ESTATE LIFTS**

Have Government now taken a decision as to whether to install lifts at Laguna Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 70 and 71 of 2002.

**NO. 70 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – LAGUNA ESTATE**

What works are presently being carried out at Laguna Estate and what is the cost to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 69 and 71 of 2002.

**NO. 71 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – LAGUNA ESTATE**

What is the estimated date of completion of the beautification project at Laguna Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 69 of 2002**

The answer remains that for the time being Government are not going to proceed with the installation of lifts in that estate as explained by the Chief Minister in a supplementary question to Question No 891 of 2001. Works will proceed when the various technical difficulties that arise in that estate have been overcome.

**Answer to Question No 70 of 2002**

In relation to the scope of works the answer to this question has already been given to the hon Member in a supplementary question to Question Nos 891 and 901 of 2001. As to the cost to date, it is £247,908.39.

**Answer to Question No 71 of 2002**

The contract works currently in progress at Laguna Estate are scheduled for completion on 8<sup>th</sup> December 2002.

## SUPPLEMENTARY TO QUESTION NOS 69, 70, AND 71 OF 2002

**HON DR R G VALARINO:**

So, the works will be finished by the 8<sup>th</sup> December?

**HON J J NETTO:**

I would not put too much notice on the 8<sup>th</sup>, suffice to say if they will be done hopefully in December if there is no delay but I would not put much notice on the day.

**HON J C PEREZ:**

The Minister has said that no final decision has yet been taken on the lifts. Is it not something that would be important for the Government in connection with the refurbishment programme in Laguna Estate given that, for example, if one is going to paint a block and later decide to install lifts that it would be better to know whether the lifts are going to be installed and do the things together as the Minister had explained he is going to do in Varyl Begg?

**HON J J NETTO:**

Well, that should not cause much of a problem because I can recall that when we actually installed the lifts in Glacis Estate we then sometime had to call back the painters to paint up certain areas as a result of the installation of the lifts when it was done later on. I would not make that as being an important issue.

**HON J C PEREZ:**

Could the Minister state what is the technical difficulties the Government are studying in relation to that?

**HON J J NETTO:**

As I indicated in my original answer to the question, the Chief Minister gave a very lengthy explanation as to the difficulties in Laguna Estate. The report by the Technical Services Department they did say that many of the buildings would not be possible at all to be able to fit a lift. Then there were other buildings which in order to do it it would mean that there would be all sorts of problems, they would have to build a shaft of the lift on the pavement or even on the road which would create problems for traffic circulation or encroachment on the pedestrian way. Then against that there were all sorts of other problems in the sense that the lifts were it can be fitted had to fitted not at the landing, in other words when one comes out of the lifts one would not come out straight at the landing but to the half landing and only servicing two tenants in each particular level. All of this was part of the consideration and it did point all the difficulties that would be incurred and the astronomical cost as well to overcome all such difficulties but I remember as I said before the Chief Minister did go at much length in giving an explanation.

**HON J C PEREZ:**

In the areas where the Minister had said that the study says it is not possible at all I presume that the Government have accepted that and there are certain blocks where that is not pending a decision. Have Government accepted the recommendation of the study where in some cases it says that the lift will not be possible at all?

**HON J J NETTO:**

The Government not necessarily judged this in the manner that the hon Member is saying. The hon Member needs to take into account that all we have is a particular size of funds to be able to fulfil our manifesto commitment for the installation of lifts throughout Gibraltar and to maximise that. As Housing Minister I would wish to be able to have millions and millions of pounds to do the kind of things that have not been done in the last 40 years but I have not got that size amount of money to be able to catch up with the historical neglect. So, with the amount of money that we have available for the lifts installation I need to try and use it and maximise it as much as I can.

**HON J C PEREZ:**

So what the Minister is saying is that it is not within the realms of impossibility but it is the cost factor that is influencing the Government in delaying a decision over Laguna Estate and not the report of the experts as mentioned before with what the difficulties involve. The difficulties incur extra costs and it is the cost factor that is the one that is drawing away the Government from providing this in Laguna.

**HON J J NETTO:**

The hon Member should not conclude one factor against the other, he should take the two into account.

**HON J C PEREZ:**

Well I am just taking into account the last thing that the Minister says here, one cannot take into account all the factors if at the end of the day what the Minister says here is that he has got a strict budget and that if he had more money presumably he would do Laguna but at the moment he has not got enough money for all the lifts he wants to install.

**HON J L BALDACHINO:**

The Minister said that in certain areas in Laguna in certain blocks the lifts cannot be installed, physically impossible, so the question whether one has funds or whether one has not is irrelevant, can the Minister tell us in which areas in Laguna, is he referring to the blocks in what is known as Lake Chad or any other block in Laguna? Which particular area because there is an area which is the first blocks that were built in 1953 I think it was which is called Lake Chad are those the ones he is referring where it is impossible to build?

**HON J J NETTO:**

I do not have that information with me .

**NO. 72 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – VARYL BEGG ESTATE**

When will all remedial and beautifying works commence at Varyl Begg Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 66 and 80 of 2002.

**NO. 73 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – 50/50**

Have Government now identified a site in order to build further housing units on a 50/50 basis as this is becoming an urgent issue?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 74 of 2002.

**NO. 74 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING**

Are Government still set on the idea of building further housing for the elderly in a planned project together with further units for sale and/or renting?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 73 of 2002**

The situation remains as answered previously, that the Government are looking at various sites, some of which while being ideal to develop Government's housing commitments, have nevertheless some peripheral problems to overcome.

**Answer to Question No 74 of 2002**

The Government have never stated to be set on the idea of building further housing for the elderly in a planned project together with further units for sale and/or renting. It seems that the hon Member is confusing various GSD Housing Manifesto commitments in a manner that becomes meaningless.

**SUPPLEMENTARY TO QUESTION NOS 73 AND 74 OF 2002**

**HON DR R G VALARINO:**

It was actually the Chief Minister who said at the last meeting of the House that a Bishop Canilla type of building would be built in a planned project and he was here at the time and he actually said it as the answer to a supplementary. I mention this

because there have been complaints from people at Bishop Canilla House on the noise emanating from Edinburgh House so that a planned project incorporating both the elderly and normal housing stock seems to bring about its own problems.

**HON J J NETTO:**

The point that I was trying to make is that this may be the case or may not be the case but it is not a question of Government being set in their minds. My recollection is that it may be the position that we may put a further building accommodation for senior citizens along with other projects that we may wish to have but it is not necessarily that we are set in the mind. In relation to the second point that the hon Member has made I meet regularly with the people in Bishop Canilla House, I do not recall that people have said to me that they are complaining about the noises emanating from Edinburgh House. They have made all sorts of complaints about other issues that we have been tackling but the point should remain that the Government are committed to fulfil our Government manifesto commitment and we are working on it.

**HON J C PEREZ:**

On the question of providing subsidised housing being on a 50/50 or 60/40 or whatever the Government idea now is, can the Minister state whether it is one of the priorities of the Government and whether we can expect to see something in the next financial year given the great demand that there is for housing particularly from young couples wanting to get married and the trend that is starting to reoccur of people having to move to La Linea without wanting to because they can not find affordable housing in Gibraltar given the demand in the private sector as well?

**HON J J NETTO:**

In relation to people that may be moving to La Linea the Government have not got statistics to say how many are going necessarily as a result of the prices that they cannot afford in Gibraltar in the private sector, but the first part to his question is when will Government be in a position to be able to move this particular subject forward, that is the first part of his question. I do not wish to enter into areas which are third party discussions but of course the Government are keen to fulfil this commitment as we are indeed serious of fulfilling all our commitments to our manifesto and Government would want to be in a position in the next financial year to start speeding up and moving up this particular issue,

**HON S E LINARES:**

Apart from what the Minister said that the Chief Minister mentioned in the House, it was also mentioned by the Minister himself in a party political broadcast.

**HON J J NETTO:**

What?

**HON S E LINARES:**

The fact that the Government were going to build houses, 500 units on a 50/50 basis.

**HON J J NETTO:**

All these?

**HON S E LINARES:**

If he wants I will bring him the tape, he actually mentions it and every time he is in a political broadcast he promises these houses so it is not only the Chief Minister who has mentioned it, it is himself in a party political broadcast.

**HON J J NETTO:**

The hon Member is confusing some of the statements contained in the GSLP manifesto, the GSD has never said that it is going to build 500 units, that has been said in the GSLP manifesto he should read it himself so it is not that I have said it or that the Chief Minister has said it. The question really is what I have just said and that is that Government take very seriously their manifesto commitment and are proud in honouring that.

**NO. 75 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – COELHO HOUSE**

When are the works at Coelho House scheduled for completion?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question No 77 of 2002.

**NO. 76 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – MOORISH CASTLE ESTATE**

Can Government state what are the present works being carried out at Moorish Castle Estate?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The works presently being carried out at Moorish Castle Estate consists of the external repairs to Keightley House. This consists of re-roofing and the external redecoration of the building including repairs to the external rendering of the building and the redecoration of communal staircases. These works form part of an on-going maintenance programme being carried out by the department within the estate. Once works at Keightley House are completed, similar works will then be carried out at Wall House.

**NO. 77 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – COELHO HOUSE**

What is the total number of flats at Coelho House and how many units are vacant at the present time?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 75 of 2002**

The works at Coelho House are scheduled to be completed on the 6<sup>th</sup> November 2002.

**Answer to Question No 77 of 2002**

The total number of flats at Coelho House is 30. There are five flats vacant at present.

**SUPPLEMENTARY TO QUESTION NOS 75 AND 77 OF 2002**

**HON J L BALDACHINO:**

How long have these flats been empty?

**HON J J NETTO:**

That information is not available to me because it does not form part of the original question.

**HON J C PEREZ:**

Is there an intention on behalf of the Government not to release those flats until the repairs are over or are those flats available for allocation?

**HON J J NETTO:**

It would probably be the case that the flats will not be available for allocation because probably one of the reasons for which they have been empty is because as part of the necessary remedial works to the external façade and the demolition of the balconies is that they have had water penetration and obviously we needed to fix the external façade before getting into the refurbishment of the flat so probably the answer would be that we have to wait until the façade is finished.

**NO. 78 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – ALAMEDA ESTATE**

Can Government state whether the empty housing units at Alameda Estate have now been allocated?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Yes. Two are under offer and two have been allocated.

**NO. 79 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – COELHO HOUSE**

Will Government state whether they will move tenants at Coelho House who have serious medical complaints and on medical advice to other areas prior to work starting at Coelho House as promised by the acting Housing Manager in a meeting with tenants in December?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

One tenant has brought medical evidence which will be put to the Medical Board.

**SUPPLEMENTARY TO QUESTION NO 79 OF 2002**

**HON DR R G VALARINO:**

I also understand that the acting Housing Manager told the tenants that if they were going to be moved out they would be moved out on a permanent basis and I had word since then from two of the tenants that this will be so, if this is so can I have a reassurance from the Minister that where they will be moved it will be somewhere where they will be able to lead a normal life considering their condition and I do believe that the two tenants have had assurances from Government that at least verbally from the acting Housing Manager that they will be moved but no site or area has been designated as yet ?

**HON J J NETTO:**

I am afraid that the information that is available to me does not tally with the information available to the hon Member. What I have been informed is that this particular tenant the one we are referring to had a temporary re-allocation was made

to her while the works were starting but she refused because she prefers to be moved permanently. Of course when the person wants to leave permanently based on her medical condition then that has to go to the relevant committee for due consideration. That is the position that we are at the moment and it is the only case for which we have information available from the people in Coelho House in terms of medical problems.

**HON DR R G VALARINO:**

Two things here, one is that the acting Housing Manager definitely stated in December that if people were moved out they could remain there. I have got that as factual words from the acting Housing Manager. The Minister was not present but the person in fact said this and I would ask him to liaise with the acting Housing Manager because there is also somebody else.

**HON J J NETTO:**

I think we are confusing two issues here, the acting Housing Manager did say in that meeting with all the tenants there that if anyone were to be affected as a result of the repairs the Housing Agency would provide temporary re-allocation for the period of the works depending on the circumstances that they merit for that particular person and that is what has been offered to this particular person, but they are not seeking temporary re-accommodation, they are seeking permanent re-accommodation and obviously within the procedures if one wants permanent re-accommodation in this case the Medical Advisory Board to determine the medical case for a permanent re-accommodation which is not to be confused with something temporary because some works are being done. So, that is what is happening at the moment and there are communications indeed between the acting Housing Manager and the person in question. People are talking to each other and the final point is that the hon Member seems to be saying that this is not just the only case that there is another case or two cases. The information available to me is that this is the only case but if people come forward we will listen to them and we will look into the case.

**HON DR R G VALARINO:**

I would just like to say to the Minister that it was only yesterday when I spoke to a tenant at Coelho House and he had been guaranteed by the acting Housing Manager that he and his family would be moved out on a permanent basis somewhere else. Maybe this has happened of late and he has not had any notice.

**HON J J NETTO:**

I cannot say whether it did or it did not but what I find a bit odd is that the acting Housing Manager should take decisions for which she is not empowered to. That is to say, she is not empowered to re-accommodate people on a permanent basis, that decision is not made by her.

**HON S E LINARES:**

Just as a matter of interest what happens with the person who is living in that house now and although he or she is seeking permanent housing somewhere else and the works at Coelho House have already begun so is that person still living in that house even though medically they should not be living there? I understand the problem of permanent and temporary and I am not getting into that I am just concerned about the person living there whilst the works are going on whilst medically he/she should not be there.

**HON J J NETTO:**

We are concerned as well but my understanding is that although the works have started they are starting at the position on the building that is not affecting her at all.

**NO. 80 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – VARYL BEGG ESTATE**

Are Government aware that further water penetration has occurred this winter at Varyl Begg Estate in a large number of housing units and how do Government intend to remedy this situation?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 66 of 2002**

The answer to this question is contained in my answer to Question No 892 of 2001.

**Answer to Question No 72 of 2002**

The answer to this question is contained in answer to Question No 896 of 2001. Additionally in order to to keep the hon Member informed to the same degree as tenants of the estate I am passing to him an information leaflet that I sent in December 2001 to all tenants of the estate giving detailed information on these matters.

**Answer to Question 80 of 2002**

Government are aware that further water penetration has occurred at Varyl Begg Estate this year. Government intend to provide new pitch roofs to all the buildings in the estate, which together with modifications to the rainwater disposal installation, should eliminate the water penetration problems which have affected this estate for a very long time. These works which are currently at design stage are envisaged to commence within the next financial year.



GOVERNMENT OF GIBRALTAR  
OFFICE OF THE MINISTER FOR HOUSING  
2<sup>nd</sup> Floor  
City Hall  
Gibraltar

11 December 2001

To: Varyl Begg Estate tenants

Dear Tenant

Given the various works, projects and other matters in which Government officials are working on for Varyl Begg Estate, I thought it would be prudent to keep you informed of such events in order to enable you to be aware of these as they unfold over the next few years.

1. Refurbishment of the Estate

The nature of the works in each block will be to install new pitched roofs and the installation of lifts in every block. Along with the new roofs, there will be gutters and downpipes on the external façade of the buildings, thereby addressing the historical collection of water within the building. The lifts themselves will be of the normal standard types being accessible from the ground floor.

Once all the buildings of the estate are refurbished (expected to last three years), the final phase on the fourth year will be the general embellishment of the communal areas. Furthermore the works will also include tackling the ineffective water drainage system leading to accumulation of surface water at the centre of the estate.

In all, due to the amount of works to be carried out in the estate it is envisaged that it will take four years to complete. Within the embellishment phases these will consist of the following:

- (a) Tidying-up/embellishment of existing planters.
- (b) Provision of new street furniture including lampposts, benches, etc.
- (c) Construction of an under-12 year old playground area and a new enclosed football pitch.
- (d) Complete repaving of all communal areas as carried out in Glacis and Laguna Estates.

Already officials are working on tender documents and designs so as to be in a position to invite tenders, hopefully before the end of this financial year (April 2002). Initially, the works will be concentrated in the bigger blocks (ie Alert, Royal Sovereign, Repulse and Valiant), then moving down and out.

## 2. Parking in the Estate

Despite the current parking arrangements in the estate whereby tenants are allotted a parking space for a nominal fee, on a number of occasions other vehicles have been found to be obstructing a parking bay or a garage.

Throughout this time officials from various departments and the RGP have worked to find a permanent solution to this matter. Currently, we are working on making amendments to the Traffic Ordinance so that it will enable the Government to provide a service by tender for the clamping or towing away of such offending vehicles. This is something that my Ministry would like to see in operation hopefully within the following months.

Finally, on this point, I would like to remind those tenants in arrears of their licence agreement to ensure their payments are up-to-date. Failure to do so risks having their licence not being renewed.

## 3. Lights/Electricity to the Garages

We are informed by the Electricity Department, that out of the 128 garages, applications for the supply of electricity have only been received from 10 garage owners. It is therefore important that garage owners complete their own internal wiring and produce a diagram to be sent by hand during normal working hours to their Consumer Section, at its new depot; next to the Piccadilly Gardens Restaurant. This will facilitate supply of electricity to their garages. Upon completion of this procedure meters will be installed.

## 4. Cleanliness of the Estate

On a general note covering all Housing Estates, the Government has already informed the unions of our intentions to contract out the cleanliness of the estates. It is envisaged that the new arrangements throughout would be much enhanced, and at the same time it could provide in the long-term other services.

## 5. Dog fouling in the Estate

We are being constantly informed of the indiscriminate abuse of certain dog owners for not removing their dog's faeces. We would like to remind such owners that these acts not only constitute an unhygienic action by placing other people at risk, but also constitutes an offence.

In the interest of all, we would appeal to those offending dog owners to correct such practice. Equally, tenants of the estate who may wish to inform confidentially to the RGP or the Environmental Agency of dog owners allowing such practice, to help identify, spot and possibly fine such unscrupulous persons.

Finally, it will be my desire to keep tenants informed regularly as we embark to implement the various projects.

Yours sincerely

J J Netto  
Minister for Housing

#### **SUPPLEMENTARY TO QUESTION NOS 66, 72, AND 80 OF 2002**

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

I thank the Minister for his replies, when he referred that he had previously answered the two earlier questions it was because he said that he had said so in his Budget statement. He certainly did not say in his Budget statement when the lifts were going to be installed in Varyl Begg Estate, in fact if I may quote from what he said, the only thing he said on Varyl Begg Estate was, " .....and lastly to round up this topic we would like towards the end of this financial year," that was last year, "to commence with the Varyl Begg Estate project," and he was talking about the project at the time of beautification and not lifts. He had mentioned lifts at Laguna before but he did not specifically mention lifts at Varyl Begg Estate, so he is erring somewhat by going back to a Budget Statement which certainly did not say anything about when lifts were going to be or were going to start to be installed at Varyl Begg Estate. Has the letter been circulated to all tenants of Varyl Begg Estate? Because there are severe problems in this estate and since the Minister said at the time that work would commence towards the end of the year I wonder whether it says here in any part of this lengthy exposure when work will commence at the estate to try to refurbish what was once a beautiful estate.

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

Well, the tenants and the Tenants Association are fully aware not just because of the information contained in there, what we are aiming to do is to have a situation, well in fact officials in the Technical Services Department as we speak are working on the designs and tender documents and I would want to be in the position soon after the commencement of the new financial year to be able to start the refurbishment and the beautification of the estate. Now, this is going to be a very long project, in fact it is probably estimated as being something like four years. The first three most

probably will be in doing the new pitch roofs plus all the details of the changes that we are talking about in terms of putting gutters in the external façade of the building, the down pipes in the traditional way that we know about, some of the internal water penetration that we have in the building and that will go on for three years probably, because of the number of buildings in that particular estate. The last year is the last year that we want to dedicate to beautification, in other words to try to cause as least inconvenience so that the whole estate does not resemble a construction site. Should I also add that in the same time as we are working on a particular building for the new pitch roofs they will be installing a lift in that particular building, in other words what we are trying to do is say well, we will start on one building put the lifts, put the new pitched roof and move on to the next building and then leaving less inconvenience caused to those tenants in that particular building. So, it is a very ambitious, very costly project but one that should have been done long, long, ago.

**HON DR R G VALARINO:**

Will lifts be installed in all buildings at Varyl Begg Estate?

**HON J J NETTO:**

Yes. This is a particular estate where from the reports that we have from the Technical Services Department it is quite feasible to install these both in the big buildings and in the small buildings.

**HON J L BALDACHINO:**

Has consideration been given to adding an extra storey to the buildings seeing that they are now going to place lifts ?

**HON J J NETTO:**

This was discussed but the idea in itself was rejected on the basis that if we were to add an extra floor in all the buildings, I do not know how many tenants we would be adding to the overall estate, perhaps more than 100 families all in all and then one has got to consider that in the context of the pressure of getting more people in the estate, the pressure that would put in the schools in terms of having more people living in that estate, more problems of parking, we know we have problems of parking in the estate so there are many other factors to be considered. I understand what the hon Member is trying to say in terms of maximising new flats for people in those estates but there are other considerations that should be taken into account as well.

**NO. 81 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING – WAITING LIST**

Can Government state at what intervals was the publication of the Housing Waiting List throughout the year 2001 and when was it last published?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

The Housing Waiting Lists were published twice in 2001. On 9<sup>th</sup> February and 7<sup>th</sup> September 2001.

**SUPPLEMENTARY TO QUESTION NO 81 OF 2002**

**HON DR R G VALARINO:**

It has always been published on a quarterly basis, why has this not been done during the last year? Could it be because there is too much workload on the department side?

**HON J J NETTO:**

Well, the hon Member obviously makes a very good point and I share his sentiments. When this information was made available to me I had the same reaction as he is having. I think that this is not good, I think that the publication of the waiting list should be done as he rightly says in a quarterly basis as has been done in the past and I have informed the Housing Agency to take steps and measures to ensure that we continue to publish the lists as hitherto. They argue that it has been an oversight

and because they have been overworked in other areas but I maintain the position that it is not good enough.

**HON DR R G VALARINO:**

I totally agree with the Minister, people are coming to see me and saying that they have no idea where they are on the list and it certainly does not help the Housing Agency to run efficiently.

**HON J J NETTO:**

Not necessarily because despite the publication if someone just wants to go there and see in person any of the staff members at the reception just to know what is their position they would gladly give it but that is one issue not to be confused with the other.

**HON J L BALDACHINO:**

If the list is not published, which was a policy that they made to publish the list on a quarterly basis, there is an important factor if that is not done and that is that when one allocates houses or allocates a flat one is actually doing it by the list and therefore if the position is that the list has not been able to be published because of the workload that the department has had, which might be one of the factors, then obviously the allocation is done by the list that is published because there is no other list and therefore when one sits and makes a decision on a particular allocation one has not got the appropriate list and people who could have benefited if the list had been published could find themselves out of having been allocated a house precisely because the list has not been published. That is the case.

**HON J J NETTO:**

No, I do not share that view, one thing is that it has not been published as it should have been published during the course of the year, but one has to take into account the movement of people in the actual waiting list, that is to say that the fact that it has only been published twice instead of four in that period, people have been allocated flats as being at the top of the waiting list so the fact remains it is not good for transparency I agree hence the reason why it should be published four times in the year.

**HON J L BALDACHINO:**

I am not asking for transparency, my position is not whether it is transparent or not because if we have a Housing Allocation Committee we have to consider that what they do is done within the law so it is not a question whether it is transparent or not it is when a decision has to be taken by the Housing Allocation Committee obviously the people who have the points as is normal, the person who is at the top of the list who has more points because that is how the waiting list is based is the one that should be allocated the house and therefore if the points are not updated and in this case it has only been updated twice in the year instead of four, in the intervening period were for example if it had been January, February and March, let us start one

year, the people in April and May that could have been maybe on top because he actually knows that the list is not static there is movement almost every day on positions of people going up and down depending when the anniversary of their application comes and therefore one might have somebody at the top today and somebody which is third or fourth might go to the top later on. Therefore, if the list is not adhered to every three months or the date is not adhered to then obviously one is going by the old list and people find they are losing out, this is what I am asking?

**HON J J NETTO:**

Not necessarily that is not the recollection that I have despite the fact that the list is being published twice that does not necessarily stop that on the anniversary of the application form the merits of that application is not taken into account and the pointage system comes into it and taken into account, the point system still applies on the application of the person so nobody seems to be losing out.

**HON J L BALDACHINO:**

If that is happening what is the workload that the department has because the information is there anyway to publish the list every three months.

**HON J J NETTO:**

Well that is the oversight they say they have been doing.

**HON J C PEREZ:**

The point is that if the information is available for the committee and the list the Minister is saying is updated for the committee when they sit to allocate then why is that information not published on a quarterly basis given that they have got it? If they have got it I presume that it is computerised, they have got all the information and the only thing that one has to do is press the button and get the list published.

**HON J J NETTO:**

What the hon Member has said is entirely right but they have not done it.

**NO. 82 OF 2002**

**THE HON DR R G VALARINO**

**POST OF HOUSING MANAGER**

Can Government state when the post of Housing Manager is expected to be filled as it has been vacant since the 8<sup>th</sup> January 2001?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

I hope to be in the position to have the post filled in the not too distant future.

**SUPPLEMENTARY TO QUESTION NO 82 OF 2002**

**HON DR R G VALARINO:**

Does that mean that the vacancy has already been advertised?

**HON J J NETTO:**

No it has not been advertised yet.

**HON J C PEREZ:**

And what is stopping it being advertised?

**HON J J NETTO:**

Nothing in particular we have just been dedicating our energies to other matters and it is a post as I said previously to my shadow spokesman that the Government intend to fill and will fill it and I hope to do that in the not too distant future but it is just that we have not come round to it yet.

**HON J C PEREZ:**

So can we take it that the Personnel Manager will be given instructions to advertise the post?

**HON J J NETTO:**

As far as taking a departmental point of view as opposed to other responsibilities for which I do not hold, being personnel matters, I can say from a departmental point of view the position is a necessary post to be filled but I am talking from a departmental point of view as opposed to a general point of view.

**HON J C PEREZ:**

Yes. The Minister I accept is talking about a departmental point of view but normally the practice is that when any department wants to fill in a post they contact the Personnel Manager and the Personnel Manager does the work of advertising it. It has been vacant since January 2001 and there is such eagerness in the department and from the Minister himself to fill it I cannot understand what is holding it up, he only has to pick up the phone and say, "please advertise for the post of Personnel Manager."

**HON DR R G VALARINO:**

On that question there is a rumour going round the civil service that the previous Housing Manager is keen to come back, I do not know why, to the Housing Agency and that the present acting Housing Manager would then step down, has he heard anything about this?

**HON J J NETTO:**

I am not privy to any such rumours.

**NO. 83 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING ALLOCATION COMMITTEE**

Can Government state on how many occasions since the 1<sup>st</sup> November 2001 the Housing Allocation Committee has met to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 84 and 85 of 2002.

**NO. 84 OF 2002**

**THE HON DR R G VALARINO**

**HOUSING MEDICAL ADVISORY BOARD**

Can Government on how many occasions since the 1<sup>st</sup> September 2001 the Housing Medical Advisory Board has met to date?

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

Answered together with Question Nos 83 and 85 of 2002.

**NO. 85 OF 2002**

**THE HON DR R G VALARINO**

**SOCIAL ADVISORY BOARD**

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

**ANSWER**

**THE HON THE MINISTER FOR HOUSING**

**Answer to Question No 83 of 2002**

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

**Answer to Question No 84 of 2002**

The Housing Medical Advisory Board has met on five occasions since the 1<sup>st</sup> September 2001.

**Answer to Question No 85 of 2002**

The Social Advisory Committee has met on six occasions since the 1<sup>st</sup> November 2001.

**NO. 86 OF 2002**

**THE HON J C PEREZ**

**SCADA CONTROLLER LINK PROJECT**

Can Government state what is the new date by which the Scada Controller Link Project is expected to be completed?

**ANSWER**

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

A date for the completion of this project cannot be given at present. There are on-going discussions with the suppliers with regards to the extent of supply and the degree of factory testing that should be carried out on the replacement equipment. The delivery date for the replacement equipment cannot be known until these matters are settled. Clearly a firm completion date cannot be given at present.

**SUPPLEMENTARY TO QUESTION NO 86 OF 2002**

**HON J C PEREZ:**

Will the Minister not agree with me that ever since he announced the project in the first year of his term in office, which was five years ago, that the delays are unacceptable, that although he has come back to the House and explained several problems to it that the project has now been going on for over three or four years and we still have not got at the end of the day any assumption as to when that project will be completed?

**HON LT COL E M BRITTO:**

One could be forgiven for reaching that conclusion, however, on closer examination of the facts let me explain the two parameters of what has happened. Firstly, as the hon Member is aware, when he left office there was a plan to introduce a similar

system which was then modified by this Government to the SCADA system which is much more sophisticated and much more involved. *[Interruption]* That is part of the problem. What the hon Member was planning to do was in fact a relatively simple system which connected wires to every item that needed to be monitored, it is the simplest way of putting it. The new system is computerised, digitalised and software and hardware driven and hence much more complicated, having said all that we are still in the realms of a three to four year project. The project has been plagued by a number of problems, in the planning stages, in the testing stages, the hon Member has to remember that it is tailor made and custom made for Gibraltar it is not an off the shelf product and there were delays in the testing stage, it was set up here and it did not work properly it had to go back to UK, there have been delay after delay, after delay. To me I am as impatient as the hon Member to see it off the ground but there is no large degree of priority given to this project. The Electricity Department can generate electricity and hon Members' houses and this House can exist on an electricity supply without the SCADA system working and therefore when there are other work priorities these tend to take a higher priority to the work that needs to be done for the SCADA system and again as the hon Member is aware very recently there was a flooding of the Orange Bastion depot which is the direct cause now of this aspect of the delay. What has happened now is that the equipment that arrived about a year ago and which was damaged in the water ingress into Orange Bastion is now, which is not unusual in computer terms, is now out of date and certainly obsolescent if not obsolete and the opportunity is being taken to replace not just the hardware and that is the study that I referred to in my original answer, the software as well to update the software to what is currently available and we are in the process of doing that evaluation and until that evaluation is done and tested so we are back to the two years ago stage and hence the consequent delay. I have had meetings recently, the next one is due sometime next week or the week after next with the senior people in the Electricity Department to try to set target dates and get the project finished once and for all. The bottom line of my answer is yes I am as keen to get it over and done with, there are reasons why it has taken so long but it is becoming increasingly desirable to end this once and for all.

**HON J C PEREZ:**

I hope for the sake of Gibraltar that the Minister is right and that the project will serve us given that he upgraded the one that I was looking at and it is more sophisticated but it seems to me that the problems encountered given that it is made for Gibraltar only would suggest that we are going to have difficulties and problems with this controller link even after the project is completed, but I hope that that is not the case and that once it is completed it will serve the purposes for which it has been installed.

**NO. 87 OF 2002**

**THE HON S E LINARES**

**YOUTH CLUBS**

Can Government state how many voluntary Youth Officers are currently enrolled in each Youth Club?

**ANSWER**

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

Answered together with Question No 88 of 2002.

**NO. 88 OF 2002**

**THE HON S E LINARES**

**YOUTH SERVICE**

Can Government state how many persons have enrolled on the Youth Officers Course offered by the Youth Service?

**ANSWER**

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

The post of voluntary Youth Officer does not exist nor has it ever existed. The Youth Service has a complement of:-

- ◆ One Senior Youth Officer
- ◆ Two full-time Youth Officers
- ◆ One Trainee Youth Worker
- ◆ Five part-time Youth Workers

Each youth club has a full-time Youth Officer assigned to it. There are an undefined number of young adult volunteers/leaders who assist with events and programmes depending on their commitment, level of expertise, et cetera . There is no system at present that registers or enrolls people as voluntary leaders. This will change after the present training course when a criteria will be established. This will enable the youth service to know at any time how many youth workers, voluntary or otherwise are registered and delivering youth work in Government youth clubs in a voluntary or part-time capacity. It is not clear what the hon Member means by "Youth Officers Course". No such course exists. However, I am assuming he is referring to a course which started on 5<sup>th</sup> February 2002 which is for part-time and voluntary leaders. The breakdown of participants at the course is the following:-

◆ British Forces Youth Workers	4
◆ Gibraltar Youth Service part time youth leaders	4
◆ Gibraltar Youth Service young adult youth leaders (volunteers)	6
◆ Volunteers from other groups	10
	—
Total	24
	—

**SUPPLEMENTARY TO QUESTION NOS 87 AND 88 OF 2002**

**HON S E LINARES:**

Once the Youth Workers have done the course will they be assigned to different youth clubs or will they be working under the youth service office who will then allocate them to different clubs?

**HON LT COL E M BRITTO:**

The short answer is that this is a matter for the Senior Youth Officer to use his volunteers and people under him in the best way available to him at any given moment. At this moment in time I do not know how he intends to do that, it is a matter entirely for him.

**HON S E LINARES:**

What qualifications will they obtain after they finish the course?

**HON LT COL E M BRITTO:**

This part of the course, because the course is in two parts, this part of the course will qualify the participants who successfully complete it as "Part-time Youth Leaders." There will be a further course which starts, the second part of the course will be offered to 16 participants and this phase will commence in March and the training will include work at different youth clubs and groups and will end in July.

**HON S E LINARES:**

So in actual fact the course has not got any accreditation from any other institution, the course is just conducted by the Senior Youth Officer and maybe some other qualified personnel within his department or his office, is that correct? Is it actually the Youth Service itself that are going to give the award, is that correct?

**HON LT COL E M BRITTO:**

Yes. There are no courses locally available or validated for Youth Officers. Qualifications for such posts require training in UK for a two year diploma or a three year degree in Youth and community Work.

ORAL

**NO. 89 OF 2002**

**THE HON J C PEREZ**

**POST OF DIRECTOR OF POSTAL SERVICES**

Have Government now taken a decision on whether or not they intend to fill the post of Director of Postal Services?

**ANSWER**

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

Answered together with Question No 90 of 2002.

**NO. 90 OF 2002**

**THE HON J C PEREZ**

**POSTAL SERVICES**

Can Government state whether they have now recruited more postal delivery workers, and if so, whether they are now satisfied that the new level of employment is enough to provide a satisfactory service?

**ANSWER**

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

The situation remains as given in answer to Question Nos 923, 924, and 925 of 2001.

**SUPPLEMENTARY TO QUESTION NOS 89 AND 90 OF 2002**

**HON J C PEREZ:**

So what the Minister is saying that although that the postal delivery workers have been recruited the situation is that they are still discussing the matter with the Union and the matter is still under review, and the post of director will come out as part of that review, is that the position?

**HON LT COL E M BRITTO:**

No. What the Minister is saying that the answer remains, the situation remains as given in answer to the questions I have given and the answer for the benefit of the hon Member then given was that negotiations are at an advanced stage and that Government consider it would be inappropriate and counter productive to make any further comment at this stage but I will add that there have been no further recruitments.

**NO. 91 OF 2002**

**THE HON J C PEREZ**

**POSTAL SERVICES - DELAYS**

Can Government confirm that the delay in receiving mail from abroad during Christmas was the result of mail being held back in London as a result of the cancellation of flights by GB Airways?

**ANSWER**

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

During December a number of flights were cancelled or diverted to Spanish airports due to unfavourable weather conditions at Gibraltar Airport. As a result of this, several consignments of mail bags were returned to the United Kingdom and subsequently re-routed by air direct to Gibraltar or by air to Madrid and then to Gibraltar by road with the consequential delay.

**SUPPLEMENTARY TO QUESTION NO 91 OF 2002**

**HON J C PEREZ:**

Is the Minister not aware that a lot of those mail bags arrived in Gibraltar in January?

**HON LT COL E M BRITTO:**

I am aware that there was consequential delays and that mail bags were arriving throughout December and throughout January, there was a gradual build-up. There were five flights delayed which ranged from the 12<sup>th</sup> to the 18<sup>th</sup> of December on the

dates they were diverted and consequently because of the Christmas period, yes, I am aware some arrived in January.

**HON J C PEREZ:**

Is he not aware that there were also scheduled flights cancelled as happened last year or was it only the question of the diversion of flights that caused the delay in the mail?

**HON LT COL E M BRITTO:**

There may have been flights cancelled but I am not aware if flights were cancelled or if flights were not cancelled.

**HON J C PEREZ:**

My understanding is that there were flights cancelled and as a result the normal mail that needs to come and there is a lot of mail over Christmas stayed behind and that mail that stayed behind stayed behind for a very long time. I am saying this because there are all sorts of complaints and talk about the unsatisfactory service of delivery but when things like that happen I think it is important that the public ought to be notified where the root of the delay lies in order that we all know where to point the finger and not point it wrongly.

**HON LT COL E M BRITTO:**

Yes, the point is well made and taken and accepted. What is of more concern if the hon Member has not hit on it yet, what is more concern and will certainly be looked at very soon now and certainly before next Christmas, is the number of flights that arrive during the period concerned and it only came to my notice as a result of the question that I did more research the number of flights that came with little or no mail in them. So, it was not just a question of flights that were diverted or been cancelled of which I am not aware of but also of flights which arrived with little or no mail and that all contributes to a backlog. What I can say is that the service this year, the delivery service locally was a vast improvement on last year and that there was no backlog locally or no appreciable backlog locally throughout November and December other than late mail that arrived late because it was held up in UK. We did not experience the problems this year that we had experienced in the previous years.

**NO. 92 OF 2002**

**THE HON J C PEREZ**

**GNC/GIBTEL**

Does Gibraltar Nynex now intend to introduce what is termed as “number shadowing”?

**ANSWER**

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

Answered together with Question Nos 93 and 94 of 2002.

ORAL

**NO. 93 OF 2002**

**THE HON J C PEREZ**

**GNC/GIBTEL**

Does Gibtel still have enough numbers to meet its commitment to customers?

**ANSWER**

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

Answered together with Question Nos 92 and 94 of 2002.

**NO. 94 OF 2002**

**THE HON J C PEREZ**

**GNC/GIBTEL**

Does Gibraltar Nynex have enough numbers to meet its commitments to customers?

**ANSWER**

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

The availability of numbers is severely constrained. However, in the very short term the Government understand that both companies are broadly able to satisfy demand for numbers. GNC currently has around 900 numbers available, following the transfer of the '49' number sub-level from paging to wireline services. Gibtel is able to satisfy customer demand for pre-paid services. Demand for post paid services is met from the churn of numbers, and this may entail being placed on a waiting list for up to three months. The Government do not consider it is in the public interest to comment on any of the options for action available. Number shadowing falls into the category.

**SUPPLEMENTARY TO QUESTION NOS 92, 93 AND 94 OF 2002**

**HON J C PEREZ:**

Is this consideration a new one given that the Minister has freely answered questions on this subject before in the House?

**HON LT COL E M BRITTO:**

Yes. In present circumstances it is not considered wise to comment.

**HON J J BOSSANO:**

Can I ask in relation to the additional numbers that came into effect, I think it was in November according to the Spanish legislation, would that change totally the scenario that the Minister is describing if that actually was functioning?

**HON LT COL E M BRITTO:**

The hon Member brings up a much wider subject totally outside the context of this question and totally unrelated to it and in any case I would prefer not to comment either.

**HON J J BOSSANO:**

As I said in the present circumstances, I take it that that is the present circumstances that he was referring to constraining his answers?

**HON LT COL E M BRITTO:**

No. The circumstances that I was referring to is that we do not want to publicise the action that we intend to take. One of the actions that we may decide to take, we do not want to put it out in the public domain ahead of it happening but I am quite prepared as I have been in the past to meet the hon Member if he wishes and to discuss the matter with him on what is being considered, an action has already been taken.

**NO. 95 OF 2002**

**THE HON J C PEREZ**

**WATER SUPPLY**

Will Government explain the high chlorine content in the potable water supply which has led to a serious deterioration in the taste of the water?

**ANSWER**

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

Chlorination is a standard treatment method in use in all major water supply systems. Chlorination is an essential element of the water treatment process and is used to ensure the purity of the water supplied and its compliance with EU Drinking Water Directives. The amount of chlorine in the water will need to vary in response to a number of operational circumstances. Following the general review of security worldwide as a result of the 11<sup>th</sup> September occurrence in the United States, the guidance standard on chlorine levels applicable in the water industry has been increased in many countries. It is normal when one has a change in the level of chlorine in the water on supply for customers to notice a change in the taste. As the distribution system accommodates this change in chlorine levels, taste problems will decrease significantly. Additionally, security measures have been taken which will enable the chlorine dose to be gradually brought down to a level nearer that to which consumers have been accustomed.

**SUPPLEMENTARY TO QUESTION NO 95 OF 2002**

**HON J C PEREZ:**

So, what the Minister is saying is that as a result of the 11<sup>th</sup> September situation there was a guidance that the level of chlorine in the water stocks should be increased and that that will be kept at a particular level until certain security measures are implemented by which time the companies supplying the water will be

able to decrease the level of chlorine so that we get back to the taste of water, is that the situation?

**HON LT COL E M BRITTO:**

Yes. Not just the September 11<sup>th</sup> events themselves but the aftermath of it has brought increased security awareness and sort of fairly recently there was a direct indication that we should be more careful about security and we have increased as I have said increased levels initially, taken other security measures and once the security measures are all in place the chlorine level will be lowered. In fact it is probably being lowered already.

**HON J C PEREZ:**

So we will probably get back to the normal conditions that were before were sometimes there was a bit of more chlorine needed than not depending on the source of the water for the mix that is necessary, can the Minister tell me more or less when it is expected that the taste of the water will come back to what clients are accustomed to here?

**HON LT COL E M BRITTO:**

I do not have that kind of information with me but I am quite happy to procure it for him. The indication that I have is that the level will remain higher than it was before but we will reduce it to much nearer the level where it was and the difference in taste should become much less noticeable. My understanding is that this had happened or is happening already but I do not have information on time-scales.

**NO. 96 OF 2002**

**THE HON J C PEREZ**

**ROSIA ROAD - SEWERS**

Can Government state whether they now have a detailed report over the problem affecting the sewer system, and if so, can they say what is the nature of the work being undertaken, which company or companies are involved in the work and what is the estimated cost?

**ANSWER**

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

The problem affecting the sewer at Rosia Road has been identified as a partial collapse of a section of the egg-shaped Trunk Sewer at a location just to the south of the junction of Red Sands Road with Rosia Road. Although it has not been possible to accurately define the exact limits of the damage given the serious safety implications involved in entering a partially collapsed live sewer, whose invert is at a depth of about 10m, the scope of the works has been defined on the basis of replacing the complete damaged section of sewer along the same line and level as the existing one. Once this had been established, a decision was taken to proceed with the urgent preparation of contract documents to enable the remedial works to go out to tender. A specialist UK Consultant, Entec UK Ltd has been engaged to prepare the contract documents together with a brief outlining the client's requirements and specification for the work. Six major civil engineering companies, based both locally and abroad, have been invited to tender for these works. Tenders are due to be returned on the 12<sup>th</sup> February 2002 and it is intended to award the works by no later than the end of February 2002. An order of cost for the works will not be available until tenders are returned.

## SUPPLEMENTARY TO QUESTION NO 96 OF 2002

**HON J C PEREZ:**

Has any of the reports received by the Minister or done by the experts suggested that this could affect other parts of the sewer in the not too distant future, that is to say that the collapse of this part of the sewer could have a certain domino effect down the line or up the line in the not too distant future?

**HON LT COL E M BRITTO:**

I have not read the report myself but neither have I been advised on any indication of a dramatic deterioration of the sewer and a domino effect as the hon Member puts it. I have been advised on the cause, it seems to be a collapse of the roof of the sewer and an ingress of large amounts of sand which have then expanded sideways and that would seem to my non-technical and therefore non-expert opinion to be something very local and not an indication of a general malady except it were to be that the sewer is now getting so old that the roof were to be giving way but there have been no indication or signals to the Government by either UK experts or local experts of any fears in the direction the hon Member is pointing.

**HON J C PEREZ:**

Is it right to suggest that the closure of what is commonly know as “Lovers Turn” in “Lover’s Lane” in the evening has to do with the works carried out in the sewers?

**HON LT COL E M BRITTO:**

I do not know the answer to the question, I know that the surface pumping of sewage starts round about the end of “Lover’s Lane” and that is where the pumps are but I have no responsibility for traffic.

**HON J C PEREZ:**

Given that the works seem to be going to take quite a considerable time may I suggest to the Government that when “Lover’s Lane” is closed to vehicular traffic they make the part of Main Street up to the Convent two-way as it used to be in order to be able to alleviate those people living in Humphreys and in the near south that need to go all the way down to Winston Churchill Avenue and up Queensway again to get home. This is happening regularly now in the evening, I know it has not got a direct link with the question but unfortunately since it came to my notice after I put the questions and I heard that the work was related to the sewer I thought I might mention it here for Government to take note to see whether they can do something about it.

**HON LT COL E M BRITTO:**

Diversion of traffic as the hon Member knows is a police matter but my Colleague the Hon Mr J Holliday who has responsibility for traffic has obviously taken note of the hon Member's comments and he is telling me that he will act on them if it is possible.

**NO. 97 of 2002**

**THE HON J C PEREZ**

**MASTER SERVICE LTD**

Does the company that holds the contract for street cleaning require the permission of Government to sub-contract any of the work undertaken for Government?

**ANSWER**

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

The company that holds the contract for street cleaning, Master Service Ltd, requires the written consent of the supervising officer before sub-contracting any part of the services specified in the agreement and such consent if given does not relieve the contractor from any liability or obligation under the contract. The supervising officer appointed by the Government is the Cleansing Superintendent.

**SUPPLEMENTARY TO QUESTION NO 97 OF 2002**

**HON J C PEREZ:**

Can the Minister state whether such consent has been requested from the Government by the company?

**HON LT COL E M BRITTO:**

No . I am advised that to date subcontracting has neither been requested nor has it been authorised.

**HON J C PEREZ:**

Is the Minister aware that the company has a sister company that employs people at lower rates than what they pay in the company that has the contract and that some of

these workers are being used to undertake Government contract work and that they are undermining the work of the employees that were transferred to the company given that they are being employed under the rates that the company was required to pay when they took the contract?

**HON LT COL E M BRITTO:**

No. The Minister is not aware that that is taking place, the sister company, as the hon Member puts it, is a commercial activity of Master Service which is not in any way controlled by the Government. The company asked for permission to do private work through Master Service and the Government denied this permission but said that if the company formed a separate company, which it has done called Service Master, Service Master being at arm's length and independent of the Government, was obviously free to contract or to carry out work on its own. If there is interchange of employees I am not aware. If the hon Member has any information in that direction I would be grateful if he could pass it on and I would act accordingly.

**HON J C PEREZ:**

I would ask the Minister to investigate it because it is information that has come to us saying that that new company employs people at lower rates and is actually at times carrying out Government work?

**HON LT COL E M BRITTO:**

I have already replied that subcontracting has neither been requested nor authorised.

**HON J C PEREZ:**

And the Minister is not aware that it is happening?

**HON LT COL E M BRITTO:**

I am not aware and if it were happening it would be against the terms of the contract, let us be absolutely clear, the hon Member was referring to using staff from one company into the other. I will certainly investigate that the company itself is not doing Government work but I cannot investigate the other allegation without further information. I cannot go round asking people, if he has information I would welcome it, if he does not have information there is not a lot I can do.

**HON J C PEREZ:**

If the Minister can satisfy himself that that company is not doing any work, then that is what needs to be done. If he can get a guarantee then that is it, then any other time that people see employees of this company doing Government work if they come to me I will get the details, the time and the hour and I will pass it on to the Minister.

**NO. 98 OF 2002**

**THE HON J C PEREZ**

**INCINERATOR**

Have Government now taken a decision of which of the two proposals for the refurbishment and operation of the existing incinerator they will accept, and if so, when do they expect to sign the contract?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 98 OF 2002**

**HON J C PEREZ:**

The situation is the same as the last time, no decision has been taken and does the Minister not expect to take a decision in the short term?

**HON LT COL E M BRITTO:**

Not exactly the same as the last time because a further detailed examination of the existing plant was undertaken by one of the interested bidders and a technical support, a new technical support, was submitted to the Government in October 2001. However this report was not accompanied by corresponding costings and consequently full consideration of this new proposal could not be given until this latter information has been received. It has now been received I understand the middle end of January and is currently being considered so it is a similar situation but not quite.

**NO. 99 OF 2002**

**THE HON J C PEREZ**

**EUROPA ROAD – RETAINING WALL**

Can Government state when the contract for the retaining wall between Loreto Convent and the Mount, awarded to Profield Contractors Ltd in the sum of £129,335.50, originally expected to be completed by September 2001, is now expected to be completed?

**ANSWER**

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

The expected revised completion date for this contract is 22 February 2002.

**SUPPLEMENTARY TO QUESTION NO 99 OF 2002**

**HON J C PEREZ:**

Is there a penalty clause in the contract or are there other reasons why the contract has overlapped?

**HON LT COL E M BRITTO:**

I presume that there are penalty clauses in the contract there always are but of course I cannot confirm that without previous notice. What I can tell him is that the configuration of the existing retaining wall was different to that anticipated in the designed stage and this meant that revised methods of working including enhanced temporary supports have had to be adopted and this has invariably resulted in a delay to the completion of the project.

**HON J J BOSSANO:**

As a result of the changes is it likely to cost more than the original contract sum?

**HON LT COL E M BRITTO:**

I need notice of questions like that, the question asked “when is it expected to be completed” and I have answered that, I have no information costings.

**NO. 100 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**EUROPA SPORTS GROUND**

Is the Minister for Sport confident that after he announced about two years ago, the hand-over of the Europa Sports ground to the Government by the MOD, that it will still be taking place?

**ANSWER**

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

An agreement in principle exists between the MOD and the Government for the hand-over of the Europa Sports Ground. However, land transfers from MOD are being delayed for reasons internal to the MOD and the UK Treasury.

**SUPPLEMENTARY TO QUESTION NO 100 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware what these reasons are?

**HON LT COL E M BRITTO:**

Reasons which are well known to the hon Members by requiring payment for items that Government and the previous Government were not prepared to pay.

**NO. 101 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**LEISURE CENTRE – KING’S BASTION**

Can the Minister for Sport confirm when he can expect the old King’s Bastion to be converted to a Leisure Centre?

**ANSWER**

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

Documents are in the process of being prepared to invite tender applications for the conversion of the King’s Bastion Engine Hall on Queensway into the first phase of a larger King’s Bastion Leisure Centre.

**SUPPLEMENTARY TO QUESTION NO 101 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Is the Minister at the present time able to say what sort of facilities Government intend to provide within the old King’s Bastion area?

**HON LT COL E M BRITTO:**

No I am not. Feasibility studies and other considerations of this nature are currently being carried out, the Government have a broad idea of what they want but I cannot give specific item by item detail of what will end up being there, that point is still some way ahead. What I can tell the hon Member is that we are looking for is a family type of leisure centre I explained this before the gladiatorial type of pass-time or sports are at Bayside and at Victoria Stadium, here we are looking at things like bowling alleys, cinemas or other activities that are of a leisure variety as opposed to a sporting

variety, for example, we would not have a squash court which I know is a favourite of the hon Member, we would not have a squash court there. In broad terms that is what we are looking for.

**HON MISS M I MONTEGRIFFO:**

Within the broad idea of what the Government are thinking in the lines of this new leisure centre are they expecting it to be privately run or Government run?

**HON LT COL E M BRITTO:**

Government are looking at all possibilities at the moment and there is no definitive plan yet decided and set in concrete to which I can give definite answers to.

**HON J J BOSSANO:**

Is the demolition of the old generating station going to be part of that conversion or is that something that can be done independently of it and separately. At one stage the Government were saying they were going to get on with that part of the area to make it more attractive without having to wait for the leisure centre.

**HON LT COL E M BRITTO:**

The Government decision at the moment for reasons that I have said previously mainly the cost of replacing the existing building is not to demolish the old engine hall on Queensway and in fact the first steps that I have described will be the old engine hall itself which will be converted and used for the hall in the first phase of the leisure centre but if other things were to emerge that are in the pipeline that decision might still be changed although the recommendation for tenders is in the process of being prepared and tenders are going to be requested but there are still a number of balls in the air, I cannot be more explicit than that.

**HON MISS M I MONTEGRIFFO:**

Can the Minister say whether the Government need to abide by any constraints of a heritage nature?

**HON LT COL E M BRITTO:**

Well obviously the old Kings Bastion is a valuable monument which covers three centuries and there will be very strong heritage influences and considerations and I daresay difficulties to be overcome in order to satisfy both the development lobby, the heritage lobby, and the Government side, so yes, there will be a lot of heritage considerations.

**NO. 102 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**VICTORIA STADIUM – SQUASH COURT**

Can the Minister for Sport give a progress report on the repairs to the squash court at the Victoria Stadium?

**ANSWER**

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

Work has already re-started on the structural repairs and waterproofing of the external areas of the squash court. It is estimated that this will be completed by the end of the month. On completion of these works the replacement of the squash court's play wall will be carried out.

**SUPPLEMENTARY TO QUESTION NO 102 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Can the Minister give a broad indication of when the completion of the works, could it be in this year or does he expect it to be in the next financial year?

**HON LT COL E M BRITTO:**

I do not have a completion date in front of me so it is difficult for me to give an actual date but I would imagine that the plastering of the surface of the play wall although as we both know that is a specialist job and not simply like plastering the wall of one's living room, I would imagine we are looking at ending the structural repairs and waterproofing at the end of February and we are then replastering the play wall and allowing for settling between one and the other we must be looking at the next few

months but that is an opinion it is not a factual reply. I do not have that accurate information in front of me.

**HON MISS M I MONTEGRIFFO:**

Could the Minister seek the information for me and provide it at a later stage in the House?

**HON LT COL E M BRITTO:**

Yes I will see if I can obtain it before the end of Questions.

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**HON LT COL E M BRITTO:**

I undertook to give some information previously. On completion of the works the replacement of the squash courts play wall will be carried out but completion of the works includes testing for water penetration to ensure that the external works that are being done have been successful and so no water gets in and we prevent a recurrence of what is happening at the moment. So it is not possible at this stage to give the information that she was asking me, to give a date, because it will depend on I seem to remember from by classical days from Julius Pluvius the God of Rain and only when it does rain and it is proven can we then have a final date.

ORAL

**NO. 103 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

Have any of the five appeals before the Development Appeals Tribunal that were listed as pending in answer to questions at the last House, now been heard and what was the outcome in each case?

**ANSWER**

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

Answered together with Question No 104 of 2002.

**NO. 104 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT APPEALS TRIBUNAL**

Are there any new appeals before the Development Appeals Tribunal since the answer given at the last question time in this House, and if so, giving the dates when the appeals were filed and the nature of each appeal?

**ANSWER**

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

Two new appeals have been received since the answer to Question No 1140 of 2001.

1. On the 18<sup>th</sup> December 2001, for an appeal against notice for removal of double glazed partition.
2. On 19<sup>th</sup> December 2001 for an appeal against refusal to grant permission for the widening of a shopfront.

The Tribunal met on Wednesday 6<sup>th</sup> February 2002 to consider one of the original five appeals listed in answer to Question No 1140 of 2001. The Tribunal deferred its final decision pending receipt of further and better particulars from one of the parties. None of the other six appeals have at the date this answer was written yet reached the stage at which the Tribunal can be convened for a hearing. In most cases, bilateral discussions are being held between legal representatives representing the appellant and DPC or between these two parties themselves.

## SUPPLEMENTARY TO QUESTION NO 104 OF 2002

**HON DR J J GARCIA:**

Can the Minister confirm that there has only been one meeting of the Tribunal, is that the case?

**HON LT COL E M BRITTO:**

No that is not correct, from memory I think that there have been three meetings, the original meeting which was literally the first meeting of the Tribunal of the members only to discuss procedure and how we would be conducting the enquiry, the Tribunal hearings et cetera and I think that during my period of absence on sick leave there was a meeting set to be held and I am told it was adjourned during my absence so this has been the second meeting but the hon Member is correct in saying that it is the first working meeting, the first meeting to hear an appeal. This one was not ready to be heard until fairly recently and it was held after Christmas as soon as it was ready and the other six even as we speak are not yet ready. We have dates set for March and if they are ready we will hear two in March but at the moment the parties are still trying to sort things out between themselves.

**NO. 105 OF 2002**

**THE HON DR J J GARCIA**

**WASTEWATER TREATMENT SEA-OUTFALL STUDY**

Who has been awarded the tender to produce the Wastewater Treatment Works-Sea Outfall Study?

**ANSWER**

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

The tender for the Wastewater Treatment Sea-Outfall study has been awarded to Halcrow Group Limited.

**SUPPLEMENTARY TO QUESTION NO 105 OF 2002**

**HON DR J J GARCIA:**

Can the Minister give the amounts bid by the successful tenderer how much he is being paid to do the job?

**HON LT COL E M BRITTO:**

I am not sure whether this figure is still confidential or whether it has been notified. I am quite happy to check that and either give it to him privately or if he wants it given publicly I will check that and if I am able to release it I tell him before the end of Question Time. Which would the hon Member prefer?

**HON DR J J GARCIA:**

If the Minister could find out before the end of Question Time and let us know publicly if it is possible, what I would also like to ask is whether there were in fact other tenderers for this or whether Halcrow was the only one?

**HON LT COL E M BRITTO:**

Yes there were seven submissions received in all.

**HON DR J J GARCIA:**

Can the Minister say whether the bid by Halcrow was in fact the lowest or the highest or how does it compare with the others?

**HON LT COL E M BRITTO:**

Again I do not have that information in front of me I would assume it was the lowest tender but I mean the question was who it was awarded to and that was who it was awarded to, there were seven submissions and I assume it was the lowest tender which is the normal Government policy but again if the Member is particularly interested I do not have the figures for the other tenders in front of me, but this will be published in due course and it will become a matter of public knowledge so.... unless the hon Member wants it urgently.

**HON J J BOSSANO:**

Is there a time scale within which this study has to be completed?

**HON LT COL E M BRITTO:**

I am sure the tender will have specified the time limit but I do not have that information in front of me.

**HON J J BOSSANO:**

Does the Minister know whether we are talking about something that will take weeks or months or is it a very complex and long.....does he have any idea of time?

**HON LT COL E M BRITTO:**

No I do not have any idea of time but it is a complex study and we are not talking of days, we are talking of weeks and probably months and the tender is in six figures so that gives an indication that it is not a small amount. Speaking from memory I think we are talking of months from what I have heard in the past.

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**HON LT COL E M BRITTO:**

I undertook to give some information previously. The figure for the Halcrow tender has now been published so I am in a position to release it and the figure is £120,907.97 for Phase I and £25,000 for phase II.

**NO. 106 OF 2002**

**THE HON DR J J GARCIA**

**WATER CATCHMENTS**

Can Government say when the works at the water catchments are scheduled for completion?

**ANSWER**

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

The removal of the water catchment sheeting, in the Gibraltar Government side of the catchments, was completed in May 2000. Works then progressed with the laying of stabilisation matting over the exposed sand slopes followed by the subsequent seeding of the area with such works practically having been completed around September 2001. The situation is currently being monitored to gauge the effectiveness of the planting previously undertaken and whether any additional areas need to be stabilised/seeded. If fully satisfactory, no further such works will be undertaken with the few remaining odd items in the area being completed thereafter.

**SUPPLEMENTARY TO QUESTION NO 106 OF 2002**

**HON DR J J GARCIA:**

Can the Minister say whether this is related to the closure of the road and when does he expect that to be normalised?

**HON LT COL E M BRITTO:**

The answer that I have given refer to the works that have been carried out by the Government on the Government side of the catchments which was done without needing to close the road. The closure of the road now is due to the MOD following suit and doing the same on their side and I understand that the programme

completion date of those works is in October this year so I would assume the road diversion or restriction should end roundabout that date.

**NO. 107 OF 2002****THE HON DR J J GARCIA****LATHBURY BARRACKS – SERGEANTS MESS**

Can Government list the five tenderers who submitted tenders for the conversion of Lathbury Barracks Sergeants Mess into a retreat, seminar and public events centre, including the amount bid by each tenderer?

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

The following five tenders were received for this project with the works having been awarded to Sharrock Shand, having submitted the lowest tender received.

<b>COMPANY</b>	<b>AMOUNT (€)</b>
Fitzpatrick	1,862,783.57
Skanska Construction Ltd	1,430,000.00
Profield Ltd	1,256,564.13
Sando (Gibraltar) Ltd	1,116,057.77
Sharrock Shand	1,081,762.58

**SUPPLEMENTARY TO QUESTION NO 107 OF 2002****HON DR J J GARCIA:**

Does the Minister know when the conversion works of the Sergeants Mess is expected to commence and to be completed?

**HON LT COL E M BRITTO:**

I am advised that the project is scheduled to be ready in September so I would imagine then that it should start fairly imminently.

**NO. 108 OF 2002**

**THE HON S E LINARES**

**CHANGE OF SCHOOL HOURS**

Can Government state what impact has the change of school hours had on traffic flow?

**ANSWER**

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

The available evidence, as well as simple observation, indicate an obvious improvement to traffic flows as a result of the change of school hours.

**SUPPLEMENTARY TO QUESTION NO 108 OF 2002**

**HON S E LINARES:**

The Minister says "of available evidence" what "available evidence" has the Minister got to state that it is better?

**HON J J HOLLIDAY:**

The evidence available is a statement issued by the Royal Gibraltar Police which states that in the mornings they have noticed an improvement, at lunch time they have experienced a noticeable improvement in traffic flow since the change and this is linked with the reduction of pedestrians and vehicles from all roads during lunch time. In the afternoon the new early closing of schools also helps traffic flow at the conversions of vehicles collecting school children and the increase of normal afternoon traffic on or about 1700 hrs is minimised or eliminated. So the indications are at this early stage that there is a remarkable improvement in the traffic situation in Gibraltar.

**NO. 109 OF 2002**

**THE HON J C PEREZ**

**EUROPA ROAD**

Can Government state whether AMCO have met the completion date for the widening scheme at Europa Road, scheduled to have been completed by 26<sup>th</sup> January 2002?

**ANSWER**

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

Answered together with Question No 110 of 2002.

**NO. 110 OF 2002**

**THE HON J C PEREZ**

**EUROPA ROAD**

Will Government state when they will be in a position to re-open Europa Road, between the junction of South Barrack Road and The Mount, to vehicular traffic?

**ANSWER**

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

A number of unforeseen issues have arisen during the execution of this contract which have led to additional works having had to be undertaken and which has regrettably delayed the completion of the project. The current revised completion date is 29<sup>th</sup> March 2002. The re-opening of Europa Road to through traffic will coincide with the completion of all such works.

**SUPPLEMENTARY TO QUESTION NOS 109 AND 110 OF 2002**

**HON J C PEREZ:**

Is there an effect on the cost of the project the fact that some other things in addition to that are part and parcel of the same contract or an extension to the contract?

**HON J J HOLLIDAY:**

I understand that some of the additional works will signify in additional costs. The details of that I do not have available with me today.

**HON J L BALDACHINO:**

I understand that the Minister does not have the details with him but could he provide us at a later date how much the extra cost will be?

**HON J J HOLLIDAY:**

Yes.

**NO. 111 OF 2002**

**THE HON J C PEREZ**

**QUEENSWAY**

Can Government state why the road between Waterport and Queensway, which runs via the entrance to Montagu Crescent, is still closed?

**ANSWER**

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

The vehicular and pedestrian traffic management for this area has only recently been approved. The necessary zebra crossing marking have consequently been painted and we are currently awaiting the erection of the Belisha Beacons and lights as well as the completion of a minor modification to the traffic island at the junction with Queensway. Until all such works have been completed, this road cannot be opened to through traffic.

**SUPPLEMENTARY TO QUESTION NO 111 OF 2002**

**HON J C PEREZ:**

I presume that they will now take away the bollards that have been there for 18 months?

**HON J J HOLLIDAY:**

Absolutely, those bollards will be removed as soon as the roads are opened.

**HON J C PEREZ:**

Is the Minister aware what the name of that road is because no one seems to know and there are no signs saying what the name of that road is?

**HON J J HOLLIDAY:**

I believe the name of the road is Devil's Tongue, maybe due for a change of name.

**HON J C PEREZ:**

The Minister is saying that all there is awaited for the opening of the road is a pelican lights to be erected?

**HON J J HOLLIDAY:**

Pelican lights and the traffic island at the junction of Queensway that needs to be slightly modified according to the request that has been received from the police in order to facilitate traffic flow.

**HON J C PEREZ:**

Does the Minister not think that pelican lights at that junction might not be the most opportune, depends how it is going to operate, if it is going to operate two way or one way but if we are talking about traffic coming in from Waterport Road into the Devil's Tongue then it might prove rather dangerous, certainly it will delay a lot of the traffic up Waterport unless it is linked to the other pelican crossing which is there at the moment.

**HON J J HOLLIDAY:**

The only thing I can inform the hon Member is that this matter has been considered very thoroughly by the Transport Commission and relevant input has been obtained from the police and it was only a week or two ago that the final traffic management proposal was concluded and so therefore I respect their views and we will see how things develop.

**NO. 112 OF 2002**

**THE HON J C PEREZ**

**SIR HERBERT MILES ROAD**

Are Government aware of complaints made by the public about the temporary traffic lights in Sir Herbert Miles Road in the area of Both Worlds apartments?

**ANSWER**

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

Government are indeed aware of some complaints from the public in this respect.

**SUPPLEMENTARY TO QUESTION NO 112 OF 2002**

**HON J C PEREZ:**

Can the Minister state what are the nature of the complaints he has?

**HON J J HOLLIDAY:**

The main area of complaint has been that representations have been made on the reversal of traffic flow as it currently exists it is one way in a southerly direction and a number of suggestions have been received in order to reverse that so that it heads in a northerly direction. The complaints have been considered and the one way system the long part of Sir Herbert Miles Road was introduced for safety and operational reasons whilst works were being undertaken by the MOD catchment area and it is believed that the southerly flow in one way system with traffic light is adequate and meets the safety requirements which we want.

**HON J C PEREZ:**

Well the nature of the complaints we have received is that there are no notices to suggest that it is a one way system, that people come from the south down to where the traffic lights are thinking that they can travel northwards and when they get to that traffic light unless there is an employee of the company that has the offices there who seem to have a remote control to change the light, they just have to stay waiting for hours on end because the traffic lights never change. If it were intended to be one way there would be no need for a traffic light because the traffic light is to allow traffic both ways. As it happens traffic gets to the point by the gate, the old gate where the distiller was, there is a red light there and the traffic stops and nothing happens. Then all of a sudden an employee from the office opposite comes out and with a remote control he changes the light because his lorry is passing and then everybody passes behind him and some people have had to turn back and go the way they came because that traffic light does not change unless it is for the company with the remote control.

**HON CHIEF MINISTER:**

It really is a pity that people who make all of these complaints to the hon Members do not make them to the correct Government department because if they made them to the correct Government department obviously the Government would look into what would be if the position were as the hon Member is describing wholly unacceptable. On the basis of what the hon Member has said in the House now we will of course look into it but it is strange that these complaints are never made to the appropriate departments or to the police where they can be investigated and everyone goes rushing straight to the hon Member who keeps this matter to himself until the next Question Time in the House which could be a month or two away at any given point in time to then make use of it. Well fine but it just delays the Government trying to put things right, there may be things going on out there that the Government do not know about this one for example, if it is as he says it is wholly unacceptable and let me say a breach of the terms on which the MOD were allowed. The MOD's contractors were allowed to implement this arrangement so I am grateful for the hon Member for alerting us at least to the possibility that this might be happening and we will certainly look into it.

**HON J C PEREZ:**

On this occasion the Chief Minister is wrong, there were complaints to his office and they were told that it was a one way system and that they could not use that traffic light but there are no signs either outside the tunnel or anything saying that it is a one way system.

**HON S E LINARES:**

I happen to pass through that area every single day and I think if I may, the main complaint is the control that the company who is undertaking the catchment works for the MOD have over the lights and I think if one can tackle the fact that they are controlling the lights at their whim because like the hon Member said if they have two lorries, for example, the lorries from Monteverde who come with all the rubbish through there, they change the light whenever they want but many tourists who get lost at the other end in the lighthouse who actually travel through the tunnel find

themselves there for the lights to change green until somebody in the company inside there realises that there are two or three cars and lets them through so I think if one tackles the company one will be at least getting nearer to a solution.

**NO. 113 OF 2002**

**THE HON J C PEREZ**

**DEVIL'S TOWER ROAD**

Can Government state whether the contract for the lay-by at 35 Devil's Tower Road has been completed within the scheduled time scale?

**ANSWER**

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

The contract for the re-paving of the lay-by at 35 Devil's Tower Road was completed one week later than the initially agreed completion date. The reason for this slight delay was due to an increase in the scope of the works resulting from additional unforeseen works to services and further deterioration of the adjoining areas occasioned from the time the initial survey was undertaken and the time that the contract was awarded.

**SUPPLEMENTARY TO QUESTION NO 113 OF 2002**

**HON J C PEREZ:**

I would ask the Minister to check whether this has incurred extra costs as a result of the extra works and could he inform me as we suspect that he has not got the information at hand.

**HON J J HOLLIDAY:**

Yes.

**NO. 114 OF 2002**

**THE HON J C PEREZ**

**BUS SERVICE**

What is the nature of the discussions between the Government and the present bus operators over the proposed long overdue improvement to the bus service?

**ANSWER**

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

Discussions have almost been concluded with the two existing public bus operators which will pave the way for a radical improvement to the public bus service. I am unable to furnish details of the discussions at this stage, as this might prejudice the negotiations which are taking place. I will be making a public statement on this issue once the negotiations and discussions are completed.

**SUPPLEMENTARY TO QUESTION NO 114 OF 2002**

**HON J C PEREZ:**

Can the Minister state whether there is now scope for agreement rather than the very tough line he indicated he would take in the House whether there is now the possibility of an agreement with the existing operators rather than the Government take over their service as he suggested at the time of the budget?

**HON J J HOLLIDAY:**

There is scope for agreement with both operators but it should not be interpreted that the new system will incorporate both operators or not. All I am saying is that agreement has now been agreed in principal with both operators and I am quite optimistic that we will be able to put the new system into place and an announcement made very shortly but should the negotiations not come to a satisfactory conclusion as had been said in the House before the Government intend to proceed with the system anyway.

**NO. 115 OF 2002**

**THE HON J C PEREZ**

**TRANSPORT – PARKING TICKETS**

Can Government state how many parking tickets have been issued since 1<sup>st</sup> November 2001 with a breakdown by month and the comparative figure for the previous year?

**ANSWER**

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

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

Police Parking Tickets			Traffic Warden Tickets			Total
November	2000	699	November	2000	358	1057
December	2000	848	December	2000	118	966
January	2001	845	January	2001	290	1135
November	2001	727	November	2001	526	1253
December	2001	501	December	2001	223	724
January	2002	1434	January	2002	408	1842

## SUPPLEMENTARY TO QUESTION NO 115 OF 2002

### **HON J C PEREZ:**

Have Government now found out whether the large increase in the issuing of parking tickets is the result of an increase in employment in the department which is what the Chief Minister suggested could be the cause the last time I raised the matter in the House? There is a clear increase of about 40 per cent between one year and another of the issuing of parking tickets and the Chief Minister suggested that it was either better policing or an increase in staff. Could the Minister find out what it is, are there more offenders or is it that there is a stricter application of the law now than there used to be and if so it is very strange that there should be a stricter application of the law when half the roads of Gibraltar are closed for one reason or another and the situation in parking is in some areas worse than what it would be when those roads are open and traffic is normal.

### **HON CHIEF MINISTER:**

The application of the law as the hon Member calls it is not a matter in which Government can give directions [*HON J C PEREZ - except for Spanish fishermen*] including Spanish fishermen but certainly if the Royal Gibraltar Police are pursuing traffic offenders then I am sure it is in response either to safety on the roads or possibly also in response to the numerous complaints that I know they get from residents of housing estates and other places who complain about inconsiderate parking by some of their neighbours. Every time the police receives a complaint of this sort there are two types of person involved, there is the victim of the complaint and then there is the complainer so what I can tell the hon Member is that it certainly is not a matter of Government policy although the Government certainly support the fact that our traffic laws should be enforced for the convenience of the citizenry at large, what the Government do not do is regard these things as revenue raising measures. The Government have no interest one way or another in whether parking tickets are issued but the Government do have an interest as I think we should all have an interest in that parking is not abused in a way that makes the roads more dangerous for pedestrians and for traffic or that it prevents people getting to their own parking et cetera et cetera. I really do not see an issue here for the Government to account about to this House but if the hon Member wants to know why there appears to be such an acceleration I am very happy to find out for them, whether the police themselves have sat down in one of their policy group meetings and perhaps decided to concentrate some resources on this area, they sometimes reprioritise their resources and that is a matter for them.

**NO. 116 OF 2002**

**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 THE MINISTER FOR TOURISM AND TRANSPORT**

Enforcement of Laws is a matter for the RGP. The Government are not accountable for Law Enforcement matters in this house. However, the Government understand from information provided by the RGP that since 26 November 2001 to date, 52 persons have been reported for contravening the seat belt laws. First time offenders have been dealt with by way of caution. Second time offenders would be processed by way of summons. The RGP has not reported any person a second time.

**SUPPLEMENTARY TO QUESTION 116 OF 2002**

**HON J C PEREZ:**

I thank the Minister for the information and may I remind him that the Attorney General is part of the Government and is in this House and can respond for the police if the Minister does not want to do so.

**HON CHIEF MINISTER:**

No that is not the basis upon which the Attorney General is in this House. *[Interruption]* No, the Attorney General is in this House as a part of the Government,

the Government , some people say thank goodness and other people lament it, Gibraltar Government not this one in particular, are not responsible for what are called "Law and order" issues and certainly the Government are not willing to be held accountable in this House for matters which are literally outside of the Government's control to influence. We can provide information to the hon Member that is why he got it, we can have information to the extent that it may be available to us but not to the hon Members but there is a difference between providing information and being held to account for decisions made by law enforcement bodies which are outside of our control.

**NO. 117 OF 2002**

**THE HON J C PEREZ**

**TRANSPORT – MOT BUILDING – EASTERN BEACH**

When do Government intend to move the whole of the MOT testing operation to the new station at Eastern Beach?

**ANSWER**

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

The whole of the new Motor Vehicle Test Centre is now almost complete. A number of matters still remain to be done to make the building usable for motor vehicle testing. The intention is that the new centre will be inaugurated at the earliest possible date, and it is likely this will be in April 2002.

**SUPPLEMENTARY TO QUESTION NO 117 OF 2002**

**HON J C PEREZ:**

Obviously the site of the present MOT station will remain empty I presume, it will become vacant, have Government thought of any use for that site yet ?

**HON CHIEF MINISTER:**

There are a number of applicants, some go to the Minister others come to my office others go to the Minister for Trade and Industry. The Government's preference is that it be used for some port related activity to take advantage of its location near the port but we have not yet made a decision as to who the preferred user would be.

**NO. 118 OF 2002**

**THE HON J C PEREZ**

**BREATHALYSER TESTS**

Can Government state whether the Royal Gibraltar Police is already using breathalysers in line with the legislation passed by this House recently, and if so, whether this is having the desired result or whether some problems have been encountered?

**ANSWER**

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

The Royal Gibraltar Police is actively pursuing the implementation of the new breathalyser and alcohol limit legislation. Consultations with the Attorney General's Chambers are currently taking place to resolve the legal aspects for the practical application of the legislation.

**NO. 119 OF 2002**

**THE HON J C PEREZ**

**PORT AUTHORITY**

Can Government state whether they are any nearer to arriving at an agreement with the staff side over the creation of a Port Authority, and if so, when is it intended that this should happen?

**ANSWER**

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

After consultation with the staff association representing Port employees, the Government will shortly be making their final proposals and hope that the Gibraltar Port Authority staff structure will be in place soon.

**SUPPLEMENTARY TO QUESTION NO 119 OF 2002**

**HON J C PEREZ:**

So Government have now put a new offer to the staff side over the negotiations that have been taking place for a couple of years, there is a new offer made to the union representing Port employees?

**HON J J HOLLIDAY:**

There has been on-going negotiations and meetings have been held in order to look at various aspects of the new structure for the Port Authority involving the actual structure themselves, the job descriptions, the new salary level that will compose the full package and this is now being compiled into the final proposal which we hope we will be able to send to the staff representatives in the very near future.

**NO. 120 OF 2002****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 1<sup>st</sup> November 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 requested by the hon Member is set out in the written schedule that I hand to him.

<b>DATE</b>	<b>LOCATION</b>	<b>EVENT</b>
10-13 November 2001	London	Inward Investor World Travel Market UKGTA P & O Cruises Press Interview
7 – 10 December 2001	London	Home from Home Media Campaign Inward Investor
10 – 12 January 2002	London	London Boat Show Press Lunch UKGTA
31 Jan – 1 Feb 2002	Madrid	FITUR Press Interview

**NO. 121 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM ADVISORY COUNCIL**

How often and on what dates has the Tourism Advisory Council met since 1<sup>st</sup> November 2001?

**ANSWER**

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

The council met on two occasions, the 19<sup>th</sup> November 2001 and 7<sup>th</sup> February 2002.

**NO. 122 OF 2002**

**THE HON DR J J GARCIA**

**LAND FRONTIER BEAUTIFICATION WORKS**

Are the beautification works at the frontier on schedule for completion by March 2002 after the six months delay from the original completion date of September 2001?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 122 OF 2002**

**HON DR J J GARCIA:**

Can the Minister give the reasons for the delay and when is it expected to be completed?

**HON J J HOLLIDAY:**

This project is now envisaged to be completed towards the end of April, first week of May. Unfortunately the delays can be attributed to a number of issues. One is the fact that there were an unforeseen number of existing services uncovered were no details were provided within the original contract so therefore that has signified delay. There was additional requirement by 642 Signals, by Gibraltar Nynex and the Electricity Department which were not originally envisaged, there was also additional requirements and delay as a result of the information that was not forthcoming from the MOD and hon Members may recall that this project actually extends to MOD land at the rear and that suffered some delay. This signified in the redesigning of the

electrical installations to the actual project and there were some changes that were made onsite as a result of one of my visits there were I thought that in practical terms some of the decisions that had originally been taken were not in the best interests of the project and so some changes needed to be done and it was rather better to wait or to delay the project slightly and get the product right, and then some of the redesign of external works that we have undertaken as an addition to the project I felt, that once the new building had been done, some of the structures surrounding the buildings would have looked even in a worse state than they are today and so therefore we wanted to upgrade those in order to make sure that the whole project and the whole environment around the project was suitable.

**HON DR J J GARCIA:**

Is it the case then that all the reasons to the delay were all extraneous to the contractor, that there will not be any penalty clause involved?

**HON J J HOLLIDAY:**

Yes. I do not think that I can answer that question because there may be the case that some of the issues were related and it would prejudice our negotiations in terms of the delay clauses on the contract.

**NO. 123 OF 2002**

**THE HON DR J J GARCIA**

**ST MICHAEL'S CAVE**

Can Government say on what date the entire St Michael's Cave sound and light experience was up and running?

**ANSWER**

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

The installation of the new sound and light system is now complete. A series of previews, to tourism trade professionals is being planned, with a view to inaugurating the system by Easter.

**SUPPLEMENTARY TO QUESTION NO 123 OF 2002**

**HON DR J J GARCIA:**

Is it not the case that this was originally expected to be up and running by November last year and what was the reason for the delay?

**HON J J HOLLIDAY:**

Yes there has been a number of reasons for the delay and that is that Government were not satisfied with some of the final touches to the project also the voice-over which is both available in English and Spanish were not to the Government's satisfaction and these had to be re-done on a number of occasions and in fact the English text still has to be re-done again. I actually listened to it last week and I was not quite satisfied with what was there. We want a first class product and therefore we wanted to ensure that we were able to deliver accordingly.

**HON DR J J GARCIA:**

Could the Minister say if any of these changes have incurred an additional cost?

**HON J J HOLLIDAY:**

No the project I believe has been completed within the budget that was originally tendered for and it is 40 per cent EU funded.

**NO. 124 OF 2002**

**THE HON DR J J GARCIA**

**NUN'S WELL**

Has there been any movement on the project to improve and develop the area of Nun's Well further to the answer given at the last Question Time in this House?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 124 OF 2002**

**HON DR J J GARCIA:**

Is the Minister then in a position to say when he expects this to be put out to tender?

**HON J J HOLLIDAY:**

The project has been shelved for the time being however this will be reviewed at a later date when we see that we are able to get value for money which obviously if the hon Member remembers the previous tender applications were not in line with our expectations.

**NO. 125 OF 2002**

**THE HON DR J J GARCIA**

**FEASIBILITY STUDY - EASTERN BEACH/CATALAN BAY**

Has the report/feasibility study into the extension of Eastern Beach and Catalan Bay been completed and submitted to the Government, and at what cost?

**ANSWER**

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

The final report on the feasibility study has yet to be submitted to Government. This should happen very shortly. The cost of the different feasibility studies and the reports to date is £503,620.

**SUPPLEMENTARY TO QUESTION NO 125 OF 2002**

**HON DR J J GARCIA:**

Would the Minister have the breakdown of the figure he has just given?

**HON J J HOLLIDAY:**

I think that this was given to the hon Member in the previous question, all there has been is an additional £13,000 which has been paid to Andrew Kent & Stone for a geo-tech study which is currently being undertaken and this should be ready possibly next week and that will then complete the whole feasibility study and that report is what is holding the whole completion of the study at the moment.

**NO. 126 OF 2002**

**THE HON DR J J GARCIA**

**BEAUTIFICATION OF CATALAN BAY**

Can Government say how many times and on what dates has the village committee formed to review and comment on the beautification of Catalan Bay,

- (a) met;
- (b) met with the Minister responsible?

**ANSWER**

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

Answered together with Question No 127 of 2002.

**NO. 127 OF 2002**

**THE HON DR J J GARCIA**

**BEAUTIFICATION OF CATALAN BAY**

At what stage are the beautification works at Catalan Bay?

**ANSWER**

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

**Answer to Question No 126 of 2002**

I am informed that the Committee formed to review and comment on the beautification of Catalan Bay has met on five occasions, on the following days: 14<sup>th</sup> May, 21<sup>st</sup> May, 4<sup>th</sup> and 25<sup>th</sup> June, and 11<sup>th</sup> October 2001; The next meeting is due to be held during the month of February. No meetings have been held with myself as Minister responsible apart from the original presentation which I gave at Catalan Bay initially.

**Answer to Question No 127 of 2002**

The works on Phase 1 of the beautification works for Catalan Bay are approximately 80 per cent complete.

**SUPPLEMENTARY TO QUESTION NOS 126 AND 127 OF 2002**

**HON DR J J GARCIA:**

When does the Minister expect the first phase to be totally complete?

**HON J J HOLLIDAY:**

The first phase should be finished by May 2002 and that would be the end of phase one and then phase two should recommence or will commence after the bathing season in September.

**HON DR J J GARCIA:**

Given that the committee has not met with the Minister responsible other than the original presentation, have they met with officials from his department in order to put their views across to them?

**HON J J HOLLIDAY:**

The meetings that I have highlighted at the beginning of my answer are meetings that they have had with the project manager which is appointed by the Government for this purpose. Most of the meetings which were in May and June were held prior to the actual project starting, then, after in October they had an initial meeting in order to brief on the actual logistics of getting the project done. Most of the consultation and input has taken place prior to the project starting and so therefore there has not really been a need to meet.

**NO. 128 OF 2002**

**THE HON DR J J GARCIA**

**BEAUTIFICATION OF CITY MILL LANE/CORNWALL'S LANE**

Can Government say whether there are any plans for the refurbishment and beautification of City Mill Lane and Cornwall's Lane?

**ANSWER**

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

Government intend to beautify the area of Cornwall's Lane and City Mill Lane as part of the upper town urban renewal scheme. I cannot give the hon Member any idea of when this might occur.

**SUPPLEMENTARY TO QUESTION NO 128 OF 2002**

**HON DR J J GARCIA:**

Can the Minister confirm whether it was the case that it had been agreed to beautify Cornwall's Lane and City Mill Lane in April 2001 but as from then nothing has actually happened?

**HON J J HOLLIDAY:**

I cannot confirm that that is the case, I have had meetings with a group of residents and traders of Engineer Lane and they may have included some of Cornwall's Lane and there is a scheme there that we are currently working on. I can tell hon Members that City Mill Lane needs some resurfacing and may undertake that during the course of this year but the actual major part of the beautification project will not be undertaken until the urban renewal programme of the upper town is undertaken.

**NO. 129 OF 2002**

**THE HON DR J J GARCIA**

**BEAUTIFICATION OF THE PIAZZA**

Can Government say whether the works for the beautification of the Piazza are behind schedule and if so for what reason?

**ANSWER**

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

The works are not behind schedule because they have not started.

**SUPPLEMENTARY TO QUESTION NO 129 OF 2002**

**HON DR J J GARCIA:**

Can the Minister provide the House with an indication of when the works are expected to commence?

**HON J J HOLLIDAY:**

I anticipate that this will happen during the year 2002. However there are current negotiations being conducted with two parties who currently have establishments within the area and as soon as those two processes are completed then obviously we will probably be in a position to commence the process to bring the beautification of the Piazza.

**NO. 130 OF 2002****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 period these monies become due as at the end of December 2001?

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

The arrears due by hotels continues to fall. They stood at £576,000 as at 31<sup>st</sup> December 2001 compared with the £999,000 arrears bill which was highlighted in answer to Question No 211 of 1998. These arrears are in respect of amounts due over a number of years dating as far back as 1991. The breakdown is as follows:

Social Insurance	£193,000
PAYE Tax	£169,000
Electricity	£290,000
Rates	£ 24,000
	—————
	£676,000
	—————

Agreements were entered into for the repayment of arrears as well as for ensuring that current bills are settled as and when due.

**NO. 131 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government state, of the number of persons who have been interviewed since November 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**

Answered together with Question No 132 of 2002.

**NO. 132 OF 2002****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 November 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**

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

2001								
Month	Interviews not stayed at hotel	Place of Interview						
		Airport	Port	Frontier	Waterport	Marina	Coach Park	Total
November	1330	56	237	564	-	-	473	1330
December	1294	24	72	675	-	-	523	1294

**NO. 133 OF 2002****THE HON DR J J GARCIA****TOURISM – PERSONS INTERVIEWED**

Can Government state, of the number of persons who have been interviewed since November 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**

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

<b>Month 2001</b>	<b>No of Interview Staying at hotels</b>	<b>Airport</b>	<b>Average Length of Stay</b>	<b>Frontier</b>	<b>Average Length of Stay</b>	<b>Waterport</b>	<b>Average Length of Stay</b>
<b>November</b>	45	43	6.8	2	2.7	-	-
<b>December</b>	19	19	7.1	-	-	-	-

**NO. 134 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM – PERSONS INTERVIEWED**

Can Government say how many interviews with persons who said that they had stayed at a hotel have been carried out since November 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**

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

Month 2001	Interviews		Place of Interview	
	Stayed at Hotel	Airport	Frontier	Waterport
November	45	43	2	-
December	19	19	-	-

**NO. 135 OF 2002**

**THE HON DR J J GARCIA**

**NUMBER OF HOTEL BEDS**

Can Government say whether discussions continue with the three new parties who expressed an interest in increasing the number of hotel beds in Gibraltar, as given in answer to questions at the last Question Time in this House?

**ANSWER**

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

Answered together with Question Nos 136 and 137 of 2002.

**NO. 136 OF 2002**

**THE HON DR J J GARCIA**

**NUMBER OF HOTEL BEDS**

Can Government say whether the five parties who have expressed an interest in increasing the number of hotel beds in Gibraltar in relation to the East Side remain in discussions with the Government?

**ANSWER**

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

Answered together with Question Nos 135 and 137 of 2002.

**NO. 137 OF 2002**

**THE HON DR J J GARCIA**

**NUMBER OF HOTEL BEDS**

Can Government say whether any new parties have expressed an interest in increasing the number of hotel beds in Gibraltar since the last Question Time in this House?

**ANSWER**

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

**Answer to Question No 135 of 2002**

Yes.

**Answer to Question No 136 of 2002**

Yes.

**Answer to Question No 137 Of 2002**

No.

**SUPPLEMENTARY TO QUESTION NOS 135, 136 AND 137 OF 2002**

**HON DR J J GARCIA:**

Can the Minister confirm at what stage the discussions are whether they are still at the preliminary enquiry stage or whether something more concrete is expected to materialise?

**HON J J HOLLIDAY:**

This varies depending on the parties concerned, however, most are waiting for the sites to be made available and put out to tender. Some of them have asked for information to carry out their own feasibility study and that is basically where we are at.

**HON DR J J GARCIA:**

Can the Minister say whether the Government have any indication or indeed any policy with regard to what type of hotel they would like?

**HON J J HOLLIDAY:**

The Government's preference is, in order of priority, for a three star hotel which we currently do not have of good quality and a five star hotel as a second priority.

**NO. 138 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM – ROADSHOWS IN ANDALUCIA**

Do Government have any evidence of an increase in overnight stays at hotels as a result of their roadshows in Andalucia?

**ANSWER**

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

It is not possible to attribute any increase in tourism activity in any specific field to a particular element of a wider marketing campaign.

**SUPPLEMENTARY TO QUESTION NO 138 OF 2002**

**HON DR J J GARCIA:**

Can I ask the Minister given that it is not monitored how they measure the effectiveness of those campaigns?

**HON J J HOLLIDAY:**

We monitor the overall results of our total marketing activities rather than any specific event itself. There are events that are measurable others that are not, this is one particular one which really one cannot pinpoint to whether how successful that particular event has been.

**HON J J BOSSANO:**

Given that I think the hotels provide information as to whether the people staying are coming in overland or not, cannot they look at the figures before and after the event

to see if there is any change? It may not be directly attributable or correlated but it is certainly possible to establish if any change has taken place.

**HON J J HOLLIDAY:**

The only thing that I can anticipate is that the hotel occupancy figures for the year 2001 have increased but not necessarily as a result of any roadshow activities in Andalucia. They may be a contributor to that but not necessarily completely as a result of this.

**HON J J BOSSANO:**

What I am suggesting to the Minister whilst I accept that it may not be a totally scientific cause and effect formula it ought to be possible to say we took this action in this month and then to look at what happens in terms of people coming across the frontier and staying in hotels some months later and comparing it to the same period in the previous year. Surely that is possible?

**HON CHIEF MINISTER:**

It may be possible to do it physically, yes, hotels could be asked to report by reference to the address of their guests but of course not everyone that comes to Gibraltar from overland from Spain has necessarily responded to an Andalucian roadshow. There are lots of people who visit Spain from abroad and who may decide to visit Gibraltar because they have seen an advertisement in a German magazine or in an English magazine. I do not think that even if we did do what the Leader of the Opposition is suggesting all that it would produce is whether there is an increase in people staying at hotels having entered Gibraltar overland from Spain but it would still not be forensic as to the underlying reason for any such increase, if there were an increase, were down to the Andalucian roadshow because they are not all Spaniards that come overland.

**HON J J BOSSANO:**

What I am suggesting is that at least we would know if there is an increase or not, at least that much would be known.

**HON S E LINARES:**

Another suggestion would be in Question No 133 of 2002, there has been questions about the interview whether they have been interviewed at airports and different places, maybe when they are interviewed they could be asked where have they seen it whether in a German magazine or they have seen it in a British magazine?

**HON CHIEF MINISTER:**

The hon Member has to understand that a lot of things are desirable, but in the real world there are limited resources. The Minister has said the Government monitors the overall effect of their spend on marketing by reference to a number of indicators,

we then do not go further and say well which, I suppose if we had the means to do it, it would be useful because then next year one would spend more on one thing and less on the other. I am not arguing the logic but in terms of the resources that one would need and the number of questionnaires that one would need to carry out it is just not something that the Government does because the next question would be about something else. It would not be how many responded to the Andalucia roadshow, the next question might be well how many responded to the new posters on the London Underground and how many responded to seeing the Taxi painted in the Gibraltar colours driving around Oxford Street. It is of course possible to ask everybody what made them come to Gibraltar, what did they see that triggered their interest but it really is much more fine tuning than is probably than necessary or that we have the resources to do. I am sure that the Minister will take it into account and that if it can be added to a future questionnaire I am sure it would be.

**NO. 139 OF 2002****THE HON DR J J GARCIA****TOURISM – CRUISE BOOKINGS**

Can Government say how many cruise bookings have been made by cruise liners intending to call at Gibraltar in 2002 on a monthly basis?

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

The information requested by the hon Member is set out in the written schedule that I hand to him. However, I have to point out that these figures are changing almost on a daily basis, due to market circumstances.

<b>Month</b>	<b>Cruise Bookings for 2002</b>
January	0
February	0
March	4
April	12
May	17
June	11
July	14
August	18
September	26
October	24
November	14
December	5
<b>Total</b>	<b>145</b>

**NO. 140 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM – FLIGHTS GIBRALTAR/MANCHESTER**

Are there any prospects of a resumption of flights between Gibraltar and Manchester?

**ANSWER**

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

Answered together with Question Nos 141 to 145 of 2002.

**NO. 141 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM – FLIGHTS TO LONDON STANSTEAD AND MANCHESTER**

Can Government say when the Fly Europa service to London Stanstead and Manchester airports are scheduled to start?

**ANSWER**

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

Answered together with Question Nos 140 and 142 to 145 of 2002.

**NO. 142 OF 2002**

**THE HON DR J J GARCIA**

**AIRLINES**

With how many of the four airlines interested in flying to Gibraltar at the last Question Time in this House are the Government currently continuing discussions?

**ANSWER**

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

Answered together with Question Nos 140, 141 and 143 to 145 of 2002.

**NO. 143 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM – FLIGHTS GIBRALTAR/LONDON HEATHROW**

What steps have Government taken to try and ensure the continuation of the Gibraltar-Heathrow flights which are due to stop at the end of March?

**ANSWER**

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

Answered together with Question Nos 140 to 142 and 144 to 145 of 2002.

**NO. 144 OF 2002**

**THE HON DR J J GARCIA**

**REGIONAL AIRLINES**

Has the Memorandum of Understanding between the Government and Regional Air Lines which was close to being agreed in November now been agreed?

**ANSWER**

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

Answered together with Question Nos 140 to 143 and 145 of 2002.

**NO. 145 OF 2002**

**THE HON DR J J GARCIA**

**AIRLINES**

Have any new airlines expressed an interest in flying to Gibraltar since the last Question Time in this House?

**ANSWER**

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

The Government have no proposal to provide flights between Gibraltar and Manchester. It continues to be an objective of the Government to secure the resumption of such flights, but ultimately it is a commercial decision for airline operators. A statement from Fly Europa with regard to the inauguration of a service between Gibraltar and Stanstead and Manchester airports is expected shortly. The Government continue in discussion with four other airlines, as stated in the last Question Time in this House. No new airlines have expressed an interest in a Gibraltar service. The Memorandum of Understanding with Regional Airlines has not yet been agreed. With regard to the Heathrow service, its discontinuation has been a commercial decision by GB Airways based on its own commercial interests and judgement. This is not a matter for the Government.

**SUPPLEMENTARY TO QUESTION NOS 140 TO 145 OF 2002**

**HON DR J J GARCIA:**

In relation first of all to the Heathrow flights, do the figures in relation to the occupancy of seats in the airlines show a decline which would justify the flights being withdrawn for commercial reasons?

**HON J J HOLLIDAY:**

The figures for 2001 actually show an increase for both departing and arrivals in Gibraltar. However, in discussions with GB Airways when they first announced to me the idea of withdrawing the Heathrow service, they informed me that this was based on a number of issues not just load factor and basically some of the scenario had been reflected as a reflection of the market situation arriving after the 11<sup>th</sup> of September and the way airlines have had to look at their existing operation and prioritise on these. Therefore their decision was purely a commercial decision and had nothing to do with the actual load factors on the Gibraltar route.

**HON DR J J GARCIA:**

It does not make any sense to the Opposition that if the load factor of the plane has actually increased and more people are travelling that the airline should have a commercial reason for ending the route. Can the Minister perhaps clarify that further?

**HON CHIEF MINISTER:**

The Government do not answer in this House for the commercial decisions of GB Airways but let me tell the hon Member that the Government are most upset by the decision of GB Airways. We have made it perfectly clear to them that we regard this is an unnecessary and unfavourable decision. We have tried to persuade them not to do it, we have failed and we cannot do more than that, but my very limited understanding and certainly having said everything that I have just said I would not wish to be seen to be trying to defend the decision, on the contrary I severely criticised the decision that they have made but my limited knowledge of airline economics causes me to be aware of the fact that load factor is not the only relevant consideration, there is also the question of yield per seat. One can fill an aeroplane with people paying reduced fares, the aeroplane is full but not necessarily operating at a profit and therefore it is not just the number of, I understand that a rather crude phrase in the industry for it is "bums on seats", jargon I understand and perfectly acceptable language in the airline industry if not in this House. There is something called a yield per seat or a yield per passenger and the profitability of the route is the factor of all three rather than just of the two of those and what we are told is that past September 11<sup>th</sup>, the only way that passenger numbers have been kept up across Europe is by substantially discounting the price of seats. There is some circumstantial evidence that that may be true if one considers the success that the low cost operators have had at the expense of the high cost operators, high ticket cost operators which suggests that the extent to which people are frightened of flying in terms of terrorist circumstances appears to depend on the amount of money that they have paid for their ticket which I would have thought was neither here or there. I hope that that is helpful to the hon Member, I suppose a little knowledge is a dangerous thing and I share my little knowledge with him but certainly the Government have been severely critical of GB Airways for its decision. We do not believe it is justified and we intend to continue to persuade GB Airways to reverse that decision at the earliest possible opportunity.

**HON DR J J GARCIA:**

Certainly the Opposition agrees that the loss of this route is a blow to Gibraltar and to the business community in particular. Can I ask the Chief Minister whether the slots that were allocated to Gibraltar/Heathrow will now be allocated by the airline somewhere else?

**HON CHIEF MINISTER:**

Well, first of all let me just take him up on the premise of the supplementary. He says it is a blow for Gibraltar, particularly at the current time blows I suppose are relative. We may disagree about why it is a blow to Gibraltar, I personally find Gatwick a more pleasant and convivial airport to use and it does not take less only if you go by car does it take less time to get to Heathrow than Gatwick if one gets in a train one is there in half an hour so, I think there is an element of blow, we may not have identified the same one, I believe that the big disadvantage to Gibraltar is that as British Airways reduces its Gatwick link as it is committed to doing there are fewer connections onwards from Gatwick once one has arrived there from Gibraltar. so, whereas before if one wanted to go to New York or to Paris or to wherever there was almost certainly an onwards flight sometime during that day from Heathrow, now I fear that we will find that we will increasingly have to change airports to find that connection. I think that is the principal inconvenience that makes Gibraltar just that little bit less well connected from the UK.

**HON DR J J GARCIA:**

I move now to another of the questions of the three or four that were answered together and this was in relation to the four airlines and on the question of the slots. Is the Chief Minister aware if the slots have been allocated anywhere else?

**HON CHIEF MINISTER:**

Well, I can promise that Heathrow slots being as valuable as they are, the fact that they remove the Gibraltar flight definitely does not mean that they are going to give up their Heathrow slot. It means that they are going to use it for some other service and I would not be surprised that it were Malaga. Certainly they have removed it from Gibraltar to use it for some other service not to leave it there dormant. These slots, even the insomniac slot as I call it, the seven o'clock in the morning, are still very valuable and if they have swapped it for Gatwick it is because they have a more commercially lucrative purpose to put it to.

**HON DR J J GARCIA:**

In relation to a different question on the four airlines can I ask the Minister whether he might be able to say if any of those four airlines are the budget airlines to which the Chief Minister referred?

**HON J J HOLLIDAY:**

Yes one of them is.

**HON CHIEF MINISTER:**

We would not use the phrase “budget” though we would use the phrase “low cost”.

**NO. 146 OF 2002**

**THE HON DR J J GARCIA**

**AIRLINE ASSISTANCE SCHEME**

How much has been paid from the Airline Assistance Scheme and to what airlines since November 2001 inclusive, giving the amounts and dates when the payments were made?

**ANSWER**

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

Payments were made as follows:-

10.12.01	Monarch Airlines	£26,700
05.02.02	Bland	£15,000
05.02.02	Monarch Airlines	£18,900

**NO. 147 OF 2002**

**THE HON DR J J GARCIA**

**COACH PARK CHARGES**

Can Government say how much revenue has been raised on a monthly basis by charging coaches that use the coach park since November 2001 inclusive?

**ANSWER**

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

The revenue generated was:-

November 2001	£7,450
December 2001	£5,100
January 2002	£3,230

**NO. 148 OF 2002**

**THE HON DR J J GARCIA**

**UPPER ROCK - ADMISSION FEES**

Can Government say how much revenue has been raised in admission fees to the Upper Rock on a monthly basis since November 2001 inclusive?

**ANSWER**

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

The revenue raised in admission fees to the Upper Rock on a monthly basis since November 2001 inclusive is:-

November	£144,225.50
December	£ 77,603.00
January	£ 76,990.50

**SUPPLEMENTARY TO QUESTION NO 148 OF 2002**

**HON DR J J GARCIA:**

Does this reflect that December and January are normally low months compared to November?

**HON J J HOLLIDAY:**

Well normally December and January are low months compared to November, this year they have been exceptionally low in respect to previous years basically as a result of the drop in the number of coaches especially arriving in Gibraltar and as a consequence mainly of the drop of tourists along the Costa del Sol which tend to come into Gibraltar for day trips.

**NO. 149 OF 2002**

**THE HON DR J J GARCIA**

**TOURISM CO-OPERATION AGREEMENT – LA LINEA**

Are Government now in a position to say whether, and if so when, the tourism co-operation agreement with La Linea will be signed?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 149 OF 2002**

**HON DR J J GARCIA:**

Is this a matter that is being pursued or is it simply left to rest for the time being?

**HON J J HOLLIDAY:**

No. This is a matter that there has not really been any direct contact between the Consejo de Turismo and myself which were the initial contacts for the co-operation agreement. I do not rule out that something may happen in the future but it is not something that is actually being pursued at present.

**NO. 150 OF 2002**

**THE HON DR J J GARCIA**

**ASSOCIATION FOR TOURIST INFORMATION – LA LINEA**

Can Government say whether they are aware of the decision by the Association for Tourist information of La Linea to promote and offer tourist packages which will include visits to both Gibraltar and La Linea together?

**ANSWER**

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

Government have no knowledge of this, except what has been reported in the press.

**SUPPLEMENTARY TO QUESTION NO 150 OF 2002**

**HON DR J J GARCIA:**

Is this something which the Government will be pursuing given the same report which I have seen and the Minister himself has seen and that those indicate that Gibraltar used to be sold exclusively as a tourist package by these associations who would then offer it to 150 major agencies and now that exclusivity will now be lost and they will offer the same tourist spending time in Gibraltar and in La Linea as well which means that they will gain some tourists and we will lose tourist time spent here.

**HON J J HOLLIDAY:**

I do not think that we should worry too much about losing tourists to La Linea. There may have been contact between the Association of Tourist Information and private sector operators in Gibraltar but there has definitely not been any official approach to the Gibraltar Tourist Board or the Ministry for Tourism in respect of this. If they do, well obviously we will consider what the details entail and we will then take a view.

**NO. 151 OF 2002**

**THE HON DR J J GARCIA**

**TRANSPORT – NUMBER OF GOODS VEHICLES IMPORTED**

What was the value and number of goods vehicles imported by:

- (a) individuals;
- (b) licensed dealers;

since November 2001 inclusive on a monthly basis?

**ANSWER**

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

Answered together with Question No 152 of 2002.

**NO. 152 OF 2002****THE HON DR J J GARCIA****TRANSPORT – NUMBER OF PRIVATE MOTOR VEHICLES IMPORTED**

What was the value and number of private motor vehicles imported by:-

- (a) individuals;
- (b) licensed dealers;
- (c) since November 2001 inclusive on a monthly basis?

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

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

<b>GOODS VEHICLES</b>				
	<b>Imported By Individuals</b>		<b>Imported By Licensed Dealers</b>	
<b>Month</b>	<b>Quantity</b>	<b>(£ thousands)</b>	<b>Quantity</b>	<b>(£ thousands)</b>
<b>Nov 2001</b>	-	-	6	20
<b>Dec 2001</b>	-	-	4	14

<b>PRIVATE MOTOR VEHICLES</b>				
	<b>Imported By Individuals</b>		<b>Imported By Licensed Dealers</b>	
<b>Month</b>	<b>Quantity</b>	<b>(£ thousands)</b>	<b>Quantity</b>	<b>(£ millions)</b>
<b>Nov 2001</b>	17	25	517	5.0
<b>Dec 2001</b>	19	53	311	3.3

The figures for January 2002 are not yet available.

**NO. 153 OF 2002**

**THE HON DR J J GARCIA**

**NUMBER OF PORT OPERATORS**

Are Government now in a position to tell the House how many port operators there are under the new licensing regime that the House was told in November 2001 would be put in place by January this year?

**ANSWER**

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

There are 33 port operators registered under the new licensing regime.

**SUPPLEMENTARY TO QUESTION NO 153 OF 2002**

**HON DR J J GARCIA:**

These 33 operators are all existing ones or are there any new persons that have applied to be registered?

**HON J J HOLLIDAY:**

All these are existing operators that have automatically been awarded the licence under the new regime and there are no new licences even though there are currently applications for new operators that are being given consideration.

**NO. 154 OF 2002**

**THE HON S E LINARES**

**THEATRE ROYAL**

Can Government state what is the final capacity that the Theatre Royal will have?

**ANSWER**

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

Answered together with Question No 155 of 2002.

**NO. 155 OF 2002**

**THE HON DR R G VALARINO**

**THEATRE ROYAL**

Can Government state whether the refurbishment of the Theatre Royal will be completed by early 2003?

**ANSWER**

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

It is expected that refurbishment works on the Theatre Royal will be completed by January 2004. The total seating capacity is designed to be around 520 or 530.

**SUPPLEMENTARY TO QUESTION NOS 154 AND 155 OF 2002**

**HON DR R G VALARINO:**

Could the Minister explain why the delay, because he mentioned in his budget speech if I remember correctly that by summer 2003 shows will be held at the Theatre Royal?

**HON DR B A LINARES:**

It is a problem of the design process which has taken longer, there have been revisions of the original proposals in consultation with users. The original seating capacity was deemed to be too low by users and therefore the designers went back to the drawing-board and that of course involves a certain delay in time.

**HON S E LINARES:**

Is the Minister satisfied with the number since it is not a major increase to venues that we already have?

**HON DR B A LINARES:**

I am told that logistically and physically architecturally it is impossible to have a modern theatre with all the requirements of safety et cetera and what is expected today in a modern theatre in terms of foyer and in areas for leisure, meetings, and nevertheless as I say, the users who have been extensively consulted appear to be quite satisfied.

**HON DR J J GARCIA:**

Have Government taken a view in terms of the seating arrangement whether this will also be used as a conference centre or not?

**HON DR B A LINARES:**

Yes, it is still intended that the theatre may have the potential for conferences as well.

**HON J J BOSSANO:**

Does the change in completion date have any effect on the EU Funding?

**HON DR B A LINARES:**

No because we are now relying on the forthcoming allocation of the EU Funds.

**NO. 156 OF 2002**

**THE HON S E LINARES**

**EDUCATION – GOVERNOR’S MEADOW SCHOOL**

Can Government state whether the accommodation in Governor’s Meadow School is of a permanent or temporary nature?

**ANSWER**

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

Answered together with Question Nos 162 to 175 and 183 of 2002.

**NO. 157 OF 2002**

**THE HON S E LINARES**

**EDUCATION – REFURBISHMENT WORKS**

Can Government give a breakdown of the refurbishment or maintenance programme being conducted in Bishop Fitzgerald, Governor's Meadow, Sacred Heart, Notre Dame and St Paul's?

**ANSWER**

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

Answered together with Question Nos 158 to 161 of 2002.

**NO. 158 OF 2002**

**THE HON S E LINARES**

**EDUCATION – ST MARTIN’S SCHOOL**

Can Government state whether the promised refurbishment of St Martin’s playground has commenced or is scheduled for this financial year?

**ANSWER**

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

Answered together with Question Nos 157 and 159 to 161 of 2002.

**NO. 159 OF 2002**

**THE HON S E LINARES**

**EDUCATION – WESTSIDE SCHOOL**

Can Government confirm that the works in Westside to build a hall will be completed by the end of February?

**ANSWER**

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

Answered together with Question Nos 157, 158, 160 and 161 of 2002.

**NO. 160 OF 2002**

**THE HON S E LINARES**

**EDUCATION – ST MARY’S SCHOOL**

Can Government state what progress or plans have been made to move St Mary’s School to another location?

**ANSWER**

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

Answered together with Question Nos 157 to 159 and 161 of 2002.

**NO. 161 OF 2002**

**THE HON S E LINARES**

**EDUCATION – BAYSIDE SCHOOL**

Can Government state whether the works which include the conversion of showers, two classrooms, new toilet facilities, upgrading of library, new computer area, expansion of Art/Craft area and expansion of the technology area have been completed?

**ANSWER**

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

**Answer to Question No 157 of 2002**

The maintenance programme to tackle essential repairs in Bishop Fitzgerald, Governor's Meadow, Sacred Heart, Notre Dame and St Paul's Schools have carried on as usual.

**Answer to Question No 158 of 2002**

The refurbishment of St Martin's School playground has not commenced. Although the intention was to have scheduled it for the current financial year, it was impossible to tackle this project this year.

**Answer to Question No 159 of 2002**

The Hall in Westside School is expected to be ready by the end of March 2002.

**Answer to Question No 160 of 2002**

It is the Government's intention to move St Mary's School to a location near the Westside area. Various options are being considered by Government.

**Answer to Question No 161 of 2002**

I assume the hon Member refers to Bayside School which is not mentioned in his question. The answer is that the works in question will be carried out over a period of years so as not to cause too much disruption to the School.

## SUPPLEMENTARY TO QUESTION NOS 157 TO 161 OF 2002

**HON S E LINARES:**

In relation to St Martin's playground can the Minister state when he intends to start the refurbishment of the playground since he told us in the last Question Time that he had it scheduled for this financial year and now it seems to have moved?

**HON DR B A LINARES:**

There are a number of factors involved in the delay. One is that the construction company was highly engaged in the construction facilities for school lunches, another factor was that the Headteacher preferred to wait until we could purchase all the equipment that she needed at the same time for the playground and hence she preferred to wait rather than stage the works and we wanted to buy the equipment the following year.

**HON S E LINARES:**

In relation to the Westside hall which now is going to be hopefully completed by the end of March, can the Minister state whether this hall was always intended to accommodate pupils for lunch breaks or did it have another function?

**HON DR B A LINARES:**

The intentional decision to build the hall actually predates the whole debate of school lunches, it goes back a number of years. The main purpose of the hall intentionally at the time was to provide something that Westside did not have. They had to use the gymnasium for examinations, assemblies, for large meetings, parents, and they felt that they needed a hall suitable for these purposes but of course it has now been agreed that apart from these purposes it should also be used to accommodate school lunches.

**HON S E LINARES:**

The obvious question is what will happen when the exams are going on and children need to eat?

**HON DR B A LINARES:**

Alternative facilities will be found throughout the school.

**HON S E LINARES:**

In relation to St Mary's School can the Minister state what locations have been looked at to date to move St Mary's?

**HON DR B A LINARES:**

It is not appropriate to mention any specific location at this stage.

**HON S E LINARES:**

But the Minister stated in answer to that question that he was looking at the area of the reclamation, the westside area to move, is that correct?

**HON DR B A LINARES:**

It is correct that I did mention in response to earlier questions that this was one of the options but now we are talking about a number of options and we would not like to comment on any specific location.

**HON S E LINARES:**

Can the Minister state then if and when St Mary's move wherever it moves, were the children of the existing catchment area from St Mary's will be going to?

**HON DR B A LINARES:**

The existing catchment area of St Mary's is the town area and that of course is very much in the proximity of the westside area that we are looking at.

**HON CHIEF MINISTER:**

May the hon Member bear in mind that my hon Colleague said was not that the school was going to the westside area but near to the westside area. The hon Member should not assume that the school would be on the reclamation itself, near to the westside area is not necessarily in the westside area.

**NO. 162 OF 2002**

**THE HON S E LINARES**

**EDUCATION – ST PAUL’S SCHOOL**

Can Government state whether the works in St Paul’s School to permanently accommodate children for the lunch break as promised to parents have started?

**ANSWER**

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

Answered together with Question Nos 156, 163 to 175 and 183 of 2002.

**NO. 163 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state what evidence they have to show that children are eating better?

**ANSWER**

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

Answered together with Question Nos 156, 162, 164 to 175 and 183 of 2002.

**NO. 164 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state how many parents have opted their children out of staying in school for the lunch break giving a breakdown per school during:

- (a) First week;
- (b) Second week;
- (c) First month?

**ANSWER**

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

Answered together with Question Nos 156, 162, 163, 165 to 175 and 183 of 2002.

**NO. 165 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state how long on average do children have to actually eat their lunches?

**ANSWER**

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

Answered together with Question Nos 156,162 to 164, 166 to 175 and 183 of 2002.

**NO. 166 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SUPERVISOR/PUPIL RATIO**

What is the supervisor/pupil ratio in:

- (a) First Schools;
- (b) Middle Schools;
- (c) Secondary Schools?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 165, 167 to 175 and 183 of 2002.

**NO. 167 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state up to what age are children in secondary schools being supervised during the lunch break?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 166, 168 to 175 and 183 of 2002.

**NO. 168 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state how many letters have been received at the Department of Education complaining about the lunch break arrangements put in place by this Government?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 167, 169 to 175 and 183 of 2002.

**NO. 169 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state what toilet facilities have been made available during the lunch break at Westside?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 168, 170 to 175 and 183 of 2002.

**NO. 170 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state how many persons have been contracted by Serviceall Ltd to supervise the lunch break giving a breakdown per school?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 169, 171 to 175 and 183 of 2002.

**NO. 171 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

What is the hourly rate of pay for lunch break Supervisors?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 170, 172 to 175 and 183 of 2002.

**NO. 172 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can the Minister for Education state whether any private catering firm has approached him, any other Government Minister or any Government Official in relation to school meals?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 171, 173 to 175 and 183 of 2002.

**NO. 173 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

Can Government state whether children are using wipes as a substitute to washing their hands?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 172, 174 to 175 and 183 of 2002.

**NO. 174 OF 2002**

**THE HON S E LINARES**

**EDUCATION – SCHOOL MEALS**

What co-ordination has been taking place between the Health Authority and the Department of Education in relation to the content of the lunch box?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 173, 175 and 183 of 2002.

**NO. 175 OF 2002**

**THE HON S E LINARES**

**EDUCATION – CHANGE OF SCHOOL HOURS**

Can Government state what procedure is in place in relation to first school children not being collected by parents after school at 3.15 pm?

**ANSWER**

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

Answered together with Question Nos 156, 162 to 174 and 183 of 2002.

**NO. 176 OF 2002**

**THE HON S E LINARES**

**EDUCATION – MAINTENANCE GRANTS**

Can Government state how many parents have been investigated in relation to their application for this academic year for maintenance grant for their children?

**ANSWER**

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

Thirty-eight parents have been investigated.

**SUPPLEMENTARY TO QUESTION NO 176 OF 2002**

**HON S E LINARES:**

Can the Minister state whether the maintenance grants are assessed every year or are assessed at the beginning of the course and that dictates the parental contribution for three or four years whilst they are studying? When one applies for parental contribution for ones child at the beginning is it good enough for the four years or are parents assessed every year whilst they are out to reassess their parental contribution?

**HON DR B A LINARES:**

I will check that I cannot answer it with certainty.

**HON S E LINARES:**

Will the Minister take action against those parents who he thinks are not declaring the right amount of income?

**HON DR B A LINARES:**

Well this is what we mean by an investigation, the action that we take and I have explained in earlier replies to questions of this matter is that we refer the declared income to the department to the Income Tax Office and the Income Tax Office have now agreed to carry out their more expert investigation into the declared income and then formally confirm to us whether the declared income to the department is accepted by them, or not accepted by them, or it is open still to further investigation. On that basis of a formal confirmation from the Income Tax Office the department determines whether a minimum grant, a maximum grant or a grant in-between using the formula that you are asking me for in a while is given

**HON S E LINARES:**

The action taken is a unilateral action by the department to decrease the parental contribution if the case is necessary, what I am asking is, is there any further action that other departments might take in view of the fact that what they have presented is false?

**HON DR B A LINARES:**

We leave that entirely to the Income Tax Office to decide what course of action is legally open to them. We are simply limited to our remit to establish what grant, what parental contribution in relation to that grant is merited.

**HON J J BOSSANO:**

How can the Income Tax Department take any action against a tax payer when he is not making a tax return. The Minister is talking about the information the person gives to the Education Department, was it not always the case that the system operated on the basis that the person had to give his consent to the department for the department to pass that information on to the Tax Office and that that was always part of the grants system, so what is different now?

**HON DR B A LINARES:**

It is not largely different except that the whole thing is now more systematic and more finalised and also it actually relates to declarations which we feel have not been vetted yet by the Income Tax Office and are open to question.

**HON J J BOSSANO:**

When the Minister announced that he was going to sort of tackle this problem area did he not say in fact that the department would be taking into account criteria that are not relevant under the Income Tax Ordinance to Income Tax returns and that that is why they might come to a different assessment notwithstanding the fact that the income declared in the form to the department was the same as the income declared to the Tax Office?

**HON DR B A LINARES:**

Yes.

**HON J J BOSSANO:**

Well, how can the Tax Office help in that?

**HON DR B A LINARES:**

They cannot help with that, but we found that that good intention initially in trying to establish our own means of investigation was well beyond the resources and facilities and expertise of the Department of Education and therefore we are now relying on the advice of the Income Tax Office in as much as they formally, I say formally, with a particular written assurance as to whether the income declared to us is acceptable to them whether it is not acceptable, and I can say that out of the 38 parents I mentioned before being investigated 12 have been accepted by the Income Tax Office from the start and so we have granted the maximum grant, six were accepted only after they declared a higher income that was originally declared to us in response to the enquiries by the Income Tax Office, 14 have not been accepted by the Income Tax Office, they feel that those declarations are not acceptable to them and therefore they are still on a minimum grant and seven are pending further investigation. The Income Tax Office says that they are still looking into the matter, and that is the system that we have adopted as the most viable one, we had attempted and I am being very honest to institute ourselves but found that it was beyond our resources and expertise.

**HON J J BOSSANO:**

Fair enough if they have tried something and it has not worked it does not work but effectively really we are much closer back to the original system because as I recall if the Income Tax did not certify that the income declared was the income which that person had had accepted for tax purposes then in fact the minimum grant was given and that was it.

**HON CHIEF MINISTER:**

The main conceptual difference is, whereas before in the administration of the system the Education Department would automatically go on tax declarations, they now reserve the right to take a different view to that which is revealed by a tax return.

**HON S E LINARES:**

Just one last point nothing to do with the Income Tax itself but to do with the question definitely, will the Minister guarantee that these investigations will not take as long as it took with certain investigations last year since this causes hardship to the student rather than to the parents obviously?

**HON DR B A LINARES:**

What does the hon Member mean by guarantee, the course of action takes whatever the course of action needs.

**HON S E LINARES:**

Well there was a case last year where a student suffered hardship because the parents were being investigated and therefore the parents stated that they did not have the money to send to the student, the student was not receiving any money from the department and therefore the student was in UK without the money and it took a very long time for those investigations to complete.

**HON DR B A LINARES:**

I know that case particularly and I personally intervened in that and using my discretion I explained to the parents that should they provide genuine evidence from tutors, teachers, University authorities, social workers, genuine evidence that this student was undergoing real hardship to meet the maintenance and other costs then I would use my discretion in reviewing the grant that was being given but no evidence was given to me to that effect.

**NO. 177 OF 2002**

**THE HON S E LINARES**

**EDUCATION – MEANS TEST**

Can Government state what is the set criteria being used to means test parents in order to ascertain their contribution towards their children's studies?

**ANSWER**

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

The process is as follows:- The highest salary of either parent is taken as the starting point and from this salary is deducted the tax allowances (as stated by the Income Tax Office) and then a further allowance is made by the department. This further allowance as was announced and reviewed by the Government last year is £12,000 if the combined salary of both parents exceeds £20,000 and £15,000 if it does not. That operation establishes a residual income. One-tenth of this residual income is the amount parents should contribute. The Government then awards the student the difference between the maximum allowance which I think is reaching a figure of £4,000 at this stage and the so-called "parental contribution" which is deducted from the maximum allowance.

**NO. 178 OF 2002**

**THE HON S E LINARES**

**EDUCATION – MAINTENANCE GRANTS**

Can Government give a breakdown of the students not getting a grant, getting minimum grant, and those getting between the minimum and maximum?

**ANSWER**

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

All students sponsored by the Government obtain some form of maintenance grant. For the present academic year, there are 55 students in receipt of a minimum grant, 261 students in receipt of a maximum grant and 386 in receipt of a grant between minimum and maximum.

**SUPPLEMENTARY TO QUESTION NO 178 OF 2002**

**HON S E LINARES:**

Is it possible for the Minister to give us a breakdown, since I have asked for it, between the minimum and the maximum?

**HON DR B A LINARES:**

That would actually enter into the sphere of giving individual names.

**HON S E LINARES:**

There is no need to give me the names.

**HON DR B A LINARES:**

A whole variety of grants.....

**HON J J BOSSANO:**

Is the Minister not aware that the names and the amounts used to be contained in the Estimates many years ago, so I do not think there is anything preventing it other than space?.....Well it used to be standard practice.

**HON S E LINARES:**

Well, I assume he is not willing to do so.

**HON CHIEF MINISTER:**

No, what it means is that it is just a question of administrative effort, what may be possible is to have a few categories. All we are saying to the hon Member is that because it is worked on the salary of the individual each of which will be different, there will be possibly 386 different figures. Those 386 individuals may each be receiving a different amount of grant. All he is going to get is a list of 386 numbers, another thing is for him to say "*Well can he give us the numbers in 25 per cent chunks, between the minimum and the maximum*" and then he might know that 100 are in each of the four categories but otherwise all he gets is a long list of numbers. Administratively it is not impossible to give him the information but it just seems unnecessarily detailed.

**HON S E LINARES:**

Since the Chief Minister has offered to give me, that the Minister might be able to give me the categories every 25 or whatever, I would appreciate that.

**HON CHIEF MINISTER:**

If the hon Member really does want the list of 386 so long as it does not have names attached he is welcome to have that as well.

**HON S E LINARES:**

Since the Chief Minister is offering that and I have asked for it could I have it?

**NO. 179 OF 2002**

**THE HON S E LINARES**

**SPECIAL EDUCATIONAL NEEDS**

Can Government state what progress has been made in relation to the review that he stated his department do regularly on Special Educational Needs?

**ANSWER**

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

My Department regularly monitors educational provisions in all our schools. This includes provision for children with special educational needs. Any areas identified as needing further development are tackled as a matter of priority.

**SUPPLEMENTARY TO QUESTION NO 179 OF 2002**

**HON S E LINARES:**

What I am trying to ascertain from the Minister is if there is a sort of criteria that they are using in their review that for example, provisions of educational psychologist, provisions of occupational therapists, all these provisions, they have reviewed them and what I would like is an outline of what the review is?

**HON DR B A LINARES:**

This is an on-going review of the provision by the department, the hon Member can obtain the latest booklet produced by the Department of Education issuing guidelines for teachers and schools on the provision of special educational needs and there of course there are indicators for evaluation which may be along the lines that he is suggesting in terms of what he calls the criteria, these are indicators like the expenditure on pupils that are placed outside Gibraltar, the number of pupils in St Martin's, the number of pupils in the special unit, the assessment of these pupils, the

support assistance required, this is an on-going exercise that we are reviewing and the indicators in each school are evaluated as part of the general run of the administration and the work of the department.

**HON S E LINARES:**

I would appreciate if the Minister could send me a copy of the booklet.

**NO. 180 OF 2002**

**THE HON S E LINARES**

**EDUCATION – TRUANT CHILDREN**

Can Government 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 180 OF 2002**

**HON S E LINARES:**

Can the Minister state when it is intended to present this legislation either to the House or it might be through regulations, but does he have a time scale because I have been asking this question since I came into this House and I all the time get the same answer that it is in the Council of Ministers that the drafting has already been ended. So, if the drafting has ended and it is in the Council of Ministers like he says, what is the problem?

**HON DR B A LINARES:**

I never said that the legislation on Truant Children had been completed, the drafting had been completed, I said that the drafting for the regulation of nurseries had been completed but this one I actually said last time had not even started. In answer to Question No 1036 of 2001 and before that Question No 647 of 2001 I said the

drafting had not been completed and it is still therefore in the ambit of the Legislation Unit which is the drafting, the thinking that has been passed on to them from the Department of Education which is essentially the philosophy of UK legislation in the Crime and Disorder Act 1998, Chapter 37. What this means is that the police may now upon observation of a child who is likely to be playing truant from the school can actually deliver the child to an agreed place perhaps social services et cetera, it is a complicated thing and that is what is being actually put into shape legally for the consideration of the Council of Ministers and I am sorry that the process of drafting is very often slower than I certainly would like.

**NO. 181 OF 2002**

**THE HON S E LINARES**

**EDUCATION – COUNSELLING**

Can the Minister for Education state how many times his department has contracted or asked other visiting Psychologists to do counselling at all levels?

**ANSWER**

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

Mrs Jan Cappi who has a Masters Degree in Psychology has been contracted by the department to offer regular counselling and support sessions at St Martin's Special School for parents of pupils with special needs. Her work started on 25<sup>th</sup> January 2000 and has been on-going ever since. She offers weekly sessions and counselling "blocks" as the need arises.

**SUPPLEMENTARY TO QUESTION NO 181 OF 2002**

**HON S E LINARES:**

Will the Minister consider that there is a need for that psychologist to be on a permanent basis rather than on a contractual basis?

**HON DR B A LINARES:**

When I say on a contractual basis it is that she has been contracted to do this work on an on-going basis, it is not part-time, I did not use the word part-time I said that she is on contract, she is not part of the compliment, she is not part of the permanent and pensionable compliment.

**NO. 182 OF 2002****THE HON S E LINARES****EDUCATION – NUMBER OF CLEANERS**

Can Government state how many cleaners are employed in each school giving a breakdown per school?

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

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

School	No of Cleaners
Bayside	25
Westside	23
College of Further Education	6
Bishop Fitzgerald	7
St Joseph's Middle	9
Sacred Heart	7
St Anne's Middle	11
Notre Dame	8
St Paul's	7
Governor's Meadow	7
St Joseph's First	9
St Bernard's	5
St Mary's	6
Hebrew Primary	2
St Martin's	2

**NO. 183 OF 2002**

**THE HON S E LINARES**

**EDUCATION – NUMBER OF CLEANERS**

Can the Minister state how many cleaners are being employed as supervisors?

**ANSWER**

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

**Answer to Question No 156 of 2002**

There are no plans at this time to further upgrade the facilities in Governor's Meadow School.

**Answer to Question No 162 of 2002**

The work in St Paul's School to permanently accommodate children for the lunch break have not yet commenced.

**Answer to Question No 163 of 2002**

We have not carried out scientific research to establish whether there is any improvement in children's eating habits as a result of school lunches but many parents have casually remarked that their children seem to be eating better – I would not, however, draw any hard and fast conclusions from these casual remarks, neither would I conclude the contrary (if that is what the hon Member is leading up to) these are judgements for parents, which is exactly why the Government wished to change school hours in a way which gave parents the option to have children have lunch at home. That option would not have been available under the hours scheme, preferred and promoted by the hon Member.

### **Answer to Question No 164 of 2002**

I will hand the hon Member a table with the information requested. May I point out in relation to that schedule that the total number of children opting out in the periods he cites was 35 in the first month and that 84 additional admissions were accepted after the initial date. We are talking about 35 children opting out of a total of 3,755 children who avail themselves of the facilities for lunching in schools.

### **TOTAL NUMBER OF CHILDREN STAYING FOR LUNCH IN ALL SCHOOLS**

School	Pre-Xmas	1 <sup>st</sup> Day of Term	End of 1 <sup>st</sup> Week	End of 2 <sup>nd</sup> Week	End of 1 <sup>st</sup> Month	Total Leaving
Bayside	0	0	0	0	0	0
Bishop Fitzgerald	0	0	0	2	0	2
Governor's Meadow	0	0	2	1	0	3
Hebrew	0	0	1	0	2	3
Notre Dame	0	0	1	1	3	5
Sacred Heart	0	0	0	0	0	0
St Anne's	0	0	0	0	3	3
St Bernard's First	0	0	0	0	2	2
St Joseph's First	0	0	0	0	0	0
St Joseph's Middle	0	0	3	0	0	3
St Mary's	0	0	0	1	0	1
St Paul's	0	0	0	1	1	2
Westside	0	0	11	0	0	11

### **Answer to Question No 165 of 2002**

In most schools lunch takes place in 2 sittings allowing roughly 30 minutes for each child to have lunch.

### **Answer to Question No 166 of 2002**

The supervisor/pupil ratio in First Schools ranges from 1:20 to 1:25. In Middle schools from 1:35 to 1:38, in Bayside School 1:35, and in Westside School 1:30.

### **Answer to Question No 167 of 2002**

All pupils in secondary schools are being supervised during the lunch break.

### **Answer to Question No 168 of 2002**

Three letters have been received at the Department from parents complaining about lunch-break arrangements in specific schools. This, coupled with the very high level of uptake of the option to stay at school for lunch amply demonstrates the success of this Government's policy in relation to the change of school hours, despite the hon Members lone crusade to pretend the contrary.

### **Answer to Question No 169 of 2002**

The pupils can avail themselves of existing toilets – these are sufficient to meet the demands of the school. The new Hall extension (for lunch and exams) will provide extra toilets (including one for the disabled).

### **Answer to Question No 170 of 2002**

A total of 128 persons have been contracted by Serviceall Ltd as supervisors. The breakdown requested is as follows:

Governor's Meadow	11
St Paul's	9
St Bernard's	5
Notre Dame	9
St Joseph's First	12
St Mary's	7
Hebrew Primary	2
St Anne's	11
Sacred Heart	7
St Joseph's Middle	8
Bishop Fitzgerald	11
Bayside	18
Westside	18

### **Answer to Question No 171 of 2002**

The hourly rates of pay for supervisors are £6 for head supervisors, £5 for supervisors.

### **Answer to Question No 172 of 2002**

The Government are not willing to account to the hon Member for approaches made by any other party, making proposals to Government . Any arrangements entered into by Government will of course be subject to the Government's now well established policy of maximum openness and accountability.

### **Answer to Question No 173 of 2002**

Ample facilities in the way of wash basins have been provided in all schools for children to wash their hands.

### **Answer to Question No 174 of 2002**

The Department requested advice from the Health Promotion Group (GHA) as to the type of healthy food to be included in lunch boxes. The HPG have produced a most informative and attractive leaflet which has been distributed to all parents of primary school children in Gibraltar.

### **Answer to Question No 175 of 2002**

The procedure adopted by schools for first school children not being collected by parents after school at 3.15 pm is the same as when school finished at 4.15 pm. The Headteacher stays behind for a reasonable time (about ½ hr) and if the child is not collected, an attempt is made to contact parents. If this fails the arrangement is that the child is taken to the RGP station who in turn contact the social worker on duty.

### **Answer to Question No 183 of 2002**

Five cleaners have also been employed as lunch-time supervisors. May I take this opportunity of congratulating all those who have been engaged and have worked very hard in this huge task of providing lunch facilities in our schools for nearly 4,000 children in schools which were not physically ready for this and it has been a huge success on all counts. A month after starting pretty well everything is in place to the manifest satisfaction of pretty well every parent in Gibraltar. I would like therefore and I would hope that the hon Member would join with me to congratulate the Director and his officers in the department and the Headteachers and Deputy Headteachers and of course the supervisors who are doing an excellent job and Service all the agency.

### **SUPPLEMENTARY TO QUESTION NOS 156, 162 TO 175 AND 183 OF 2002**

#### **HON S E LINARES:**

The Minister has answered many questions all in one and I am therefore going to go one by one asking supplementaries for each one that he answered. Will the Minister state whether this structure that was built to accommodate children for the lunch break is the same as the one built in St Paul's?

#### **HON DR B A LINARES:**

I do not understand what the hon Member means to say, same structure, same size?

#### **HON S E LINARES:**

I have just said structure, can the Minister state whether this structure which was built to accommodate children for the lunch break is the same or similar to the one built in St Paul's school?

#### **HON DR B A LINARES:**

In my own layman's observations it seems to be similar in the sense that it is a covered area and sheltered to prevent air currents being too obnoxious.

**HON S E LINARES:**

In Question No 162 of 2002 I asked the Minister whether the works in St Paul's which would permanently accommodate children for the lunch break as promised to the parents had started, and I ask this question because if both structures are the same and the Minister has allowed the parents of St Paul's to get another accommodation because they were not happy at the fact that the structure in St Paul's was of a temporary nature and the Minister has promised them another accommodation, why is this not done for Governor's Meadow School in which the structure is similar?

**HON DR B A LINARES:**

The situation in which St Paul's is is that the original plan was to build a building similar to that in Notre Dame in the open area adjacent to the school which is used now by the children in Varyl Begg Estate for a play area. That is really what I promised the parents because the parents knew about this as this was planned and they were geared to that and are expectant of that, what happened is that tenants said "Well we will not yield the open play area until the Housing Department can provide us with an alternative for children to play," and that is why we then had to build the present structure which in any case as it is quite adequate as Governor's Meadow is, quite suitable and adequate the only difference there is that we had promised if the hon Member wants to use that word but the parents were expectant from the start that a different structure would be built in the open area adjacent to the school. This has not been possible but I am told by my Colleague the Hon Mr Netto that works are now either in hand or about to be commenced in the construction of an alternative play area somewhere in the area of Varyl Begg and that would then allow that area to be opened to construction.

**HON S E LINARES:**

Can the Minister confirm that this accommodation will be ready as promised by September 2002?

**HON DR B A LINARES:**

I have had occasion before to say that this question of deadlines is rather difficult for me, I cannot at this moment of time say this is going to be ready by September. We will certainly try, this is what I have mentioned to parents the intention is there, the will is there, but of course we are so reliant on so many factors in this area of construction that to hold me to ransom and say "by September you will have the building" I am afraid I would not like to go into that.

**HON S E LINARES:**

It is not me who commits him to the 2002 deadline he has committed himself to the parents that it will be ready by 2002 so he is holding himself down because it was he who promised this to the parents.

**HON DR B A LINARES:**

The spirit of my conversation with the parents was that this was my intention, this was my desire, this was what I wanted to do, but I have explained as honestly as possible that we are dependent on so many factors that to say now in this House "Yes by the 1<sup>st</sup> September 2002 you are going to have this building " I do not think this is the point.

**HON S E LINARES:**

I can allow the Minister leeway as in when the building starts that there are problems of construction one thing and another but the fact that he committed himself to having it by September 2002 when he has not even started it is the point in hand.

**HON DR B A LINARES:**

I thank the hon Member very much for allowing me that leeway.

**HON S E LINARES:**

On Question No 162 of 2002 can the Minister state what location the building will be built or have they not thought the location of the building at St Paul's?

**HON DR B A LINARES:**

I have said that, in the area which is now used as a play area which is adjacent to the school.

**HON S E LINARES:**

Question No 163 of 2002. The Minister said that he did not have any real evidence that the children are eating better first hearsay and it is just that, and then the Minister said " Well we cannot be quoted as in whether they are eating better or not" I am quoting him from a television interview in which he actually said "may I daresay that the children are eating better." So, I am quoting him as in how they are eating better, now we find out that he does not really have any evidence to say whether they are eating better, is that the case?

**HON DR B A LINARES:**

That is very naïve, in that interview I was giving a broad brush account of what the situation was and I said that we were getting comments from parents, I almost had tongue in cheek to some extent. Many parents do casually remark "my child is eating better because of this sort of status between them " this is very broad brush thing to say "he said that the children are eating better what is the evidence?" I accepted the evidence, there is no scientific evidence except that they are impressions and they should be taken as such.

**HON S E LINARES:**

May I then suggest that when he does a television interview that he says these are suggestions rather than stating it as if they were facts and therefore the impression given it seems that when he is doing the interview that it is rather fact than a view, a judgement. In answer to Question No 165 of 2002 the Minister said that on average children have half an hour to have their lunch break, does the Minister consider this to be enough time for children to eat?

**HON DR B A LINARES:**

I said roughly 30 minutes and in all evidence that is reaching us it seems to be perfectly adequate. May I remind the hon Member that initially the teachers actually wanted a 20 minutes break.

**HON S E LINARES:**

I mention this because in some schools although he says I ask for the average there are other schools in which children are being given 15 minutes to eat and therefore some of the children are going back home with their lunch boxes full and therefore because they have not had enough time to eat and that is why I have posed the question.

**HON DR B A LINARES:**

May I say as the hon Member said before what is his evidence to say these broad brush statements?

**HON S E LINARES:**

The same as he has said the parents come to me complaining about their children not having enough time to eat and therefore that is why I pose the question. If parents come to me complaining that my child is not had enough time to eat and anyway the policy of the Government was to give one hour lunch break and one hour lunch break not a half hour lunch break and a half hour playing time which is what is happening. The Minister had confirmed it by the half an hour the children are having for eating.

**HON CHIEF MINISTER:**

It was not very long ago that the hon Member when it suited him was arguing that a 20 minute lunch break was sufficient. He was supporting the teachers in their resistance to the one hour lunch break on the basis that it was too long for what was necessary that children did not spend an hour eating their lunches. Half an hour is longer than my children spend at the lunch table when they eat at home, never mind about when they eat on the playground. I do not know whether he sends his children to school with a hamper to sit down for an hour to have their lunch. I cannot imagine that any child takes more than half an hour to eat but the main point I want to make to him is this, precisely the reason why the Government insisted on the hour break was so that the parents who had the primary responsibility to make these judgements

on behalf of their own children had the option of whether to take their children home to lunch or not, 3,600 odd parents are choosing to leave their children at school for lunch notwithstanding that they could have the option to take them home. Parents are voting with their feet and I do not see that there is any basis for the hon Member to continue to criticise this arrangement. If parents preferred to take their children home to lunch they could in the judgement of those dealing with these matters, half an hour is long enough but if it were not long enough and there was more than one complaint that the hon Member thinks that he has well I suppose that the school authorities would look at it but that is not the evidence of schools, the School Authorities are receiving. The hon Member cannot stand up on the basis of what he calls one complaint or more than one complaint, he has not said quite how many reach him and then make that the generality. I believe that the vast majority of parents consider the present arrangements better for them, better for their children than the previous arrangements. Government are entirely satisfied, Government are not going to be dissuaded from that view by the hon Member standing up trying to make a case on the basis of a few complaints.

#### **HON S E LINARES:**

Just on the point the Chief Minister has mentioned about giving options may I inform the Chief Minister that parents who have children in First Schools and at the same time have children in Middle Schools do not have that option for the simple reason that First Schools lunch break is different to Middle Schools and Secondary Schools lunch break so therefore the Chief Minister is already cutting down the option of those parents who have two children one in each sector of education. So, it is virtually impossible to give the wide option that the Chief Minister is talking about. I would just like to mention that as a point of fact as an observation, the fact that it is no longer an hour break it is two half hour slots or should I say an hour and an hour in which they do not both combine so one knows exactly how parents might feel when the Chief Minister says that they have the option. Does the Minister not agree that these are not the options given to those parents?

#### **HON CHIEF MINISTER:**

No I do not, and let me remind the hon Member that he has occupied both camps in the argument depending on when the moment has suited him, that he also wanted the one hour break and then when he thought it would ingratiate with a cross section of the teaching profession he switched camp to the 20 minute break. I do not know whether he has any of his own children well they are not old enough for school, but what my children complain of, what my sons complain of at school is actually the opposite of what he is saying. Apparently they are made to stay in for the full half hour and that they have finished their lunch and still have to sit wherever they are made to sit until the half hour slot is finished before they are allowed to go out into the playground. So, I do not know whether my children are very particularly unhealthy eaters and whether I am a particularly irresponsible parent but what my children complain of is that they actually have to stay in the dining-hall for longer than they need rather than being allowed to go out and play after they finish their lunch in 16 or 17 minutes. So, we just have not had the experience that the hon Member has had from alleged complainers that half an hour is not enough for a child to eat a packed lunch and therefore it should not surprise him that the Government do not take the same view as him because we are just not getting the same message as he claims to be getting from any significant number of people. We just do not accept the premise upon which he is making his case. If there were complaints that half an hour

were not enough and this was reaching the Government well of course we would have to consider whether it was a good case that needed to be accommodated into the arrangements but we are not and in those circumstances he has to understand that the Government do not act because they do not share the view of the facts that he is projecting.

**HON S E LINARES:**

The Chief Minister has stated a number of things that I have not said and I would like to correct him. For a start I have not said that half an hour or that I have complaints from parents that half an hour is not enough, I have said and I will say it again is that some parents have come to us complaining that their children have been given 15 minutes to eat not half an hour, 15 minutes in certain sectors of the education system in which the children have been allowed to go into a classroom, let alone an accommodation or elsewhere to eat their lunches for 15 minutes and then chucked out that is the message that I have been getting so I would like to correct the Chief Minister that I have never said that half an hour was a short time and the second point is that the Chief Minister seems to try to want to confuse people about what I say rather than what I have actually said is that I was never ever, I have never said that I was in favour of the teaching profession's 20 minutes what I have said and I have argued is that in the department's questionnaire, when they did the questionnaire, they did not put the teachers' option that does not say on which side of the fence I am. I just said that they conveniently omitted the 20 minutes break in the first questionnaire rather than in the second one so therefore I would just like to clarify that.

In Question No 166 of 2002 I asked what was the supervisor pupil ratio in Secondary Schools which is the one I am concentrating on, he said that there was 1:35 and 1:30 respectfully. If we do a quick calculation there must be some children who are not supervised if the ratio is 1:35 maximum.

**HON DR B A LINARES:**

In Westside 450 pupils stay for lunch, not the total complement, we are talking about the ones that stay for lunch. These supervisor's responsibilities are supervising the lunch not to supervise the whole school.

**HON S E LINARES:**

In Question No 168 of 2002, can the Minister state how many letters have been received by the Department praising the lunch break?

**HON DR B A LINARES:**

I am not sure whether the Department or the Director has received any explicit praise written on paper for the lunch breaks but our feedback is that there is extreme satisfaction amongst the vast majority of parents with the arrangements and they are delighted from every point of view not only because of the facilities provided but also because of the relief and respite that has come their way now in their working lives

and which is really what they aimed from the beginning and it is a good way from diverting from the fact that only three letters of complaints have been received which is.....

**HON S E LINARES:**

.....officially in writing may I add which is more than the praise, but never mind.

**HON J C PEREZ:**

We have a situation where the Minister says that the non-receipt of letters of praise is a perception of how good things are going but the receipt of three different complaints is not a perception that something might be going wrong.

**HON DR B A LINARES:**

This is a naïve argument issue.

**HON CHIEF MINISTER:**

Yes, absolutely right because people who have a complaint are much more inclined to write than people who are going to give compliments. The Government do not do this to get compliments the Government have done this change of policy in response to a variety of social and other needs of Gibraltar. Most people in Gibraltar believe that on balance the change in school hours has been beneficial except the hon Member who appears to have an obsession with this matter, and who jumps around from one aspect of it to the other, let me give him an example, he is too subtle for the electorate in Gibraltar because he has just told us five minutes ago in this House that all that campaign that he conducted, booklets, leaflets that he demonstrated, all those interviews that he gave about how the change was being mismanaged, that the only point that he was trying to make it now transpires is some sense of grievance that the teachers' preferred option was not included in the ballot paper. Now that very fine point has gone straight over the heads of the electorate all of whom he should take my word for it had thought that he was opposed to the hour in favour of the 20 minutes and it now transpires that all this enormous air-time that he wasted on GBC and column inches that he wasted in the Gibraltar Chronicle was simply as a crusade because we did not include in the ballot paper the teachers' option which in any event is not the option that he had in his manifesto which was of a one hour as well and he continues to criticise the implementation of a policy which the vast majority of parents are choosing to benefit from in circumstances where it is optional for them and if they were unhappy with it they could choose to take their children home. He insists on pursuing this sort of one man crusade on behalf of, it is not quite clear who and what the Government would certainly welcome are comments, debates and views about whether in the light of experience and in the light of teething problems and in the light of what is a revolution in the way of life of many people here in Gibraltar with the benefit of a few months of hindsight, whether the system is not capable of being improved. I am certain that it is capable of being tweaked instead of harping on about structural complaints about whether the policy was right or wrong in the first place and about whether the children are using wipes or whether the children are not using wipes. Therefore, I would ask the hon Member to accept that the policy has been implemented, people will form their own view

about whether it has been successful or not, those who feel very strongly that it has been terribly unsuccessful will presumably vote for him and not for us at the next election but the debate now needs to move on. The thing has happened it is not going to be reviewed by the Government, the clock is not going to be put back, we think it has been a policy success and we would welcome the Opposition contributing to an improvement of the system. Some of his questions are in the right vein but the thrust of the whole of the question still harps on to the old days which nobody else harps back to. Most people in Gibraltar think that this has been a successful policy implemented in difficult circumstances both as to resources, physical facilities and cost. This has not been a cheap policy to implement and I think that most people accept that it has been a success.

**HON S E LINARES:**

In Question No 169 of 2002, the Minister said that all the toilet facilities in Westside are available to the girls, I would like to inform the Minister that I have had complaints from parents of girls in Westside who are saying that only the toilets in certain areas in the school are open during the lunch break and therefore that some girls are not able to use that facility because of so many of them using it. So, does the Minister think that the facilities of the Girls Comprehensive are adequate?

**HON DR B A LINARES:**

My answer is based on the information given to me by the Headteacher, the pupils can avail themselves of the existing toilets and these are sufficient to meet the demands of the school. When the new hall extension is built there will be additional toilets including one for the disabled. This comes straight from the Headteacher who appears to be satisfied with the present arrangements and at no time has he received any complaints along the lines that the hon Member has suggested.

**HON S E LINARES:**

Question No 170 of 2002 – Can the Minister state how many applied?

**HON DR B A LINARES:**

I think it was about 200 applications that were received and these were short-listed to 170 so that there is a pool of supervisors to fill in when those 120 who were selected are absent.

**HON S E LINARES:**

Can the Minister state who interviewed them was it just Serviceall?

**HON DR B A LINARES:**

I think I answered that in one of the previous questions. They were interviewed by a representation of a Headteacher from Secondary, Middle and First Schools and by

an Educational Advisor and by the Administrator of the Department of Education together with a representative of Serviceall.

**HON S E LINARES:**

Question No 171 of 2002 – Can the Minister state which grade they are analogued to, what criteria has he used to ascertain the £5 or £6?

**HON DR B A LINARES:**

They are not Government employees, they are employees of Serviceall and that was the offer that they made and they have had a very good response, 200 applied for that offer.

**HON J J BOSSANO:**

Is the contract, the payment to Serviceall based on the fact that they are paying those wages. That is to say do they get an amount of money which is based on this hourly rate plus something else or is there a sum of money that they bid for this contract and therefore it is irrelevant of what they pay their employees?

**HON CHIEF MINISTER:**

There is an element of administration/fee they do not pocket any saving in salary cost.

**HON J J BOSSANO:**

So in fact what we have just been told that these are not Government employees and this has nothing to do with it is not quite accurate because presumably the Government was consulted on the £6 and the £5?

**HON DR B A LINARES:**

I have said that they are not analogued to any Government employee.

**HON J J BOSSANO:**

When Serviceall bid for this work presumably it was on the basis that they will be paying £5 and £6 were there other people offering to provide this service but with different wage rates?

**HON CHIEF MINISTER:**

My recollection is that they were not offering a more generous wage structure than that.

**HON S E LINARES:**

Question No 172 of 2002 – I understand there has been a private firm which has approached Government in order to supply lunches, hot meals for children, can the Minister confirm this?

**HON CHIEF MINISTER:**

The Minister has already said that Government are not willing to account to the hon Member for approaches which are made on a speculative basis to the Government. It is just not appropriate to reveal proposes. The Government are answerable in this House and accountable to this House for what the Government do, not for suggestions put to them by others that come to nothing and therefore it is not appropriate for the Government, at least in our judgement it is not appropriate for the Government to reveal whether or not there has been an approach of the sort that the hon Member describes in this question.

**HON S E LINARES:**

Question No 173 of 2002 – Can the Minister state whether the Health Authority has been asked to comment on this practice, we are talking about the wipes?

**HON DR B A LINARES:**

Yes, there was an element of confusion there because the Health Authority, the Department of Public Health, thought the wipes were substituting wash basins not knowledgeable that there were ample facilities for wash basins for the children. The essential element that the Health Authority insisted was that before the meal they should wash their hands properly in wash basins to be provided. The Headteachers are perfectly satisfied with the facilities provided, the only element of wipes that has come into the picture is that some Headteachers feel that during the meal instead of using the type of kitchen tissue that I use at home, they prefer wet wipes, but in no way to substitute the washing of hands before the meal which is the essential element of hygiene.

**HON S E LINARES:**

Question No 174 of 2002 – Is the Minister aware that some schools have contradicted the leaflet the Health Authority issued advising parents to which I must compliment, that leaflet is a good leaflet, it is a positive leaflet but there has been contradictions with the leaflet given out from the Health Authority by the schools to parents and letters or notifications from the school directly to parents as in what they can take and have, for example, one that is very obvious is in the leaflet the Health Authority, prepared it put that the children can have in their pack lunch peanuts and some schools have banned peanuts from their lunch boxes. *[Interruption]* Well, the Chief Minister might laugh but here I am trying to be positive and it seems that he finds it funny now. Whatever I try to do positively it seems that he takes in jest. I think it is important because there might be confusion. Some parents might be confused, and say “well what do I do, these people tell me that my child can have peanuts in their lunch box and then this one says they are banned from school.” I am just bringing it to the notice of the Minister and could he investigate it please?

**HON DR B A LINARES:**

I have heard about this but I think that the matter has been quite simply resolved between the Headteachers and the parents.

**NO. 184 OF 2002**

**THE HON S E LINARES**

**EDUCATION – PURCHASE OF STATIONERY**

Can Government state whether they have now reverted to the traditional system of buying stationery for schools as stated in Question No 651 of 2001?

**ANSWER**

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

Yes.

**SUPPLEMENTARY TO QUESTION NO 184 OF 2002**

**HON S E LINARES:**

Can the Minister state why they have now reverted back to the one that they stated that there were delays in the delivery of books, is it that the local companies can now assure the Government that the stationery will be there on time or why the change?

**HON DR B A LINARES:**

We have reverted to the previous system were we could actually buy directly from UK suppliers by tender what we are establishing now is that we will go to tender but the tender will be opened up to UK suppliers as well.

**HON S E LINARES:**

If I am correct then the Minister is saying that this is the third system, they had the first system were they asked the teachers or the school used to directly ask for supplies from UK via catalogues, then they changed the system which tendered out to local companies and that is where the problem arised were the companies were taking too long to do the stationery, and now they are implementing a third system which is tendering out but including what the companies of the catalogue?

**HON DR B A LINARES:**

The school.

**HON S E LINARES:**

The school. No, no, the thing is it is important to clarify whether it is the school or the department that does it, because as I understand it before the school used to directly order things from catalogues via the Headteacher and then through the department rather than the way it was done the second time or the second option.

**HON CHIEF MINISTER:**

The new proposed system is supposed to be a half-way house between the school's desire to be able to procure from the United Kingdom with the Government's desire not to exempt the educational establishment from the tendering process and therefore what we have done is we are continuing with the tender process but allowing UK suppliers to participate in the tender process and I understand that the Department or the schools will bring to the attention of the suppliers in the UK the existence of this tender and then the companies of the UK will decide whether they wish to participate or not. So, whether they do participate or not depends whether they get to hear about the tender. It is not going to be advertised in the UK but I understand that arrangements will be made for favourite suppliers or suppliers who are thought are good and may be interested to bring to their attention the fact that this tender has been published are they interested in participating.

**NO. 185 OF 2002**

**THE HON S E LINARES**

**EDUCATION – NURSERIES**

Can Government state whether the Council of Ministers have now considered the draft legislation to regulate nurseries?

**ANSWER**

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

No, the draft legislation has now been referred back by the Department to the Legislation Unit for further amendments before it can be considered by the Council of Ministers.

**SUPPLEMENTARY TO QUESTION NO 185 OF 2002**

**HON S E LINARES:**

So, there has been a regression rather than a progression here?

**HON DR B A LINARES:**

Yes.

**HON S E LINARES:**

Last time when I asked this question the Minister said that it was in the agenda of the Council of Ministers?

**HON DR B A LINARES:**

Yes, that is almost correct but the legislation coming to us from the Legislation Unit was now ready to be presented in the agenda of the Council of Ministers but the department has found areas that they are not satisfied meet their requirements and therefore they have referred back to the Legislation Unit for further amendments.

**NO. 186 OF 2002**

**THE HON S E LINARES**

**CAMMELL LAIRD**

Can Government state how many persons have registered in the Cammell Laird apprenticeship scheme this academic year, that is, 2001/2002 giving a break down by trade?

**ANSWER**

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

For Intake 4, that is, starting date September 2001, up to 10 people have initially registered, of which nine remain on the Scheme. These comprise:

Four in Electrical trades;  
Three in Mechanical trades;  
Two in Fabrication/Welding Disciplines

**SUPPLEMENTARY TO QUESTION NO 186 OF 2002**

**HON J J BOSSANO:**

If this is the 4<sup>th</sup> intake does that mean that we now have people who completed four years and are now fully fledged craftsmen?

**HON DR B A LINARES:**

Not quite, they will be completing in November of this year. The 1<sup>st</sup> Intake which came in in 1998 will be completing their qualifications in November 2002 when they will graduate after their apprenticeship programme reaching up to NVQ Level 3 qualifications.

**HON J J BOSSANO:**

Do Government have an indication whether the companies are likely to be in a position to offer employment to those coming out?

**HON DR B A LINARES:**

Cammell Laird?

**HON J J BOSSANO:**

Cammell Laird.

**HON DR B A LINARES:**

No clear indication, formal guarantee but by indications does the hon Member mean the sort of things that one hears and one negotiates and one pushes along, well yes.

**HON J J BOSSANO:**

Am I right in thinking these are partly funded by the European Union Fund?

**HON DR B A LINARES:**

Indeed.

**NO. 187 OF 2002**

**THE HON S E LINARES**

**EDUCATION – UNIVERSITY STUDENTS**

Can Government state whether any student from Gibraltar studying in any UK University and spending a year in Spain as part of their degree in Spanish, have been advised by their UK University to seek a place elsewhere to go, on account of bad treatment by the Spanish Institution?

**ANSWER**

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

No cases of this sort have come to our notice.

**SUPPLEMENTARY TO QUESTION NO 187 OF 2002**

**HON S E LINARES:**

I bring this question because it is obvious that it has come to my notice and therefore in a positive note again I would like the Minister to look into what I have asked because there have been cases in which some local students, and I can tell him a little bit more about it, it is to do with the fact that because we are bilinguals and we tend to have more knowledge of the Spanish language what has happened is that students who have been doing Spanish in Spanish Institutions and know Spanish well, the institution have decided that they are not to take the course of a year as a foreign language but rather as a year intern in that college as if they were Spaniards. Therefore, some might have objected and then the treatment has been bad. This is the message that I am getting and I would like the Minister to look into it please.

**HON DR B A LINARES:**

By all means if he gives me the identity of the person and the situation and exactly what is meant by bad treatment . It is a bit nebulous but.....

**HON S E LINARES:**

For a start the fact that they are changing their course is already bad treatment because they should not. The second one is that they start harassing, in some cases there has been harassment and in fact I can tell him that the University has decided with certain students not to send them to an institution in Spain but rather to send them elsewhere because they have complained to the University and their tutors in University and said "Look I have not been treated well in the Spanish institution" and they have said "Well we will send you elsewhere" but there have been cases and I am willing to pass it on to the Minister.

**HON DR B A LINARES:**

I am grateful for that because I would certainly want to pursue an inquiry into that. There are currently three students who we have identified in Spanish Universities but as far as the Department and the Director knows, none of these students have come up with any complaints along these lines so I would like to know exactly.

**HON S E LINARES:**

When the Minister says three students in Spanish institutions is he talking about actually doing a UK degree and doing the year abroad?

**HON DR B A LINARES:**

Yes.

**NO. 188 OF 2002**

**THE HON S E LINARES**

**EDUCATION – GIBRALTAR COLLEGE OF FURTHER EDUCATION**

Can Government give a breakdown of the number of students that started attending the Educational programme of the GCFE in the year 2000/2001, 2001/2002 by subject and how many have not completed in each year to date?

**ANSWER**

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

Answered together with Question Nos 189 and 190 of 2002.

**NO. 189 OF 2002**

**THE HON S E LINARES**

**EDUCATION – GIBRALTAR COLLEGE OF FURTHER EDUCATION**

Can Government state the number of students who have started attending courses offered this academic year in the GCFE and further give us a breakdown of the subjects chosen?

**ANSWER**

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

Answered together with Question Nos 188 and 190 of 2002.

**NO. 190 OF 2002****THE HON S E LINARES****EDUCATION – GIBRALTAR COLLEGE OF FURTHER EDUCATION**

Can Government give a breakdown of the number of students that are in the Educational programme of the GCFE who started in the year 2000/2001 by subject and how many did not complete the year?

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

I hand the hon Member the information requested.

**Answer to Question No 190 of 2002**

<b>Year 2000/2001 (Full time Students)</b>			
<b>Department</b>	<b>Started</b>	<b>Finished</b>	<b>Left</b>
Construction & The Built Environment	26	21	5
Information & Communication Technology	91	87	4
Business Studies	67	56	11
Foundation Course	34	24	10
<b>Total</b>	<b>218</b>	<b>188</b>	<b>30</b>

<b>Year 2001/2002 (Full time Students)</b>			
<b>Department</b>	<b>Started</b>	<b>On Course</b>	<b>Left</b>
Construction & The Built Environment	24	22	2
Information & Communication Technology	99	96	3
Business Studies	52	48	4
Foundation Course	26	22	4
Single Awards – 2 or 3 GCE AS/A2 + Single AVCE	20	20	0
<b>Total</b>	<b>221</b>	<b>208</b>	<b>13</b>

The figures above are up to and including 6<sup>th</sup> February 2002.

The figures in the “Left” column are students who in the main have discontinued their course because they have found suitable employment or remunerated training opportunities.

**NO. 191 OF 2002**

**THE HON S E LINARES**

**SPECIAL EDUCATIONAL NEEDS**

Will Government state how many children are registered in stages 1, 2, 3, 4, and 5 as set out in the Special Educational Needs Code of Practice at the beginning of this academic year 2001/2002?

**ANSWER**

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

Stage 1	-	433
Stage 2	-	178
Stage 3	-	77
Stage 4	-	23
Stage 5	-	35

**NO. 192 OF 2002**

**THE HON S E LINARES**

**SPECIAL EDUCATIONAL NEEDS**

Can the Minister for Education state when he intends to commission another Special Educational Needs audit report?

**ANSWER**

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

I have no intention of commissioning another Special Educational Needs audit.

**SUPPLEMENTARY TO QUESTION NO 192 of 2002**

**HON S E LINARES:**

Can the Minister state if there is a period of time he feels another report might be commissioned?

**HON DR B A LINARES:**

At this stage the department feels that there is no need for a comprehensive audit of the nature that we carried out in 1997 by the University of Hull. The 24 recommendations that were made by the report have now largely been implemented and the progress made since 1997 in the provision of Special Needs Education in Gibraltar has been quite dramatic. As I say, we have now published a booklet which captures these recommendations in terms of defining clearly as guidelines the provision of schools and teachers of children with special needs.

**NO. 193 OF 2002**

**THE HON S E LINARES**

**EDUCATION – GCSE AND ‘A’ LEVEL SUBJECTS**

Can the Minister for Education state what steps he has taken to date to address the inequality in subjects offered by Bayside and Westside both at GCSE and ‘A’ Level?

**ANSWER**

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

The GCSE IT course at Westside is currently being offered to students as part of the options programme for Year 9 pupils. Those students who opt to study IT at GCSE level will commence the course in September 2002. An AS/A level course will be offered as from September 2004. The Department is satisfied that there are no major dissimilarities with the curriculum provision of Bayside and Westside at this stage that could be termed in any way or interpreted as representing inequalities.

**SUPPLEMENTARY TO QUESTION 193 OF 2002**

**HON S E LINARES:**

When I say inequalities I do not mean it as in negative terms I mean it in a positive way. As the Minister well knows there are the ‘A’ Levels that are offered in different schools, not too different but there are slight differences, and therefore can the Minister instruct both comprehensives to allow both girls and boys to one or another school to do the subject that is not offered in one or the other as of right rather than depending on numbers.

**HON DR B A LINARES:**

The right has to be limited and restricted to what is viable, and the hon Member must know the time-tabling problems, logistical, the difference very often in being able to provide these exchanges between one school and the other. The intention is always to enable the schools to provide for Bayside for girls and Westside for boys when it is viable, when it is logistically possible within the restraints and the constraints of the time-table and of course the availability of teachers specialised in those particular subjects.

**HON S E LINARES:**

I understand this but what I am trying to do is that if, for example, from the top of my head, a subject like economics is offered at Bayside and some girls want to do economics at 'A' Level and it is not offered at Westside why should the girl not be able to do economics because there are more, the numbers in Bayside are already complete and certain girls want to do it they should also have the opportunity of being able to do it even though the boys all have the opportunity. This is again a question which I ask because I was surprised that the Chief Minister actually in the last House agreed that both comprehensives should compliment one another and I am of that view as well that I certainly at GCSE level and AS Level were the two schools, and resources is important as well, where one has teachers who need to double-up and that could well be the beginning of a hypothetical 6<sup>th</sup> form college or something of the sort. I think it is a positive development that we should be looking into and the department should be pursuing more prominently.

**HON DR B A LINARES:**

The intention is there in principle but as I say we have to look at the resources, the availability of teachers, the size of groupings, take for instance the example of, economics, and there are so many boys already entered for that particular subject with only one teacher perhaps who is available for that subject and then a number of girls wanting to join that would make that group perhaps in size totally unviable. There are restraints but I can assure the hon Member that the in principle intention of the Department and of the Headteachers is to make both schools as supportive of each other as possible.

**HON CHIEF MINISTER:**

Can I just add and I am expressing now a personal view not wishing to cut across the Department on this but I have a lot of sympathy with the view expressed by the hon Member that there should not be subjects that one can do if one is a boy but not if one is a girl, and I think that the Government will at some point address that issue more seriously with a view to remedying that.

**HON S E LINARES:**

I appreciate that.

**NO. 194 OF 2002**

**THE HON S E LINARES**

**EDUCATION – EU INSTITUTIONS**

Can Government state whether EU nationals who meet the academic requirements are entitled to study in any EU institution as of right?

**ANSWER**

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

The hon Member should know that any EU national is entitled to apply and if accepted study in any academic institution within the EU.

**SUPPLEMENTARY TO QUESTION NO 194 OF 2002**

**HON S E LINARES:**

Then the Minister can confirm that there is no need to have a special agreement in order for students from Gibraltar who are EU nationals to study elsewhere in the EU if they meet the academic requirements, no special agreement is needed correct?

**HON DR B A LINARES:**

Indeed no special agreement within the total context of European Union Conventions and Regulations.

**NO. 195 OF 2002**

**THE HON S E LINARES**

**EDUCATION – E-COMMERCE TRAINING**

Can Government state what progress has been made in relation to E-Commerce training?

**ANSWER**

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

The College of Further Education continues to provide an excellent ICT programme of training, for the civil service, whereby 356 have completed training in particular modules. The Government are further planning to provide a recognised apprenticeship programme that will equip local people with modern skills within the E-Commerce field.

**NO. 196 OF 2002**

**THE HON S E LINARES**

**EDUCATION – EMPLOYMENT AGENCY**

Can the Minister for Education confirm whether his department is satisfied with the Employment Agency's statistical information in relation to the impact the training scheme for the unemployed has had in order to ascertain its effectiveness?

**ANSWER**

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

The Department of Education and Training through the College of Further Education provides the training for unemployed persons registered with the Employment Agency, there are some basic courses in numeracy, literacy and IT being offered. The impact of these courses in terms of employment statistics or unemployment statistics is evaluated by the Employment Agency itself not by the Department of Education, we just provide the service where it leads to is evaluated by the Employment Agency.

**SUPPLEMENTARY TO QUESTION NO 196 OF 2002**

**HON S E LINARES:**

I ask this question because the last time I asked what co-ordination there was between the Agency and the Department and there did not seem to be a clear criteria certainly from the Employment Agency as to how to ascertain the effectiveness so I posed this question to see whether the Department has had any input from the Employment Agency?

**HON DR B A LINARES:**

Input and the co-ordination lies in the fact that the Employment Agency as experts in the needs geared to employment of these unemployed persons will tell the Education Department the substance of the courses that are mostly required and are most relevant and in that sense there is co-ordination and then we provide the service and hopefully the Employment Agency will see its effectiveness.

**NO. 197 OF 2002**

**THE HON S E LINARES**

**POST- 16 EDUCATION**

Can the Minister for Education give this House a rundown of the progress made by the committee he formed to look into the provision of Post-16 Education in Gibraltar?

**ANSWER**

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

The committee set up to look into the provision of post-16 education in Gibraltar has met on a number of occasions. At this stage general issues have been discussed and there has been agreement in principle that there is a need to rationalise the existing provision to enable students to access a wider choice of educational programmes.

**SUPPLEMENTARY TO QUESTION NO 197 OF 2002**

**HON S E LINARES:**

In those meetings is the Minister aware of any courses that might have been identified to suit the post-16 education, qualifications that might be useful for people who do not go on to GCSE, I posed this question on Westside and Bayside specifically but I am worried now because post-16 as the Minister well knows the pupil does not have to be in school. I am concerned about the post-16 like he is obviously and could the Minister state whether the Committee has already identified some courses to do in order to again bridge, and the bridge here would be leaving school having some training and employment?

**HON DR B A LINARES:**

The Committee is an Advisory Body, advisory to Government, to me, and as yet no specific advice, no specific proposals along the line suggested by the hon Member have been formally put to me.

**HON S E LINARES:**

Is this Advisory Council statutory or just an Advisory Council that the Minister has seen fit to bring together?

**HON DR B A LINARES:**

It is a working committee.

**NO. 198 OF 2002**

**THE HON S E LINARES**

**TRAINING – EUROPEAN SOCIAL FUND**

Can Government state how many meetings have taken place between the DTI and the Education Department in relation to training and re-training of the workforce in order to be able to use the objective 3 programme?

**ANSWER**

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

Meetings between DTI and Education Department with regards to objective 3, in relation to the European Social Fund (ESF) are conducted regularly and on an on-going basis. This has resulted in training schemes which are partly subsidised by ESF to meet the needs of our community.

**NO. 199 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PRESCRIPTION CHARGES**

Can Government now give the complete figures for periods 5-8 in relation to Question No 1054 of 2001?

**ANSWER**

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

Answered together with Question No 202 of 2002.

**NO. 200 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF PRESCRIPTIONS**

Can Government now provide the figures for periods 6 and 7 in relation to Question No 1056 of 2001?

**ANSWER**

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

Answered together with Question Nos 204 and 205 of 2002.

NO. 201 OF 2002THE HON MISS M I MONTEGRIFFO**GHA –DISPENSING FEES**

Can Government now provide the full details in relation to Question No 1057 of 2001?

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

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

<b>Amounts Paid to the Pharmacist</b>	
<b>Date</b>	<b>£</b>
1 <sup>st</sup> – 30 <sup>th</sup> April 2001 (inclusive)	418,227.88
1 <sup>st</sup> – 31 <sup>st</sup> May 2001 (inclusive)	347,076.34
1 <sup>st</sup> – 30 <sup>th</sup> June 2001 (inclusive)	571,032.30
1 <sup>st</sup> – 31 <sup>st</sup> July 2001 ( inclusive)	409,228.69
1 <sup>st</sup> – 31 <sup>st</sup> August 2001 ( inclusive)	407,198.82
1 <sup>st</sup> – 30 <sup>th</sup> September 2001 (inclusive)	637,242.21
1 <sup>st</sup> - 31 <sup>st</sup> October 2001 ( inclusive)	348,084.72
<b>Total</b>	<b>£3,138,090.96</b>

<b>Amounts Paid Each Month Due To Prescriptions Dispensed In That Month</b>	
<b>Date</b>	<b>£</b>
1 <sup>st</sup> – 30 <sup>th</sup> April 2001 (inclusive)	18,252.80
1 <sup>st</sup> – 31 <sup>st</sup> May 2001 (inclusive)	-
1 <sup>st</sup> – 30 <sup>th</sup> June 2001 (inclusive)	52,548.46
1 <sup>st</sup> – 31 <sup>st</sup> July 2001 ( inclusive)	89,336.31
1 <sup>st</sup> – 31 <sup>st</sup> August 2001 ( inclusive)	64,880.43
1 <sup>st</sup> – 30 <sup>th</sup> September 2001 (inclusive)	186,278.70
1 <sup>st</sup> - 31 <sup>st</sup> October 2001 ( inclusive)	88,439.60
<b>Total</b>	<b>£499,736.30</b>

The yield of the 15 per cent on cost of the basic price of medicines and of the dispensing fee per item cannot be determined from the amounts paid as part payments are made on a 95 per cent basis when the accounts are submitted. After the accounts are thoroughly checked the outstanding sum is paid to the pharmacist when again there will be no knowledge on the breakdown of the on-cost dispensing fee.

**NO. 202 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – REVENUE**

Can Government state how much extra revenue the Gibraltar Health Authority has raised from 1<sup>st</sup> November 2001 to end of January 2002, as a result of their policy to increase prescription charges?

**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 No 199 of 2002**

Period 1 starts at week ending 1<sup>st</sup> April and Period 8 ends with week ending 28<sup>th</sup> October 2001.

The total revenue raised during this period was	£199,675.00
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The revenue that would have been raised under previous system in respect of £1.20's and the 20p levied to pensioners would have been	£142,246.80
	_____

The notional additional revenue raised is	£ 57,428.20
	_____

**Answer to Question No 202 of 2002**

Period 9 starts at week ending 11<sup>th</sup> November 2001 and period 11 ends at week ending 27<sup>th</sup> January 2002.

The total revenue raised during this period was £63,410.00

The revenue that would have been raised under previous system in respect of £1.20's and the 20p levied to pensioners would have been £45,639.60

The notional additional revenue raised is £17,770.40

I should add that these figures are subject to change because some accounts are yet to be submitted by Pharmacists.

**SUPPLEMENTARY TO QUESTION NOS 199 AND 202 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Is the Minister able to confirm in relation to Question No 202 of 2002 whether in fact the revenue that is being raised is on the increase?

**HON DR B A LINARES:**

I am not able to confirm this here and now because I do not have the previous statements to this effect but I will check on that.

**HON MISS M I MONTEGRIFFO:**

I think the Minister will find that there is an increase but I would be grateful if he could confirm it at a later stage in the House.

**NO. 203 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – AMOUNTS PAID TO PHARMACISTS**

Can Government say what was the amount paid to Pharmacists from 1<sup>st</sup> November 2001 to end of January 2002, 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**

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

**Answer to Question No 203 of 2002**

<b>Amounts Paid to the Pharmacists</b>	
<b>Date</b>	<b>£</b>
1 <sup>st</sup> – 30 <sup>th</sup> November 2001 (inclusive)	565,520.19
1 <sup>st</sup> – 31 <sup>st</sup> December 2001 (inclusive)	378,060.60
1 <sup>st</sup> – 31 <sup>st</sup> January 2002 (inclusive)	512,845.29
<b>Total</b>	<b>£1,456,426.08</b>

<b>Amounts Paid Each Month Due To The Prescriptions Dispensed In That Month</b>	
<b>Date</b>	<b>£</b>
1 <sup>st</sup> – 30 <sup>th</sup> November 2001 (inclusive)	191,308.97
1 <sup>st</sup> – 31 <sup>st</sup> December 2001 (inclusive)	371,807.22
1 <sup>st</sup> – 31 <sup>st</sup> January 2002 (inclusive)	353,644.48
<b>Total</b>	<b>£916,760.67</b>

The yield of the 15 per cent on cost of the basic price of medicines and of the dispensing fee per item cannot be determined from the amounts paid as part payments are made on a 95 per cent basis when the accounts are submitted. After the accounts are thoroughly checked the outstanding sum is paid to the pharmacist when again there will be no knowledge on the breakdown of the on-cost or dispensing fee.

**NO. 204 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF PRESCRIPTIONS ISSUED**

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 period 8, 9 and 10 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 200 and 205 of 2002.

**NO. 205 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – NUMBER OF PRESCRIPTIONS ISSUED**

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 8, 9, and 10 of 2001/2002?

**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 her. I have to point out again as I have done before, her Question No 204 of 2002 is really impossible to answer as it stands because she relates the cost to the £2.50 charge and as I have explained on previous occasions £2.50 is charged on only three items in many prescriptions, many scripts will have more than three items with different prices and it is impossible therefore to relate the cost to any of these particular charges of £2.50. However, what I have done is give her the total cost in the answer to Question No 204 of 2002 both for the periods of 2001 and 2000. What I have given is the total sums, the scripts the items and the costs of the white prescriptions of the paying prescriptions I hope the hon Lady understands what I mean. In Question No 205 of 2002 it is all right because she is asking the cost of all prescriptions but in Question No 204 of 2002 she asks for the costs of prescriptions related to £2.50 and that is mathematically impossible to give as it stands.

**Answer to Question No 200 of 2002**

<b>Period</b>	<b>6</b>	<b>7</b>
Scripts	5132	5443
Items	11,352	12,274
Cost	£140,208.24	£151,949.95

**Answer to Question No 204 of 2002**

2001/2002

<b>Period</b>	<b>8</b>	<b>9</b>	<b>10</b>
Scripts	5,633	5,528	4,002
Items	12,706	12,229	9,120
Cost	£152,118.15	£149,646.64	£114,260.19

Periods 9 and 10 are incomplete and are subject to change because some accounts are yet to be submitted by Pharmacists.

2000/2001

<b>Period</b>	<b>8</b>	<b>9</b>	<b>10</b>
Scripts	5,803	5,464	5,276
Items	12,350	11,767	11,636
Cost	£129,865.27	£123,519.78	£123,701.69

**Answer to Question No 205 of 2002**

<b>Period</b>	<b>8</b>	<b>9</b>	<b>10</b>
Scripts	12,420	12,267	9,030
Items	38,844	38,284	29,246
Cost	£416,689.23	416,761.77	£318,833.31

Periods 9 and 10 are incomplete and are subject to change because some accounts are yet to be submitted by Pharmacists.

**SUPPLEMENTARY TO QUESTION NOS 200, 204 AND 205 OF 2002****HON MISS M I MONTEGRIFFO:**

I have now understood what the Minister has said and perhaps it is because when we look back to what has transpired in the previous House it is not possible to actually identify what the Minister says because we have not had yet the Questions and Answers printed but I definitely have taken the meaning of what he has said now and I will remember in future but as I have been provided with four tables I will need some time to digest the information that I have been given.

**NO. 206 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – NUMBER OF 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> November 2001 to the end of January 2002?

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

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

**Answer to Question No 206 of 2002**

<b>Month</b>	<b>Out Patient Attendances At Casualty Department</b>	<b>Out Patients Attendances At Clinics</b>
November 2001	2058	1732
December 2001	1777	1278
January 2002	1912	1579
<b>Total</b>	<b>5747</b>	<b>4589</b>

**SUPPLEMENTARY TO QUESTION NO 206 OF 2002**

**HON MISS M I MONTEGRIFFO:**

In answer to Question No 706 of 2001 the figure from January to March which is a period of three months has a total of 12,338 out-patient attendances at St Bernard's, here we are talking about November, December and January, which is three months as well and we have a figure of 5,747 out-patient attendances at casualty and at clinics. It seems to me that the figure is coming down, can the Minister confirm that now?

**HON DR B A LINARES:**

I cannot confirm that now but the figures she has just been quoting do not tally with the one that I have here. In answer to Question 1083 of 2001 from April to October 2001, is that what she is talking about? The total was 24,242 out-patients attendances both in casualty and clinics and this is to be compared with a total of 10,336 in the last three months. Our figures do not tally.

**HON MISS M I MONTEGRIFFO:**

No. I am quoting the figures that I have just been handed by the Minister and he is quoting November, December, and January.

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

Three months.

**HON DR B A LINARES:**

That is right.

**HON MISS M I MONTEGRIFFO:**

Therefore, I am referring to those three months compared to the last question that I put to him which was in fact in April .....

**HON DR B A LINARES:**

Question No 1083 of 2001.

**HON MISS M I MONTEGRIFFO:**

Question No 705 of 2001.

**HON DR B A LINARES:**

There was a later one. There was April to October 2001.

**HON MISS M I MONTEGRIFFO:**

No, I am referring to Question No 706 of 2001 which relates to the same amount of months. Three months, I understand what the Minister is saying but it seems to me that my question of today No 206 of 2002 does not relate to the information that I have been given. I think the Minister has provided me with the wrong figures.

**HON DR B A LINARES:**

No, I have provided the hon Lady with the figures she asked for. That is, the out-patients attendances in St Bernard's Hospital from November 2001, December 2001 and the last month January 2002, and the total of out-Patients attendances for these three months was 10,336. Now, the figures for the previous seven months was a total of 24,242 that is from April 2001 to October 2001. It seems to me that just at a cursory glance that the three months, with 10,000 and seven months with 24,000 more or less show the same trend and average.

**HON MISS M I MONTEGRIFFO:**

Yes, only that I was comparing the three months in April with the three months that he has just given me.

**HON DR B A LINARES:**

I would have to do some adding up to find that out but I think that the relevant comparison is the total figure for three months, the last three months with the total figure for the previous seven months and then see whether the general trend, the averages for these periods compare or show an increase or a decrease or whatever which is really what the hon Lady is getting at.

**HON MISS M I MONTEGRIFFO:**

Just looking at the figures I think the Minister will find out that there seems to be a slight decrease but more or less the picture is static.

**HON DR B A LINARES:**

That is my impression too that it is more or less static.

**NO. 207 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – NUMBER OF 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> November 2001 to the end of January 2002?

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

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

<b>Month</b>	<b>In-Patient Admissions</b>	<b>Average of patients per day</b>
November 2001	444	142
December 2001	340	134
January 2002	332	139

**NO. 208 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF OUT-PATIENT ATTENDANCES**

Can Government state what was the total number of out-patient attendances at the Health Centre from 1<sup>st</sup> November 2001 to the end of January 2002?

**ANSWER**

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

Answered together with Question No 209 of 2002.

**NO. 209 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NUMBER OF HOUSE CALLS**

Can Government state how many house-calls were attended to by Health Centre doctors from 1<sup>st</sup> November 2001 to end of January 2002?

**ANSWER**

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

The number of out-patient attendances at the Primary Care Centre from 1<sup>st</sup> November 2001 to the end of January 2002 was 31,454. The number of House-Calls attended by Health Centre Doctors for the period 1<sup>st</sup> November 2001 to end of January 2002 was 1,362 (House-Calls recorded during emergency clinic hours – 9.00 am to 4.00 pm).

**SUPPLEMENTARY TO QUESTION NOS 208 AND 209 OF 2002**

**HON MISS M I MONTEGRIFFO:**

I know that the Minister has said before that no record is kept for calls between 4 and 9 and if I remember rightly he said in one of the last meetings of the House of Assembly that the Health Authority was looking at a situation where they could record these calls, is this still the case?

**HON DR B A LINARES:**

As the hon Member knows, these calls outside the emergency hours have never been recorded but as I said before there is always a possibility of looking whether it is a feasible proposition to carry out some form of records.

**NO. 210 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ELDERLY CARE PATIENTS**

Can Government state how many Long Stay Elderly care patients there were at St Bernard's Hospital in November, December 2001 and January 2002?

**ANSWER**

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

The breakdown of Long Stay Elderly patients at St Bernard's Hospital is as follows:-

November 2001	-	55
December 2001	-	58
January 2002	-	61

**NO. 211 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PATIENT REFERRALS**

Can Government state since the 1<sup>st</sup> November 2001 to the end of January 2002, 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 212, 213 and 223 of 2002.

**NO. 212 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SPONSORED PATIENTS**

Can Government state what was the number of Sponsored Patients treated in the UK from 1<sup>st</sup> November 2001 to end of January 2002, 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 211, 213 and 223 of 2002.

**NO. 213 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SPONSORED PATIENTS**

Can Government state what was the total number of Sponsored Patients treated in the UK for the period 1<sup>st</sup> November 2001 to end of January 2002 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 211, 212 and 223 of 2002.

**NO. 214 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SOCIAL SECURITY PENSIONERS**

Can Government now state how many UK Social Security Pensioners, who were not also in receipt of 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 215 to 220 of 2002.

**NO. 215 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – UK SOCIAL SECURITY PENSIONERS**

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**

Answered together with Question Nos 214 and 216 to 220 of 2002.

**NO. 216 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SOCIAL SECURITY PENSIONERS**

Can Government now state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK as at 31<sup>st</sup> December 1997?

**ANSWER**

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

Answered together with Question Nos 214 to 215 and 217 to 220 of 2002.

**NO. 217 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SOCIAL SECURITY PENSIONERS**

Can Government now state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK as at 31<sup>st</sup> December 1998?

**ANSWER**

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

Answered together with Question Nos 214 to 216 and 218 to 220 of 2002.

**NO. 218 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SOCIAL SECURITY PENSIONERS**

Can Government now 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 214 to 217 and 219 to 220 of 2002.

**NO. 219 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SOCIAL SECURITY PENSIONERS**

Can Government now state how many Gibraltar Social Security Pensioners, who were not also in receipt of a UK Social Security Pension, were resident in UK in the year 2000?

**ANSWER**

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

Answered together with Question Nos 214 to 218 and 220 of 2002.

**NO. 220 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SOCIAL SECURITY PENSIONERS**

Can Government now state how many Gibraltar Social Security Pensioners who were not also in receipt of a UK Social Security Pension, were resident in UK in 2001?

**ANSWER**

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

The number of pensioners referred to in Question Nos 216 and 217 of 2002 are 24 for 1997 and 33 for 1998. These questions have been answered in response to questions in the past (612/99, 466 and 467/01). With regard to the other questions, there have been no developments since I answered these questions at the last session of the House (1072/2001). I also explained at the time that the UK Department of Health will be meeting GHA officials in the near future and I hope to be able to furnish the hon Member with all this information shortly thereafter.

**SUPPLEMENTARY TO QUESTION NOS 214 TO 220 OF 2002**

**HON MISS M I MONTEGRIFFO:**

I remember that in the last House of Assembly Meeting or in the previous one to that, I asked the Minister whether the UK had given an indication as to when the balancing between what Gibraltar owes and the UK owes would be resolved, I think it was for the year 1999/2000. I know that they have now changed the system that they have gone from financial years to calendar years but can the Minister confirm whether the UK has indicated when this will occur?

**HON DR B A LINARES:**

Yes apparently they have indicated that at the forthcoming meeting which is expected to take place in the near future they will be able to sort out these statistical elements.

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether in fact the Gibraltar Health Authority have an idea whether they will be in fact receiving a payment from the UK as has happened in the past?

**HON DR B A LINARES:**

I cannot really confirm that until the figures are established I am afraid but I do hope and trust that it will be as in the past. We are the winners, we gain on the whole transaction.

**HON MISS M I MONTEGRIFFO:**

I am glad to hear, for once we are being winners. When the Minister said it is in the near future is it referring to this financial year?

**HON DR B A LINARES:**

This financial year ends at the end of March, it may not be before April but it will be within the next few months so it may encroach into the next financial year.

**NO. 221 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – 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**

Answered together with Question Nos 222 and 232 of 2002.

**NO. 222 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest average annual cost of treating a pensioner in the UK in 2001?

**ANSWER**

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

Answered together with Question Nos 221 and 232 of 2002.

**NO. 223 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SPONSORED PATIENTS**

Have the costs for 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 being met by the UK Government now been received?

**ANSWER**

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

**Answer to Question No 211 of 2002**

The total number of patient referrals to the UK from 1<sup>st</sup> November 2001 to the end of January 2002 was 241.

**Answer to Question No 212 of 2002**

A total of 178 patients were treated at Gibraltar Health Authority expense. The medical costs invoiced to date is £7,931.42.

**Answer to Question No 213 of 2002**

Thirty-two quota patients were treated in UK during the same period.

**Answer to Question No 223 of 2002**

The costs of the quota patients treated in the UK for the period 1<sup>st</sup> April to 31<sup>st</sup> October 2001 have not been provided by the UK.

**NO. 224 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – SPONSORED PATIENTS**

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 August 2001 to date?

**ANSWER**

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

Of the patients who have been given the choice to obtain treatment in Spain, since August 2001 to 6 February 2002 nine have elected to do so.

**SUPPLEMENTARY TO QUESTION NO 224 OF 2002**

**HON MISS M I MONTEGRIFFO:**

The last time we dealt with this question the Minister informed the House that there had been nothing signed on the question of the agreement, is he therefore saying that what appeared in the Gibraltar Chronicle as a historical breakthrough in relations with Spain which quoted him as saying that Gibraltar Government and Junta de Andalucia .....

**MR SPEAKER:**

You cannot ask that, you cannot ask if a newspaper report is true or not you have to use your ingenuity and do it some other way.

**HON MISS M I MONTEGRIFFO:**

Can the Government confirm whether in fact reports that have been emanating from other sources are correct when they have actually quoted him as signing a deal with the Junta de Andalucia on medical co-operation?

**HON DR B A LINARES:**

Yes. In as much as they report a signing of an agreement those reports are not true. There was no signed formal agreement, there were meetings, discussions, meeting of minds, looking at strategies, looking at procedures and ways of co-operating within the established content of European Union conventions and regulations but there was no need actually for a signed convention in as much as the media reported the signing of an agreement they are incorrect but of course many of the aspects of that report are correct. The fact that there have been meetings between myself as Minister of the Gibraltar Government and the Minister or the Consejero of the Andalusian Government with other officials of our own GHA and the SAS to see how we can actually co-operate further to making medical facilities in Spain available to our patients, identifying for instance credible centres for different specialists, that sort of practical operational aspects which were reported in the press, those were substantially correct but not as I say in as much as there was a signed agreement between the two Governments.

**HON MISS M I MONTEGRIFFO:**

In view of what was reported within these sources which actually appeared as if there had been practically a joint declaration from the Government of Gibraltar and the Junta de Andalucia, would the Minister not agree that in view of comments made by a certain journalist from a daily local newspaper who will not be patting him on the back anymore can he confirm that it would have been prudent for the Minister to come out public and deny these reports.

**HON DR B A LINARES:**

I did so actually I did so at the last House of Assembly when the hon Member asked me the same question.

**HON MISS M I MONTEGRIFFO:**

I was thinking about denying it in public not in the House of Assembly before or after it was brought to his attention. When the Minister says that some of these reports, some of the things that they said were correct.....

**MR SPEAKER:**

No I cannot allow it.

**HON MISS M I MONTEGRIFFO:**

I will rephrase the question. Can the Minister confirm whether Gibraltar will be included in the Andalusia's region organ transplant system both for donation and reception purposes as has been reported?

**HON DR B A LINARES:**

That was one of the areas which we discussed at that meeting which I explained before. One of the areas was the possibility of Gibraltar patients being included in the waiting lists for transplant organs in Spain.

**HON MISS M I MONTEGRIFFO:**

Does the transplant organ system in Spain include heart transplants? And I know that he will know that I am referring to a specific patient.

**HON DR B A LINARES:**

Yes indeed we talked about transplant of organs renal, heart transplants, we did not specify any particular form of transplant.

**HON MISS M I MONTEGRIFFO:**

When the Minister spoke about this subject where any conclusions reached at all?

**HON DR B A LINARES:**

The conclusion reached at that meeting was that officials "technicos" on our side and theirs would now look together at legal aspects because the question of transplants is not covered under the E112 convention and therefore it meant that other procedural and legal aspects had to be studied in order to make it viable.

**HON MISS M I MONTEGRIFFO:**

Since we are talking about an incident that I am sure the Minister is aware of were a patient was told by the authorities in Gibraltar that they had been informed by authorities in Spain that in view of the fact that he was not a resident in Spain he would not be eligible what will happen to this specific case?

**HON DR B A LINARES:**

I am not aware of this case.

**HON MISS M I MONTEGRIFFO:**

Yes I have spoken to the Minister on many occasions and so has the Hon Mr Perez. In view of the fact that there is a Gibraltar patient requiring a heart transplant he was told in Spain some months ago that because he was not a resident in Spain he would not be eligible for a transplant in Spain. Can the Minister confirm what has happened to this specific case then as a result of that?

**HON DR B A LINARES:**

I will have to pursue further enquiry into this particular case as to what has been the outcome?

**HON MISS M I MONTEGRIFFO:**

I spoke to the Minister about the patient who had been told by the consultant in the Gibraltar Health Authority that there was a possibility that because he needed a heart transplant as a result of the Minister having meetings with the Junta de Andalucia, whether he could actually be eligible for the transplant in Spain. In view of what the Minister has said that it is being looked at by officials can he confirm that this person will be eligible or not?

**HON DR B A LINARES:**

Not at this moment of time as I explained a moment ago, no definite conclusion was arrived so that it would make it a reality the possibility as regards this patient that I now recall he is now in the waiting list for heart transplant in UK.

**HON J C PEREZ:**

As regards the original reply that the Minister gave he said that nine persons had chosen to go to Spain but out of a total of how many that were given the choice he has not said the total number?

**HON DR B A LINARES:**

I have not got the figure with me, the only figure that was given to me was that nine patients actually chose to go to Spain.

**HON J J BOSSANO:**

In terms of the discussions that the Minister held with people in the Junta de Andalucia about the possibility of accessing their services I think he has confirmed that this was on the basis of what is already provided for under European Law and it was just a question of the logistics. Does he know what if any is the relationship between that and the supposed offer made by Señor Piqué to Jack Straw in Barcelona?

**HON DR B A LINARES:**

I know what the Leader of the Opposition is getting at but I have no solid information as to the interaction there is between the thinking of Madrid in terms of the offer within the Brussels process and the initiatives taken by the Junta which as the hon Member is aware is an autonomous government and is not reliant in domestic matters such as the health services on the Government of Madrid but I do not know what there has been transpiring between the two Governments.

**HON J J BOSSANO:**

Is it therefore the case that post that meeting the United Kingdom has made no attempt to communicate to the Health Authority what supposedly was on offer from Spain?

**HON DR B A LINARES:**

No we have not had any information from the United Kingdom as he puts it now about their discussions on this matter.

**HON MISS M I MONTEGRIFFO:**

Is the Minister aware as the Opposition is that there are a number of patients who have gone recently to Spanish medical institutions and they have been criticised for going there and they have been told that how come they are so British and they are going to Spain for medical attention. Has he received such complaints?

**HON DR B A LINARES:**

I have not heard any myself, I have not heard any stories along these lines.

**NO. 225 OF 2002**

**HON MISS M I MONTEGRIFFO**

**GHA – PRIMARY CARE CENTRE**

Are general practitioners based at the Health Centre able to refer patients directly to Spanish Medical Institutions?

**ANSWER**

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

General practitioners have never referred patients directly to Spanish medical institutions but this is currently under review by the Authority as part of a general review of the policy.

**SUPPLEMENTARY TO QUESTION NO 225 OF 2002**

**HON MISS M I MONTEGRIFFO:**

If it is currently under review I ask the Minister will he take into account that a possibility could occur that GP's when they refer patients they refer them to consultants rather than referring them directly for specialised treatment, could a situation then not develop where GP's at the Health Centre might decide to refer our patients to Spanish medical institutions just to see medical consultants?

**HON DR B A LINARES:**

General practitioners have made representations that they should have the possibility of referring patients for certain investigations in Spain within a protocol which will be actually monitored by our own consultants and for instance there has been quite a lot of progress in enabling them to send patients for eco-cardiography to Spanish institutions because those are investigations which are then received and interpreted

and analysed locally by our own consultants and those are the matters that we are now reviewing in trying to meet the aspirations of the GP's but within the constraints and the safeguards and monitoring process by our own consultants.

**HON MISS M I MONTEGRIFFO:**

Does the Minister not agree that it could happen that a GP decides that in order for the patient to be seen perhaps quicker and faster by a consultant that that patient is referred to a medical institution in Spain?

**HON DR B A LINARES:**

That is not on the cards at the moment. That is not part of either the representations made by the GPs formally or the review which is taking place.

**HON MISS M I MONTEGRIFFO:**

Is the Minister when he quoted the investigations, eco-cardiography, surely have we not got an eco-cardiography in Gibraltar?

**HON DR B A LINARES:**

I do not think so.

**HON MISS M I MONTEGRIFFO:**

If the Minister would check that for me I would be grateful.

**HON DR B A LINARES:**

There is some provision but consultants have used a great deal of the facilities for eco-cardiography and investigations in Algeciras and the neighbouring parts of Spain.

**HON MISS M I MONTEGRIFFO:**

Is the Minister then saying that because of lack of certain equipment for investigation purposes patients might be referred to Spain by GP's?

**HON DR B A LINARES:**

I would not generalise like that, no.

**NO. 226 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PATIENT REFERRALS TO SPAIN**

As promised by the Minister for Health at the last meeting of the House of Assembly, can he confirm how much money was spent by the Gibraltar Health Authority with regard to patients being sent to the Malaga Clinic for Scans in the Financial Year 2000/2001?

**ANSWER**

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

Answered together with Question No 227 of 2002.

**NO. 227 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PATIENT REFERRALS TO SPAIN**

As promised by the Minister for Health at the last meeting of the House of Assembly, can he confirm how much money was spent by the Gibraltar Health Authority with regard to patients being sent to the Algeciras Clinic for Scans in the Financial Year 2000/2001?

**ANSWER**

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

The amount spent in 2000/2001 in respect of scans in Malaga and Algeciras was £141.49 in Malaga and £104,555.83 in Algeciras.

**SUPPLEMENTARY TO QUESTION NOS 226 AND 227 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Are Government in view of the costs that have been incurred and also to facilitate patients here in Gibraltar further, are they contemplating the possibility of purchasing a CT Scan for Gibraltar?

**HON DR B A LINARES:**

I would not like to commit myself here and now.

**HON MISS M I MONTEGRIFFO:**

I have not asked the Minister to commit himself I have said “are they contemplating” are they looking at figures, are they looking at the possibility. I am not asking the Minister to say yes or no.

**HON DR B A LINARES:**

We look at everything but what I repeat is that I have, that I do not imply by that that there is any commitment.

**NO. 228 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – PRIVATE PATIENTS**

Can the Minister for Health confirm, as he promised in the last Question and Answer session of the House of Assembly, how many private patients are being seen to or 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 did not introduce private practice. The principles of private practice which were agreed with the doctors and implemented in January 2000 were aimed at regulating the practice which already existed. I will hand to the hon Member the details of patients seen as in-patients at St Bernard's Hospital privately. We do not, as a matter of routine, collect out-patient statistics from the doctors.

<b>Month (2000)</b>	<b>Total No of Patients Seen</b>
January	9
February	8
March	12
April	14
May	7
June	12
July	12
August	11
September	8
October	11
November	14
December	10

Month (2001)	Total No of Patients Seen
January	11
February	16
March	15
April	12
May	11
June	12
July	17
August	15
September	11
October	13
November	13
December	11
Month (2002)	Total No of Patients Seen
January	9
<b>Grand Total</b>	<b>292</b>

**SUPPLEMENTARY TO QUESTION NO 228 OF 2002**

**HON MISS M I MONTEGRIFFO:**

The Minister keeps referring to the regulation of private practice but certainly they have regulated it to the extent that private practice even though the Minister has previously said in answer to questions in this House that it is not prejudicing the public patient will he not agree that the waiting times for public patients to be seen compared to private patients has gone up from 200 to 400 per cent as an increase.

**HON DR B A LINARES:**

I will not agree and I will need an analysis of where the hon Lady gets these figures.

**HON MISS M I MONTEGRIFFO:**

When I quote figures in the House I have my sources and I can confirm to the Minister that the source came from him. The source is in answer to Question No 700 of 2001. If we look at the routine waiting times and the routine surgical interventions for private and public patients he will see there that there has been an increase for the public patients of 200 to 400 per cent. Will the Minister not agree after having received the information from him that it is prejudicing the public patients?

**HON DR B A LINARES:**

I will have to analyse those figures because I do not accept that the interpretation or conclusions that the hon Member is coming to is acceptable to me.

**HON K AZOPARDI:**

Can I just add that one of the principles that was agreed with the doctors was that there were maximum waiting times for public patients in the principles themselves and so the Government would firstly have to look at the previous questions and answers that have been given because we do not share necessarily the interpretation that has been given. Secondly what I would say to the hon Lady is that there are maximum waiting times agreed, we would expect those to be complied with and there are mechanisms and controls and the principles of private practice to ensure that indeed there are the disciplinary procedures put into place to make sure that those indeed are complied with and we would expect that they are.

**HON DR B A LINARES:**

The hon Member is working on maximum ceilings, those are not necessary the real waiting times in practice.

**HON MISS M I MONTEGRIFFO:**

I am just doing very simple mathematics, I am extracting information of routine appointments compared to those of private patients and surgical waiting time compared for surgical waiting time for private patients. From the figures that I have been provided so I would hope that the Minister looks at it and if he monitors the situation so that when he comes to the House and he is asked whether the system is not prejudicing public patients he has his information correct that is all I am telling the Minister.

**HON DR B A LINARES:**

This is where interpretation comes in, the hon Member is working on the premise of maximum ceiling figures that were given in the agreement as permissible but not necessarily on the real waiting times as they stand routinely.

**HON MISS M I MONTEGRIFFO:**

I am just going to give the Minister one example I do not want to waste the time of the House. If the.....

**HON K AZOPARDI:**

If the hon Member will give way I will clarify exactly as he got to the maximum waiting time then maybe it facilitates the debate.

**HON MISS M I MONTEGRIFFO:**

I will oblige.

**HON K AZOPARDI:**

I am very grateful. When we set maximum waiting times and built them into the principles what we did was we looked at answers that had been given which is our source of information, answers that had been given previously the number of years we went back to answers that had been given in the House as to maximum waiting times in different disciplines within our term of office and that of the hon Member. We wanted to take quite a comprehensive look. We then worked out averages and compared it to the NHS waiting times. We noted that in doing so the average in Gibraltar was well below the NHS average waiting time historically and we then built into the principles of private practice that average or lower figures which were agreed with the doctors to make sure that there was a controlled mechanism built into the principles of private practice by which we could control this issue of waiting times and ensure that there was no prejudice caused to public patients. If those are the maximums that the hon Lady is looking at they are based on the historic averages that go back a long way and are better than the NHS averages anyway. We would seek to ensure that those averages are indeed complied with which is our policy. If the hon Member then says " Well there may be different waiting times for private patients" well of course there may be if one goes private by necessity, the whole ethos is that one only pays because one is going quicker but the point is that let us make sure that the system which has existed for many, many years uncontrolled in the Health Service and which we controlled in 2000 did not prejudice the public patient and we are keen to ensure that but we are confident that indeed the regulations do that.

**HON MISS M I MONTEGRIFFO:**

The Minister has compared the waiting list to the NHS, I know that this Government defend the concept of private practice otherwise they would not have regulated it but if I am able to give just one example because this is information that has been provided by the Government and all that I want the Minister for Health is to tell me whether he is satisfied with this situation. If one goes publicly to the Ophthalmologist the average waiting time is 22 weeks, if one goes privately it is one week. If, for example, we are talking about surgical waiting times again I can give the Ophthalmology, it can take from three to 12 months for a public patient and then if one goes privately from 3 to 4 weeks. If one looks at all the specialties there is an incredible difference already which I honestly believe that either the Minister is not aware of or can he tell the House if he is happy with that situation?

**HON K AZOPARDI:**

Rather than having a controlled mechanism that says "there is this yardstick which you have to comply with for public patients above that you may see your private patients in these times regulated to these numbers and you must give me the figures and you must account to me." Rather than that the hon Member would hope to have the system that she had when she was in office which was a completely wild west, unregulated, unaccountable, intransparent system which was plainly prejudicial to the public patient.

**HON MISS M I MONTEGRIFFO:**

I do not agree but this Government seem that everytime that they are cornered they go back in history and even if the Minister was correct does he not think that two wrongs do not make a right, even if he were correct which he is not but let me say that when he mentions the yardstick is he happy that his yardstick is producing these results for the public patient?

**HON K AZOPARDI:**

The hon Member can pretend that the Wild West of private practice did not exist in her time but everyone in Gibraltar knows that.

**HON J L BALDACHINO:**

Can the Minister state if he is happy with the system that is in place today and that there is no abuse on the system as it exists today is he happy because there are people out there that are listening to him?

**HON DR B A LINARES:**

We are not happy with waiting times, our aim and objective is to reduce waiting times as much as possible for public patients. In that sense we would be happier to reduce the waiting times, in fact that is our aim and objective. We look at all the factors that lead to waiting times in order to be able to reduce them but that does not mean that there should be no distinction and opportunity given to patients who may wish quicker service to go privately so long as it is not at the expense of public patients.

**HON J L BALDACHINO:**

The Minister has missed the point of the question I have asked. He has not answered my question, I am referring to the Hon Mr Azopardi when he said that he it is now under control and what I am referring is are the Government now satisfied that the system is now under control and there is no abuse under the private practice scheme because there are people out there listening to him?

**HON K AZOPARDI:**

The system is under vastly greater control than it was in the uncontrolled term of office that the hon Members had and so we are confident that that is the case but we are keen to ensure that the standards and principles are adhered to and we will certainly look at any instances of abuse because there are now, not before, but there are now disciplinary procedures to make sure that these principles are adhered to.

**HON MISS M I MONTEGRIFFO:**

Mr Speaker a point of order, I take offence to what the Minister has said because he has actually stated in this House that the situation today is far better than when we were in Government. I can confirm to the hon Member now and I have done this

before in the House Assembly that my waiting lists for public patients were far better than this Government and I can prove it to him any day.

**MR SPEAKER:**

It is not a point of order.

**HON K AZOPARDI:**

It is not a point of order what I said was a statement of fact.

**NO. 229 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – NUMBER OF NURSES**

Can Government state what was the number of Nurses in post as at the end of January 2001 with a breakdown by grade, giving the full-time equivalent of each grade?

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

The extensive, factual and statistical information requested by the Hon Member is set in the written schedule that I hand to her. I should add that I am giving the hon Member the details of January 2001 and January 2002 in case what she wanted was the latter figure.

The number of nurses in post as at the end of January is as follows:-

	2001	2002
Director of Nursing Services	1	1
Deputy Director of Nursing Services	1	1
Clinical Nurse Manager	6	6
Education Development Officer	1	1
Senior Nurse Tutor	1	1
Charge Nurses	32	33
Staff Nurses	103	103.5
Senior Enrolled Nurses	10	8
Enrolled Nurses	85	83
Nursing Auxiliaries	94	97
Nursing Assistants		
	<hr/>	
Total	334	334.5
	<hr/>	

The number of nurses in post as at the end of January 2002 is as follows:

Charge Nurses	33
Staff Nurses	
92 Full-timers	
7 Part-timers (3.5 full-time equivalent)	
Midwives	
8 Full-timers	103.5
Senior Enrolled Nurses	8
Enrolled Nurses	
72 Full-timers	
22 Part-timers (11 full-time equivalent)	83
Nursing auxiliaries	
12 Full-timers	
3 Part-timers (1.5 Full-time equivalent)	
Nursing Assistants	
70 Full-timers	
15 Part-timers (7.5 Full-time equivalent)	
8 (28 hours) (6 Full-time equivalent)	97

**NO. 230 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – ENROLLED NURSES**

Can Government state how many Enrolled Nurses have applied to be able to train up to the level of Staff Nurse?

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

No enrolled nurse to date has applied to follow the distance learning conversion course being offered by the GHA through the School of Health Studies.

**SUPPLEMENTARY TO QUESTION NO 230 OF 2002****HON MISS M I MONTEGRIFFO:**

Can the Minister give an indication to the House why they have not applied?

**HON DR B A LINARES:**

No I have not enquired I have the information from the Principal of the School of Health Studies but he has not developed the issue further.

**HON MISS M I MONTEGRIFFO:**

This was a matter that the Minister said the offer had already been put to the Enrolled Nurses, have Government actually informed the Nurses that the conditions for GCSEs will not be required in this instance for example.

**HON DR B A LINARES:**

Government have informed the Enrolled Nurses of what conditions have been placed by Sheffield University who are validating this course and that means being registered by the UKCC.

**HON MISS M I MONTEGRIFFO:**

Is the Minister confirming that GCSEs will not be required?

**HON DR B A LINARES:**

That is being discussed with Sheffield University because at the last meeting of the validating body we were trying to see whether we could have equivalent experience comparing with academic qualifications but any applications will be seen on its own merits.

**HON MISS M I MONTEGRIFFO:**

So if none have applied does the Minister not think that this could be one of the reasons because the nurses are still not clear what is going to happen?

**HON DR B A LINARES:**

It might be and we will look into it.

**NO. 231 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – PSYCHO-GERIATRIC PATIENTS**

Can Government state how many Psycho-Geriatric patients have been admitted in KGV from 1<sup>st</sup> November 2001 to end of January 2002?

**ANSWER**

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

Seven Psycho-Geriatric patients were admitted in KGV from 1<sup>st</sup> November 2001 to the end of January 2002.

**SUPPLEMENTARY TO QUESTION NO 231 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether in fact in-patient beds in KGV will be reduced?

**HON DR B A LINARES:**

I cannot confirm this but certainly one of the strategies that is being suggested by the recently appointed consultant psychiatrist is that we should look at means of actually placing some patients who may actually be cared for medically in the community and that of course would actually entail a reduction of beds in the KGV.

**HON MISS M I MONTEGRIFFO:**

It appears that it is the intention of the Gibraltar Health Authority to reduce the beds because they say in their latest annual report. They say that it is planned that the number of in-patient beds at KGV will be reduced. Can the Minister confirm whether if they are reduced that will mean that more beds will be made available for the latter category of patients which are more long stay patients?

**HON DR B A LINARES:**

What the annual report states is what I have just explained to the hon Member and if she bears with me I will actually quote from page 31 of the annual report which is no doubt what she is referring to "Hospital Beds - It is planned of the number of in-patient beds in the KGV will be reduced because a substantial number of these beds have through the years been taken up by what are considered to be inappropriately placed patients perhaps to the detriment of mentally ill patients. The aim is to place these patients appropriately thereby reducing the number of psychiatric beds in the lower floor of the unit." This is exactly what I said I do not see why she is making an issue with me on that one.

**HON MISS M I MONTEGRIFFO:**

No I am not making an issue I have asked the Minister a very simple question. If it is planned in the KGV to reduce the numbers as he has quoted and I quoted previously, all I am asking is if the number of in-patient beds are going to be reduced will the number for other more long-term patients be increased otherwise there would be a problem?

**HON DR B A LINARES:**

I do not know what the strategy will be in that situation what I do know and that is the main thrust and intention of the service is to make sure that some of our patients who are now in KGV be more appropriately cared for medically in a different context de-institutionalise them from the KGV and place them in a community with necessary of course therapy accompanied. That is of course for the good of the patients what the logistical repercussions of that will be within the institution remains to be worked out.

**HON J C PEREZ:**

Can the Minister state whether of the seven patients that were taken in to KGV some of them vacated beds in St Bernard's Hospital?

**HON DR B A LINARES:**

I will have to check on that, I do not know whether specifically any of these seven patients have been transferred from St Bernard's Hospital to the KGV I have no detailed information about that.

**HON J C PEREZ:**

Does the Minister not realise that what my Colleague is getting at that if indeed there is a demand for beds in the area for psycho-geriatric patients however much those that can be placed in the community if one reduces the number of beds then those beds are not available for those that seem to be needing it now in the psycho-geriatric category? I think that is what my Colleague is getting at. Whereas if one leaves the same number of beds available then there might be more room for people that might need it who are not in the category of those that can live better deinstitutionalised in the community.

**HON DR B A LINARES:**

Yes the strategic logistical operation once we have actually brought out into the community some of the patients now occupying beds in the KGV that is one of the possibilities that we will certainly operationally look at.

**NO. 232 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COST OF TREATING PENSIONERS IN UK**

Can Government state what was the latest available cost to the UK of treating temporary visitors from Gibraltar in respect of 2001/2002?

**ANSWER**

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

**Answer to Question No 221 and 222 of 2002**

The average annual costs of treating pensioners in the UK for the year 2000 and 2001 are not yet available. These costs are audited by EU officials and apparently they have not done so as yet. The provisional figure for 1999 which I gave to the House in answer to Question No 1069 of 2001 I quoted a figure of £2,266.19 has now been confirmed by the auditors and was published in the Official Journal of the EU on 23<sup>rd</sup> January 2002.

**Answer to Question No 232 of 2002**

The costs to the UK of treating temporary visitors from Gibraltar in respect of 2001/2002 are not yet available.

**SUPPLEMENTARY TO QUESTION NOS 221, 222, AND 232 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Can I ask the Minister with regard to the question of the actual settlement that the UK has indicated is that in relation to the year that I have indicated?

**HON DR B A LINARES:**

The hon Member has indicated two periods, the period of 1999, and the period of 2000/2001.

**HON MISS M I MONTEGRIFFO:**

No, what I am referring to is the actual settlement that the UK have indicated that they are expected to provide Gibraltar with, that the Minister said that we expect to win. Can he refer to what year the UK will settle for?

**HON DR B A LINARES:**

That is referring back to the previous question. We are talking now about EU officials establishing statistics, of treating pensioners and temporary visitors to the UK. The previous question referred to the number of patients which are payable by the UK and the number of patients which are payable by ourselves. It is a different question altogether.

**HON MISS M I MONTEGRIFFO:**

Everything about sponsored patients that I am asking refers globally to the actual agreement and therefore everything is taken into account as far as the agreement specifies. Therefore, it is a question that I think that I can ask because the Minister has already referred to a settlement being indicated by the UK and all that I am trying to establish is for what year is he referring that will apply.

**HON DR B A LINARES:**

I am sure the officials from the Department of Health as I explained who will be coming shortly to make a global settlement will try to settle to a year as updated as possible.

**HON MISS M I MONTEGRIFFO:**

Since the GSD have been in Government have they received a settlement from the UK and then we can establish the year?

**HON DR B A LINARES:**

In 1996 there was a settlement and that figure has been extended to 1998 with a quota of 120 patients. The quota now stands at 120 and the last time it was agreed was 1998 so presumably we are hoping that at this forthcoming meeting those periods from 1998 to the end of this financial year will also be settled.

**HON MISS M I MONTEGRIFFO:**

If the Minister says, I hope he will understand my question, that the GHA received a payment in 1996 is he saying that the payment refers to that year or is the payment referring to previous years?

**HON DR B A LINARES:**

The payment will be referring to the previous year to the established statistics and sums that were established and agreed upon basing themselves on the quota system and the formula during the previous year.

**HON MISS M I MONTEGRIFFO:**

So, what the Minister is saying is that the UK have settled for 1995/1996, the financial year is that correct?

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

And since then there have been no other payments?

**HON DR B A LINARES:**

No settlement, there have been payments on the basis of a quota of 120.

**HON MISS M I MONTEGRIFFO:**

When I talk about the settlement I am not talking about the quota figure, I am talking about the balancing act.

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

What the Minister is saying that there was a payment received after the balancing act in 1996 which referred to 1995/96 and since then no other payments have been received, is that correct?

**HON DR B A LINARES:**

Payments have been made but on the basis of a quota which was established in 1996 which as I say is a figure of 120. That would have to be reconciled, if that quota does not fit, does not tally with the situation from 1996 to-date it would have to be reconciled at the forthcoming meeting but payments have been made, transactions of payments have been made and on the agreed notional figure of 120 quota patients.

**HON J J BOSSANO:**

I think the Minister said earlier that in 1998 the quota figure established in 1996 had been extended to 1998, does it mean then that the re-evaluation for want of a better word, will be from 1998 onwards or from 1996 onwards?

**HON DR B A LINARES:**

It has to be from 1996 onwards because from 1996 to 1998 we have been working on a notional figure. Once all the real figures are established based on the formula which the hon Member I am sure is familiar with, in real terms it will have to be the element of a reconciliation in real terms from 1996 to 1998 because at the moment we are working on a notional quota figure dating back to 1996.

**HON J J BOSSANO:**

So therefore, that formula was used in 1996 based on the movement of our patients to the United Kingdom and the services provided by us and that is what produced 120 figure but surely that figure has not been used just between 1996 and 1998 if that is the last figure available it must also have been used in 1999 or is it that we have only had payments up to 1998?

**HON DR B A LINARES:**

I am not sure whether there have been payments after 1998 but what I am saying, I think there may have been but again based on the agreed formula of 1998, the 120 quota patients.

**NO. 233 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – EXPENDITURE**

Can Government confirm of the amount budgetted for the Gibraltar Health Authority for this Financial Year, how much has been spent by the end of January 2002, 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. May I point out that this is the spend to the end of January 2002 not the actual forecast out-turn which will be issued when we put on the table the Estimates for this forthcoming financial year.

**SPEND TO END OF JANUARY 2002**

<b><u>SUBHEAD</u></b>	<b><u>SPEND £</u></b>
1. PE Basic	8,673,057.69
2. PE Overtime	1,156,507.77
3. PE Allowances	1,722,666.31
4. PE Gratuities	346,11.50
5. Wages: Basic	698,014.61
6. Wages: Overtime	321,827.69
7. Wages: Allowances	6,994.55
8. Relief Cover	421,778.21
9. Social Insurance	645,680.65
10. GPMS	4,802,061.76
11. Drugs & Pharmaceuticals	715,032.61
12. Medical Departments	165,057.24
13. Medical & Surgical Appliances	384,628.54
14. Hardware, Uniforms & Linen	209,617.74
15. Patients Appliances	52,197.64

16.	Dressings & Medical Gases	623,455.36
17.	Provisions	193,273.38
18.	Laundry	264,215.80
19.	Cleaning Expenses	69,097.83
20.	Health Centre Lease	160,980.91
21.	Expense of visiting Consultants	65,690.59
22.	Recruitment/Contractual & Rented Accommodation	467,004.32
23.	Motor Vehicles & Fuel	33,295.79
24.	General Office Expenses	49,760.73
25.	Electricity & Water	200,274.18
26.	Telephone Service	149,318.68
27.	Printing & Stationery	58,669.01
28.	Legal Fees	69,829.10
29.	Official Visits Abroad	11,463.49
30.	School of Health Studies	85,190.29
32.	Sponsored Patients	2,028,533.55
33.	General Miscellaneous	91,908.85
34.	Contingency Fund	11,401.85
35.	Ambulance Service	340,000.00
37.	Repairs & Maintenance	53,419.54
38.	New Equipment (I & DF)	193,964.07
39.	Major Works (I & DF)	51,555.13
40.	Computerisation (I & DF)	20,026.65
43.	Claims	16,267.31
44.	Ex-Gratia Payments	4,710.82
	<b>Total</b>	<b>£25,634,539.74</b>

**SUPPLEMENTARY TO QUESTION NO 233 OF 2002**

**HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether the Health Centre lease is a recurring expenditure?

**HON DR B A LINARES:**

Yes of course.

**HON MISS M I MONTEGRIFFO:**

If it is recurring we are talking about that figure being paid until the lease expires is that correct?

**HON DR B A LINARES:**

Yes.

**HON MISS M I MONTEGRIFFO:**

Is the Minister able to say how many more years the lease has?

**HON DR B A LINARES:**

I am not sure of the actual contractual time span which is now agreed on the lease but I can check it out for the hon Lady.

**NO. 234 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COMPLAINTS**

Can Government state the number of complaints that are being received through the GHA's Complaint Procedure, from 1<sup>st</sup> November 2001 to end of January 2002?

**ANSWER**

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

There have been 10 complaints received by the Gibraltar Health Authority Board between 1<sup>st</sup> November 2001 to end of January 2002.

**SUPPLEMENTARY TO QUESTION NO 234 OF 2002**

**HON MISS M I MONTEGRIFFO:**

I am sure that the Minister has had a look at the report of the Ombudsman the second time round which says that really the question of the GHA Complaints Procedure has a situation again which is inadmissible. If one looks at the figures the relevant avenue is not exhausted, we are 50 for 2000 and 22 for 2001. If one looks at the cases resolved through informal action, 4 for 2000 and 6 for 2001, and if one looks at the formal investigations carried out there was 2 for 2000 and 2 for 2001. Will the Minister not agree therefore, that the concerns that we have had all this time in relation to the Complaints Procedure when looking at the second report of the Ombudsman confirms everything that we have been saying?

**HON DR B A LINARES:**

I do not agree with that assessment of the situation because the Ombudsman also in his report admits that where the present Complaints Procedure is deficient and in that sense unacceptable as it stands, he also admits that steps have been taken in terms

of resourcing of the designated officer and of the consultants who need secretarial time and resources that steps in that direction have been taken by the authority and that matters have improved in that respect and that is the aim of the Authority actually to look up the difficulties being encountered both by consultants and by practitioners and by the administrators in trying to process the Complaints Procedure effectively and in a timely manner by providing the necessary resources. Meetings are held between the management and the Complaints Board precisely to look at logistical and solutions, practical solutions to try to improve and smoothen the operation of the Complaints Procedures. That is my assessment and these have been discussed with the Ombudsman and hon Members will also find him quoting those meetings with me and the management of the GHA in his report.

**HON MISS M I MONTEGRIFFO:**

I am sorry but I definitely do not agree with the Minister as far as the improvements that he says that the Ombudsman is agreeing with because in fact if he reads what the Ombudsman says I quote, "The Ombudsman expressed the view that these were steps in the right direction but that regretfully these measures had not significantly improved the performance of the Complaints Procedure and that much more was needed to set up the kind of Complaints Procedure which would meet the reasonable expectations of patients in Gibraltar." Furthermore, he also says, "*..that the Board,*" the GHA Complaints Procedure Board, "has been dissatisfied with sometime with the efficacy of the Procedure." That is precisely our very words so is the Minister saying that the Ombudsman is wrong, the complainants are wrong, the Opposition is wrong, and that the Board is wrong and that he is right?

**HON DR B A LINARES:**

I am not saying that the Ombudsman is wrong, or that the complainants are wrong. I am saying that I am not wrong either but what I have said to this House is that the situation is not acceptable as it stands. The Complaints Procedure still needs improvement, the Ombudsman stated that there had been no significant improvement but he accepts that there has been some improvement and I agree entirely what the Ombudsman was saying, there is much more that needs to be done and the Health Authority is committed to do much more to ensure that the Complaints Procedure, that the consultants, the practitioners, the administrators who put their efforts and their goodwill in making it work are given the necessary support and the necessary resources to make it work and that is the aim, that is the objective and in that sense I agree with the Ombudsman that much more needs to be done but that already steps have been taken and the hon Lady quoted "In the right direction ." If the hon Lady wants to look only at the negative side she may be free to do so but I have to look at the positive side as well with the goodwill and support of all my people both at the level of practitioners and at the level of those who every day meet the avalanche of complaints which were met initially but as she conveniently now diverts from has considerably and dramatically been reduced.

**HON MISS M I MONTEGRIFFO:**

The Minister chooses the phrases in the Complaints Procedures as he wishes. I quote the whole of the sentence and it is just a question that the Chief Minister does not want to say for the past three years it has not worked. All he has to say is have the political courage to say the Complaints Procedure is not working, everybody is

complaining about the efficacy of it and if he cares to look again at the report the Ombudsman actually says that the incidents of complaints are reducing simply because the public have been exhausted by the actual procedure. He says it in the report.

**HON DR B A LINARES:**

He also says that there may be other factors leading to that which he discussed with me and I tackled him on this one, and I said, "On what evidence can you say that the reason why the complaints are being reduced is because the people are exhausted." He said it was in the evidence of one or two. One or two people who had turned to him and said that. That is not scientific evidence, that is not general evidence there could be other factors too which I pointed out to him and he accepts and which the Ombudsman also accepts so it is only the hon Member who is quoting partially and not fully from the Ombudsman Report. The Ombudsman also accepts that there may be other factors which I have pointed out to him for instance the fact that there was a rush, an avalanche initially because of the novelty of the complaints procedure and I will now end by pointing out to the hon Member that with all its faults and with all its defects we now have a Complaints Procedure which is much more than they had at the previous administration.

**HON MISS M I MONTEGRIFFO:**

The Minister might be happy to learn that the cases resolved with us were far more than the cases that are being resolved by him. The Minister talks about an avalanche, he talks about me quoting what is convenient, I could quote the whole section but one which is pertinent to what the Minister has just said is what the Ombudsman says. The Ombudsman expressed the view that it could be attributed to the public being disenchanted with the Complaints Procedure that is what the Ombudsman says and it is black upon white.

**HON DR B A LINARES:**

The Ombudsman says it could be hypothetically, it is pure speculation and I discussed this issue with him and said, "how do you base on evidence the speculation" and that was and I take issue with the Ombudsman on that one not on any other thing that it could be as a form of speculation that it was due to exhaustion by the persons, "what evidence have you got" and the evidence he told me was one or two people who turned to him and when he referred them to the Complaints Procedure they said "well there is no point in doing that." One or two is not evidence for an Ombudsman to make general observations of that nature except that he qualifies it and puts it in the subjunctive by saying that it could be as a possibility and not as a certainty.

**HON MISS M I MONTEGRIFFO:**

If we look at the report of the Ombudsman globally and after all the information I have passed to the Minister and the concerns of the complainants that we have been alighting in the House, can the Minister confirm to the House that he is satisfied with the Complaints Procedure?

**HON DR B A LINARES:**

I am being thoroughly honest in saying I am not satisfied with the way the Complaints Procedure is operated. I am very satisfied that there is a Complaints Procedure that we have genuinely opened up opportunities to patients to lodge their complaints and make their representations in order that our practitioners can look at themselves and reassess themselves and their practices I am very satisfied with that, it is a very challenging enterprise. I am not satisfied that we have reached entirely the level of operational efficiency that we would like and I have very honestly said that I am committed and the GHA is committed to making sure that all the logistical resources and support that our practitioners need and our administrators need to make it work. In that sense I am very satisfied.

**NO. 235 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – EUROPORT BUILDING**

Can Government state whether a review has been commissioned by them with regard to the housing of the new hospital in the Europort Building?

**ANSWER**

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

Answered together with Question No 236 of 2002.

**NO. 236 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – EUROPORT BUILDING**

Can Government state whether the company they engaged to draw up the plans for the conversion of the Europort Building into a hospital, has now completed its work?

**ANSWER**

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

**Answer to Question No 235 of 2002**

The Government have not recently commissioned any review of the housing of the new hospital to Europort.

**Answer to Question No 236 of 2002**

The Design Team appointed by the Government for the conversion of the Europort Building into a hospital has completed its work to the tender stage for contractors. We are now awaiting tender prices from competing contractors. They will retain monitoring and on-going responsibility throughout the construction period and beyond for a total of 12 years.

**SUPPLEMENTARY TO QUESTION NOS 235 AND 236 OF 2002**

**HON J C PEREZ:**

The Minister has said that no report has been commissioned recently, is it that the Government decided to move St Bernard's Hospital into the new Europort Building without having an expert report without knowing whether that was suitable or not or is it that he is referring to recent reports rather than past reports.

**HON DR B A LINARES:**

The Government commissioned the feasibility study which is what he was asking in 1999 and once decision was taken to proceed with the conversion works a team was then appointed to assist the Government to take the plans as I explained to stage 'D' to the pre-tender stage of the design but the Government did commission a feasibility study of the building in 1999, I thought the hon Member was aware of that.

**HON J C PEREZ:**

Can the Minister say whether the stage of the drawing up of the plans is one were up till now there have been no companies involved it has all been Government officers preparing the tender documents is that the case?

**HON DR B A LINARES:**

No that is not the case. In 1999 we went to tender to appoint a design team which was selected among different bidders. There are different firms forming a multi-disciplinary team which has been involved in the design stage and now that building design will be put to constructors.

**HON J C PEREZ:**

Can the Minister state what the total cost of the plans have been to the Government?

**HON DR B A LINARES:**

This design?

**HON J C PEREZ:**

Of those plans yes.

**HON K AZOPARDI:**

I cannot remember but it is substantial. Dealing about probably hundreds of thousands I think.

**HON J C PEREZ:**

We are talking about hundreds of thousands and not millions?

**HON DR B A LINARES:**

That is the design, we are talking about the design team but obviously the construction.....

**HON J C PEREZ:**

I am asking about the design as a drawing?

**HON DR B A LINARES:**

As my hon Colleague has stated reaches into hundreds of thousands and we will check the exact figure but certainly not into millions what will go into millions of course will be the full construction.

**HON MISS M I MONTEGRIFFO:**

Can the Minister provide the full figure of the works or the studies that have been carried out as far as the report of the GHA is concerned that would facilitate the information we are seeking. There it says "General Architects from the UK are the projects lead consultants. Nick Allen and Rosemary Jensen are the projects lead architects, David Baird from Holigauld of Hills is the project Director, Tony Troup, Bywaters and Anders provide a reviewing support to the team on the mechanical and electrical side while Ross and Partners oversee the structural aspects. E C Harris and Partners are the projects quantity surveyors, John McDonald of Churchburn Estates represents the Government of Gibraltar, we are talking about all these companies being involved and therefore perhaps the Minister might at some later stage give us an indication of the monies that are being expended by the Government of Gibraltar on these studies and designs.

**HON DR B A LINARES:**

I said a moment ago that I would do so.

**NO. 237 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA - AVAILABILITY OF HOSPITAL BEDS**

Can Government confirm whether there is still a problem with the situation relating to the availability of beds St Bernard's Hospital?

**ANSWER**

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

Answered together with Question Nos 239 and 240 to 244 of 2002.

**NO. 238 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – COST PER BED**

As promised in the last meeting of the House, can the Minister for Health confirm the average daily cost of a bed at St Bernard's Hospital?

**ANSWER**

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

As I have explained in previous sessions of this House, we do not carry out notional ledgers to apportion costs. However, I asked management to conduct a one-off exercise to arrive at a notional figure. As the hon Member may realise, the apportionment of costs has to be very arbitrary. The figure arrived at was £260 per day.

**SUPPLEMENTARY TO QUESTION NO 238 OF 2002**

**HON MISS M I MONTEGRIFFO:**

I am glad that the exercise has been undertaken where as before I was being led to believe or to understand by the management that it could not be done.

**HON DR B A LINARES:**

What we have said in the past is that it is a very notional exercise that it was complicated to do so but it has been done with the best will in the world simply by actually extracting all the items of expenditure that are related to the services in the hospital and simply dividing by the number of beds. As I say it is a notional figure and I am grateful to management for carrying out the required exercise.

**HON MISS M I MONTEGRIFFO:**

Is the figure more or less coincides with the exercise I kept mentioning to the Government that the management had carried out when we were looking at the possibility of entering an agreement with the Royal Naval Hospital it is more or less that figure.

**NO. 239 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NON-AVAILABILITY OF BEDS**

As promised in the last House of Assembly meeting, can the Minister for Health confirm how many routine operations were cancelled at St Bernard's Hospital due to the non-availability of beds for the Financial Year 2000/2001 giving a breakdown for each month?

**ANSWER**

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

Answered together with Question Nos 237 and 240 to 244 of 2002.

**NO. 240 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – NON-AVAILABILITY OF BEDS**

As promised in the last House of Assembly meeting, can the Minister for Health confirm how many routine operations have been cancelled at St Bernard's Hospital due to the non-availability of beds from 1<sup>st</sup> April 2001 to the end of January 2002, giving a breakdown for each month as he committed himself to do during the last House of Assembly meeting?

**ANSWER**

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

Answered together with Question Nos 237, 239 and 241 to 244 of 2002.

**NO. 241 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – MOUNT ALVERNIA**

Can Government state 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 as at the end of January 2002?

**ANSWER**

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

Answered together with Question Nos 237, 239, 240 and 242 to 244 of 2002.

**NO. 242 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ELDERLY PERSONS**

Can Government state of the 45 beds which they recently claimed were occupied by elderly persons who have been formally discharged, but refused to leave, how many fell into each of the 3 categories identified by the Government:

1. Elderly persons living alone;
2. Elderly persons needing support;
3. Others able to be looked after?

**ANSWER**

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

Answered together with Question Nos 237, 239 to 241, 243 and 244 of 2002.

**NO. 243 OF 2002**

**THE HON MISS M I MONTEGRIFFO**

**GHA – ELDERLY PERSONS**

Can Government state whether there are any cases of patients, other than elderly persons, refusing to leave hospital when formally discharged?

**ANSWER**

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

Answered together with Question Nos 237, and 239 to 242 and 244 of 2002.

**NO. 244 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – MEDICAL DISCHARGES**

After the recent official announcement that patients will now require to sign a commitment that they will leave St Bernard's when asked by the Gibraltar Health Authority, can the Government confirm that patients who refuse to sign, will not be admitted?

**ANSWER****THE HON THE MINISTER FOR EDUCATION, TRAINING, CULTURE AND HEALTH****Answer to Question No 237 of 2002**

There is a continuing problem with bed blocking and the Government have recently announced a series of measures to ameliorate the situation.

**Answer to Question Nos 239 and 240 of 2002**

The statistical information requested by the hon Member is contained in the schedule that I hand to her. The breakdown is as follows:

**2000**

April	5
May	17
June	0
July	0
August	4
September	3
October	0
November	3
December	0

## **2001**

January	4
February	0
March	0
April	0
May	1
June	5
July	0
August	0
September	4
October	0
November	7
December	0

## **2002**

January	17
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### **Answer to Question No 241 of 2002**

The number of elderly citizens awaiting a place at Mount Alvernia stands at 56. Of these 19 are occupying a bed at St Bernard's Hospital.

### **Answer to Question No 242 of 2002**

The numbers have now increased from 45 to 49. The breakdown is as follows:-

1.	Elderly persons living alone	-	9
2.	Elderly persons needing support	-	22
3.	Able to be looked after	-	18

### **Answer to Question No 243 of 2002**

Over the years there has always been the odd occasion when patients, other than the elderly, have refused to leave hospital when formally discharged but there is no one of this category at the moment.

### **Answer to Question No 244 of 2002**

At no time have the Gibraltar Health Authority announced that it will require patients to actually sign a commitment when discharged. Any patient requiring acute medical/surgical care will be admitted and any problems arising will be subsequently resolved. In cases of elective non-life-threatening treatment, what the hospital management will seek is a verbal assurance requested from elderly patients as to their ability or otherwise to return to the community after medical discharge. This is intended to enable the established Elderology Discharge Team from the start to assess the physical domestic and social needs of the patients once medically discharged. The team is made up of the Consultant Elderologist, the Hospital Bed Manager, an Occupational Therapist and a Physiotherapist. They will adopt a

positive approach and liaise with the Social Services Department who will be implementing the Government's pilot scheme to provide domiciliary care and an expansion of facilities and resources in Mount Alvernia.

### **SUPPLEMENTARY TO QUESTION NOS 237, 239 AND 240 TO 244 OF 2002**

#### **HON MISS M I MONTEGRIFFO:**

Can the Minister confirm whether he is satisfied or whether he is concerned as regards the non-availability of beds. Will he confirm that there is a problem with beds?

#### **HON DR B A LINARES:**

I answered the question in a straightforward way. There is a continuing problem with the bed blocking and accordingly the Government are taking measures and have announced these measures and I have repeated them a moment ago a scheme for providing domiciliary homecare to patients who are unable to leave the hospital simply because they cannot look after them and I have given figures of those patients and we are establishing a scheme under the steering auspices of the social services department to provide this care to both the patients and their families and again a short term and a long term expansion of services and provision in Mount Alvernia. We hope that these strategic measures will dislodge the continuing problem which I have accepted of bed blockage in the hospital which as the hon Lady has realised is not unique of St Bernard's Hospital or Gibraltar it is a problem, universal problem today which is quite evident in many hospitals in UK and in Spain.

#### **HON MISS M I MONTEGRIFFO:**

I am glad that the Minister has said that there is a shortage of beds although I do not agree with the terminology he uses of the blocking of beds because the amount of elderly patients that are today in St Bernard's are the same amount of patients that were there before the Minister took office. I would like to say that perhaps he can convince the Chief Minister that there is a problem with beds because in fact he only quoted a few months ago in this House on several occasions there was no shortage of beds, "Mr Speaker, there is no acute shortages of beds," those were the words of the Chief Minister. As regards the question of the operations surely the Minister can not be satisfied with the situation when in the last Annual Report of the Gibraltar Health Authority there is a figure of 37.5 per cent of beds being cancelled due to operations. Again we have misleading information given to us in this House by the Chief Minister who also said a few months ago, "No surgical operation has been cancelled to-date because of a shortage of beds." At the same time that he was saying that the Health Authority report gives in Table 34 page 58, the number of operations that were cancelled due to beds not being available. So, really the Government are trying all sorts, are trying to put forward all sorts of excuses and all sorts of reasons why they have this acute problem. Will the Minister for Health not agree in the first instance that we have been misled in this House and that the situation today should not be acceptable in view of the number of operations that are being cancelled and the figures that have been provide to us?

**HON K AZOPARDI:**

The Chief Minister mentioned in the quote “that there are no bed shortages” and then he has made some assertions as to cancellations. The position of the Government is that there is bed blocking, if the hon Member may not like the terminology, it is not terminology that the Government of Gibraltar have invented, this is the terminology any health expert in the United Kingdom and they will say that the concept of someone staying in a hospital when they do not require acute care is called bed blocking. There are sufficient number of beds in Gibraltar the problem is that we have a system where there are people in St Bernard’s Hospital that do not require acute care, they require residential elderly care which has never really been provided to the standard that it should have been provided. Indeed it was never provided during the Hon Member’s term of office either and that is why we inherited a situation where Mount Alvernia needed substantial investment to be brought up to the standards where we could transfer the patients that do not require acute care but merely residential care into a facility that does provide residential care. We are moving towards that by putting in substantial investment in Mount Alvernia that will sort out hopefully, dramatically the situation at St Bernard’s which my Colleague has inherited but not created. This has been going on for a long time and the hon Member will remember that the pressure has been building. It has been a slow process over a long period of time, there has not been a significant investment in places like Mount Alvernia for the last 20 or 30 years and therefore the pressure as the demography process has gone on and there are more elderly citizens in our community has built up to a point where the Government clearly have to take steps which we are taking to ensure that there is residential care provision in other places so that we can transfer those patients into the care that they need which is not the care that they are supposed to be at St Bernard’s for because they do not require acute care and that is the situation.

**HON MISS M I MONTEGRIFFO:**

Will the Minister not agree because I take the point that he is trying to make as completely out of order Mr Speaker, never in the eight years of the GSLP Government did we have the situation that exists today and he has the audacity to say that he has inherited it when that was not the case. Never and the proof is .....

**MR SPEAKER:**

What is the question?

**HON MISS M I MONTEGRIFFO:**

The question is does the Minister then not agree that if he inherited the situation that when we were in Government we would have had questions put by them because there were no problems then like there are now, is that not the case?

**HON DR B A LINARES:**

There is one point that I would like to add to my hon Colleague’s explanation and that is a matter of statistical fact that the hon Member may be interested in. She

mentioned that the fact that the number of long-stay elderly patients has remained static. That is not the case in answer to Question No 210 earlier on today I mentioned in response to her question the breakdown of long-stay elderly patients at St Bernard's Hospital from November 2001 to January 2002 and I said November was 55, December was 58 and January was 61. That is an average over those three months of 58 long-stay elderly patients at St Bernard's Hospital and that is a very sharp increase on the average from April to October last year when the average was 45. Now there has been an intensive progression in recent months, the factors leading to that are very wide and as I say universal. There is a pattern throughout the world today, I suppose one can name longevity, improvements in medical care, even sociological factors of young families and relatives living in conditions that the extended family of old is now something of the past, one can go into a sociological analysis of the different factors that lead to a situation that none of us want and that therefore the responsibility of Government that she keeps on demanding from me which I accept, is to find practical, objective, viable measures to solve the problem and that is exactly I assure the hon Member what we are doing with the goodwill and every effort and every resource that we can put into the effort.

**HON MISS M I MONTEGRIFFO:**

When the Minister says that the figures of the elderly have increased and I referred to them as static what I meant to say and I have said this before in the House is that in fact the situation when we were in Government was practically the same. The same number of elderly people, the same number of in-patients, the same number of beds and the Minister goes on about the problems being about blocking beds. Is the Minister saying then that the problems have been caused by elderly patients the figures of which were exactly the same years and years ago, and will he not agree that Government did make the situation worse by converting the kitchen into a rehabilitation centre and in effect that produced the Health Authority having one ward less?

**HON K AZOPARDI:**

The only thing that was lost in the hospital as a result of the closure of the kitchen was private corridor and given that the hon Member was so intent on abolishing private practice I am sure she should be happy about it. None of what the hon Member has said is in fact the case statistically. What I said before was that there had been a slow build up of pressure to the point that we are at today. It is not true that there were the same number of elderly patients and the same number of in-patients admissions and so on. I remember when I used to stand to answer questions as to in-patient admissions and I remember when sometimes I would give that statistics as to the average number of patients at St Bernard's Hospital hovered around 100 to 105 patients. The hon Member is now talking about statistics of 130 to 140 and the number of elderly patients, I remember when I used to give answers to questions hovered around 35 to 40 we are now talking 55 to 60 and if one goes back there has been a slow build up of pressure to the point that we are at today where substantial investment needs to be made, substantial investment should have been made many, many, years ago but we are committed to do that and we will and we are.

**HON J C PEREZ:**

With your indulgence the question might need a follow up but can the Government confirm that there are 21 beds empty in Mount Alvernia and the reason given to in-patients at St Bernard's Hospital as to why those 21 beds cannot be filled is because the lift does not reach the top floor of Mount Alvernia, can the Government confirm this?

**HON MRS Y DEL AGUA:**

No. Government will not confirm this because it is not the case. There are not 21 beds in Mount Alvernia vacant, in fact there about 12 beds vacant not on the 4<sup>th</sup> floor. The 4<sup>th</sup> floor is currently being used as an administration wing for offices. The information that he has is incorrect.

**HON J C PEREZ:**

What I would like to tell the hon Lady is that certainly this is information which has been passed to two elderly patients in St Bernard's Hospital by the hospital administration as being the reason why they are waiting there for a bed in Mount Alvernia. I shall find out the details and I shall raise the matter with the Minister when I have got the details.

**HON S E LINARES:**

Can the Minister state whether patients have to sign a document to say that once they are cured they have to leave?

**HON DR B A LINARES:**

The hon Member does not listen to my answers. My answer was quite explicit in that respect. At no time has the Gibraltar Health Authority required patients to sign any documented commitment, what they are asked is in a positive sense to explain what their domestic social problems might be so that the Elderology Discharge Team can then assess the situation and be able to provide within the measures that the Government have announced but why ask again about this signed document which does not exist.

**HON S E LINARES:**

Can the Minister then say what it means by entering into a commitment, how can a person enter into a commitment without signing a piece of paper?

**HON DR B A LINARES:**

Commitment means an assurance by the patient that should it be possible either by fending for themselves or by being provided with the care and support from the Social Services they will agree to the discharge notice and return to the community.

**HON MISS M I MONTEGRIFFO:**

If the elderly person does not give their commitment what happens next?

**HON DR B A LINARES:**

The commitment is intended in a positive sense so that preparations, assessments and support can be planned by the hospital management and also in liaison with the Social Services. What happens then is that the responsibility for providing and insuring that this patient can safely and positively return to the community is made available.

**HON J J BOSSANO:**

The impression the Minister has just given is that this commitment , this verbal commitment, is limited to what elderly persons or is it irrespective of age?

**HON DR B A LINARES:**

It is limited to non-life threatening emergency elderly persons normally because it is the elderly patients who need that sort of provision, that sort of service once they return. What the Elderology Team tries to assess and determine is exactly what is the social domestic and personal situation of this patient with regard to family support in regard to type of accommodation that they are in, in order to be able to see what provision and planning can be made.

**HON J J BOSSANO:**

Is this policy already in place or is.....

**HON DR B A LINARES:**

The policy is already in place yes.

**HON J J BOSSANO:**

So what happens now is, what do people have to do, they go there and they show their pensioner's book and if they are over pensionable age they are asked to give an assurance that they will leave the hospital when they are told to leave and if they are under pensionable age they do not have to give an assurance which presumably means that even if they are discharged medically if they feel that they are not ready to go home they can say no.

**HON DR B A LINARES:**

I do not think the demarcation line is the question of pensionable age, I think it is persons who are assessed by the Elderology Discharge Team to be requiring that type of assessment and provision.

**HON J J BOSSANO:**

I understood from the Government press release that the commitment was when people were going into hospital not when they were coming out of hospital. That when they were going in they would be asked to give this assurance now my first supplementary is will this apply to everybody when they go to hospital and the Minister's answer was no it applies to non-emergency or non-life threatening persons who are elderly. If a 20 year old guy arrives in hospital for treatment which is not life-threatening he does not have to give the assurance?

**HON DR B A LINARES:**

The objective of the assurance is to ensure that persons when they are discharged can return to the community in a way that is amenable and that they can live with and that they have no problems then of course in most cases it is not a question of age or it is a question of an assessment to those who are likely to be in that position that when discharged they will be unable to return to the community because they as I actually explained in answer to another Question, No 242 of 2002, nine elderly persons were assessed to be living alone and therefore they have to be assessed as to what resources, what support, what care domicilliary care they may need or whether they can be transferred to the expanded provisions in Mount Alvernia. Twenty –two elderly persons were assessed to be needing different levels of support because the support that can be provided or should be provided is not the same for everybody and 18 are able to look after themselves so that is the assessment that is made up on entry to the hospital by those who are likely to fit into these categories. A 20 year old who has had no problems in terms of living by himself or with his family it is totally irrelevant to seek that type of assurance from him.

**HON J J BOSSANO:**

I am just trying to establish the facts, what the judgement of the Minister and mine may be or not be and whether they coincide or do not coincide is a different issue. Whether it is reasonable or it is wrong I am just trying to establish what is the precise nature of the policy which is now going to be the way that people using the Health Service are going to be treated as a result of a Government policy decision now, the reference to the 45 beds and the breakdown of the 45 beds has nothing to do with this because in fact this is after they have been medically discharged these 45 beds have been identified and we are talking about what happens when the guy or the lady arrives at the hospital which is when the assurance is sought. Is it that nobody other than elderly persons have refused to go when discharged because my information is that not just elderly persons there have been other cases of people who have been told "you have got to go because we need the bed for somebody else" and they have said "no I am not going" I suppose there is a reason why a psychiatrist was roped in on a Sunday because they could not find anybody else and they were not all elderly people who were at the receiving end of the discharges and some of them said "no". So in those cases what happens it seems to me all the users of the service surely are entitled to equal treatment I do not see how one can have some rules for some and another one for others.

**HON DR B A LINARES:**

The Leader of the Opposition is missing the point of the thrust of the procedure of the policy. The thrust of the policy is a positive one it is a way of assessing right from the start very early upon these hospital services taking responsibility for this particular person to assess right from the start and it is done with a multidisciplinary team as I have explained a moment ago involving the Consultant Geriatrician, the Hospital Bed Manager, Occupational Therapist, Physiotherapist, Social Services, a multidisciplinary team the thrust is positively to ensure that that person right from the very beginning that is the concept of the assurance will be able to return home and if not what support is needed so that this is established and with all the goodwill in the world and in spite of limited resources but the Government are taking measures now as I have explained repeatedly today to be able to provide for these persons in order to support these patients because we accept that in many cases the reason why they do not leave the hospital is because really they cannot do so because of social circumstances and not medical circumstances.

**HON J J BOSSANO:**

Can the Minister give us the date on which this system became operational so that we can then pursue an exercise of what has been happening from that date onwards?

**HON DR B A LINARES:**

I cannot give a precise date but Government have been working on this for the last couple of months, discussing with the social services, discussing with the Elderologist a positive approach of counselling but I cannot give a date of when the whole thing started.

**HON J J BOSSANO:**

When the Government issued a press release saying this it gave the impression that it was something that was being instituted as from the date of that press release what I want to know is if it was already working then somebody ought to be able to tell the Minister, I do not expect him to have the information readily available now, having discussed it with all these people and having had all these meetings and everything the first time with the first patient that this was put into effect was on such and such a date and then we will see how effective the policy is.

**HON DR B A LINARES:**

I will find out the date.

**NO. 245 OF 2002****THE HON MISS M I MONTEGRIFFO****GHA – TEMPORARY NON-PENSIONABLE OFFICERS**

Can Government say how many of the employees of the Gibraltar Health Authority are engaged on temporary non-pensionable terms, giving a breakdown by grade?

**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.

Clinical Nurse Manager Midwifery Services	1
Education Development Officer	1
Staff Nurses	22
Midwives	6
Enrolled Nurses	3
Clerks	7
Typists	2
Ward Clerks	4
Senior House Officers	11
Clinical Psychologist	1
Consultants	7
Physiotherapists (Senior II)	3
General Practitioners	4
Occupational Therapist (Senior I)	1
Occupational Therapist (Senior II)	1
Ward Pharmacist	1
Speech & Language Therapist	1
Orthoptist (Senior I)	1
Medical Librarian	1
Cooks	6
Cooks (Part-time)	1
Labourer	1

## SUPPLEMENTARY TO QUESTION NO 245 OF 2002

**HON MISS M I MONTEGRIFFO:**

Is the Minister able to inform the House how many of these employees have been on a temporary non-pensionable basis for over a year?

**HON DR B A LINARES:**

I would need notice of that question I have not got it with me.

**HON J J BOSSANO:**

I take it that a lot of this like Midwives and 22 Staff Nurses and so on are persons who are contract workers and that therefore the explanation is that since they are contract workers and they have got a finite term they are obviously not permanent and pensionable. Can the Minister explain what other category would be there because that seems to account for quite a lot of it like physiotherapists and senior house officers and so forth but when one comes to cooks and labourers presumably we do not have contract cooks and labourers?

**HON DR B A LINARES:**

Yes the interpretation given by the Leader of the Opposition is correct. It applies for instance 22 Staff Nurses are recruited from abroad similarly with consultants et cetera but there are other local employees who have been contracted pending possibly future incorporation into the compliment permanent and pensionable employees.

**HON J J BOSSANO:**

I can understand the explanation that accounts for the bulk of it , my question is what is the nature of the contract for example for a cook or a labourer who are the only industrial workers in this list, the rest are monthly paid non-industrial staff, we have got here a very small proportion of the total who are weekly paid industrial workers who would normally be recruited for the Health Service on Government terms the same as everybody else is, what is the explanation in their case?

**HON DR B A LINARES:**

These are transitional contracts that are made until the management feels that they can be established as permanent employees, this has been the practice for many years I believe.

**HON J J BOSSANO:**

No, no, no it certainly has not been the practice for many years for people to be taken on temporary terms other than on a probationary period which they get told on engagement is that all that this is then?

**HON DR B A LINARES:**

Some of it is that it is a probationary period before they are actually appointed on a permanent basis.

**HON J J BOSSANO:**

We are talking about a very small number of people. One Part-time cook, one Labourer and six cooks because all the rest appear to be white-collar workers were the explanation probably is that they are people from the outside and not people from within at least the big chunk of them must be but in the case of the manual workers is there any possible explanation other than people are given a job they have a trial period at the end of which they get confirmed or not is there some other explanation?

**HON DR B A LINARES:**

I cannot think of any other possible explanation except that it is a trial probationary period until the management is satisfied that they can be taken on permanently.

**NO. 246 OF 2002****THE HON J L BALDACHINO****TRAINING-VOCATIONAL CADETS**

Can Government state how many Vocational Cadets were placed with employers in the Private Sector for training from January 2001 to December 2001, the amount of employers and the age, sex and trade of the trainees giving a breakdown for each month?

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

Up to 119 trainees have been placed with 119 employers taking up the opportunity of training and of these the age spans from 15 to 32 with 62 males and 57 females. The further information requested by the hon Member is shown in a written schedule I hand to him.

Month	No	Male	Female	Age	Occupation (Training)
January	5	4	1	15-25	2 Welding & Fabrication, 1 Plumber, 1 Nursery Aid, 1 Waiter
February	12	5	7	15-25	1 Waiter, 1 Chambermaid, 1 Messenger, 1 Reception, 4 Office Junior, 1 Luggage Loader, 1 Hairdresser, 2 Nursery Aids
March	14	7	7	15-25	1 Hairdresser, 1 Shop Assistant, 1 Salesman, 2 Carpenters, 6 Office Juniors, 1 Animal Care, 2 Signmakers
April	10	6	4	15-25	1 Careworker, 1 Receptionist, 2 Office Junior, 1 Shop Assistant, 2 Storeman, 1 Computer Tech, 1 Elec Technician, 1 Mechanic

May	5	3	2	15-25	1 Careworker, 1 Receptionist, 3 Office Juniors
June	11	4	7	(1-32) 15-25	1 Librarian, 1 Quantity Surveyor 1 Receptionist, 1 Welding & Fabrication, 1 ACU Tech, 1 Hall Porter, 4 Office Juniors, 1 Chef
July	12	5	7	15-25	5 Office Juniors, 1 Hairdresser, 1 Technician, 3 Mechanics, 1 ACU Tech, 1 Chambermaid
August	9	7	2	15-25	1 Hairdresser, 1 Embroidery, 1 Careworker, 1 Storeman, 3 Office Juniors, 1 Comp Tech, 1 Chef
September	11	6	5	15-25	1 Nursery Aid, 1 Handyman, 2 Shop Assistants, 1 Courier, 1 Hairdresser, 2 Careworkers, 3 Office Juniors
October	9	5	4	15-25	1 Butcher, 1 Mechanic, 1 Comp Tech, 6 Office Juniors
November	14	8	6	15-25	1 Comp Tech, 1 Electrical, 1 Nursery Aid, 2 Careworkers, 2 Mechanics, 1 Waiter, 6 Office Juniors
December	7	2	5	15-25	2 Shop Assistants, 1 Gardener, 1 Fire Security Tech, 2 Office Juniors, 1 Mechanic
<b>Total</b>	<b>119</b>	<b>62</b>	<b>57</b>	<b>-</b>	<b>-</b>

**SUPPLEMENTARY TO QUESTION NO 246 OF 2002**

**HON J L BALDACHINO:**

Can the Minister clarify what age range was it?

**HON DR B A LINARES:**

15-32

**HON J L BALDACHINO:**

I thought that the vocational cadets were for people under 25 has there been a change on that?

**HON DR B A LINARES:**

The Vocational cadets scheme has always been intended for trainees within the ages of 15 to 25.

**HON J L BALDACHINO:**

Are these people paid by Government?

**HON DR B A LINARES:**

Yes that is correct.

**HON J L BALDACHINO:**

Therefore there must be a structure according to the age how much allowance he gets.

**HON DR B A LINARES:**

Yes, there is I had it with me the last time we discussed the question on vocational cadets. Ages 15-16 is £227 per month, Age 17 is £254.

**HON J L BALDACHINO:**

These are people who are actually placed with the private sector?

**HON DR B A LINARES:**

Private employers.

**NO. 247 OF 2002**

**THE HON J L BALDACHINO**

**TRAINING – VOCATIONAL CADETS**

Can Government state how much has been spent to date out of the £910,000 Vocational Cadets Expenditure?

**ANSWER**

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

From 1<sup>st</sup> April 2001 to 1<sup>st</sup> February 2002, up to £750,155.21 has been paid to vocational training schemes which includes others than just the vocational cadets. That includes the school of tourism, apprentices, the business administration scheme trainees and the construction trades, the apprentices in the construction training centre.

**SUPPLEMENTARY TO QUESTION NO 247 OF 2002**

**HON J L BALDACHINO:**

So the £910,000 originally voted for is not only for wages it includes the wages and expenses in other training centres is that correct?

**HON DR B A LINARES:**

No it is just for allowances to trainees, to apprentices, the running costs of the construction training centre, for example, are taken from another head in the estimates and it is in Appendix B of the estimates which covers construction training centre, running costs, materials, rent, uniforms et cetera. This money is allocated for allowances, wages of trainees in the different schemes.

**NO. 248 OF 2002**

**THE HON J L BALDACHINO**

**TRAINING – VOCATIONAL CADETS**

Is the Minister for Education now in the position to give answers to my Supplementaries to Question No 1095 of 2001 which were:

- (a) How many cadets had been placed with employers;
- (b) How many employers had taken up the offer under the cadet scheme;
- (c) If any of the cadets that had been paid out of £511,000 spent had finished the course and if so how many had been employed in the trade that they had been trained for;
- (d) The type of qualifications they would be getting at the end of the course?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, EDUCATION, TRAINING, CULTURE & HEALTH**

I hand the hon Member the information required in a written schedule.

- (a) From 1<sup>st</sup> May 2000 to 31<sup>st</sup> April 2001, up to 147 vocational trainees were placed with employers. (Similarly, from 1<sup>st</sup> May 2001 to date, up to 134 have been placed.)
- (b) The answer is 131 companies.
- (c) Up to 56 had completed the Vocational Training Scheme, with 48 achieving employment through respective employers and relevant trained occupations. Of these, eight have gone to further education and training (eg UK, School of Tourism and other schemes.)
- (d) The vocational trainees would have achieved (1) St John's Ambulance First Aid Certificate, (2) Basic Health & Safety Certificate from Environmental Agency, and (3) Welcome Host Certificate (Validated by AQA Consultants and Trainers).

1 <sup>st</sup> May 2000 (Intake 1) to 31 <sup>st</sup> April 2001	1 <sup>st</sup> May 2001 (Intake 2) to 31 <sup>st</sup> April 2002
147 Applications	134 Applications
25 Still in Training (passed to Intake 2)	104 Still in Training
48 Employed	0 Employed (Will finish training in May 2002).
27 Further Education & Training	12 Further Education & Training
47 Left or found alternative work	18 Left or found alternative work.
	104 Remaining at present

### **SUPPLEMENTARY TO QUESTION NO 248 OF 2002**

**HON J L BALDACHINO:**

May I ask the Minister if the information I am getting will tally with my question and is it a policy by looking at the previous figures that each employer will have one cadet only so it will be a one to one?

**HON DR B A LINARES:**

A couple of questions there the first one which is not correct he asks whether the information he is getting now will tally with his question, not quite because his question referring to a previous question referred to the period 1<sup>st</sup> May 2000 to 31<sup>st</sup> April 2001 (Intake 1) and he has got that information there in the written schedule whereas the information that I have given him a moment ago refers to the situation to (Intake 2) which is the present situation from 1<sup>st</sup> May 2001 to 31<sup>st</sup> April 2002. The second question was whether it was a lay down policy that employers may only take one trainee, no it is not. Employers normally just take one trainee, but an employer may if assessed to be able to cope with this may take on two or three trainees if he so desires.

**HON J L BALDACHINO:**

In the answer to (c) which the Minister has just given me were there are some of the trainees who have gone to further education is it a case that they could have gone to further education without having been placed in a vocational cadet scheme or what qualification did they get at the end for them to get a place in further education?

**HON DR B A LINARES:**

Of course they could have gone into further education perhaps before entering into a cadet scheme, the choice is theirs it is different routes that young people take upon leaving school and very often they change routes in the middle of the road so there is a whole variety of options and paths taken by different individuals.

**HON J L BALDACHINO:**

The answer which the Minister has given me which says (1) St John's Ambulance First Aid Certificate we shall presume Basic Health and Safety certificate from the Environment Agency and (3) Welcome Host Certificate valid by the AQA Consultants and Trainers, I do not see any of them being trained to NVQ Levels is that correct they are not being trained to NVQ Levels?

**HON DR B A LINARES:**

Vocational cadets are not being trained to NVQ levels, NVQ level qualifications are validated either by the City and Guilds at the ETB for Construction Centre apprentices or by the (EMTA) Engineering Mechanical Trades Association for the apprentices in Cammell Laird. Vocational Cadets scheme I thought the hon Member was aware is a placement of young people who choose that path in places of work to gain experience and to gain skills in different areas and which lead to qualifications as is the First Aid, the Basic Health and Safety certificate from the Environmental Agency and the Welcome Host certificate which is actually validated by a recognised body the AQA Consultants and Trainees but they do not get any NVQs. Usually it is a one year placement.

**HON J L BALDACHINO:**

I thought, for example, if somebody wanted to be trained as a shop assistant he will not get any qualifications at the end he will only get what the Minister said that he will get a Welcome Host Certificate is that correct?

**HON DR B A LINARES:**

Yes.

**HON J L BALDACHINO:**

But there are NVQ qualifications for shop assistants are there not?

**HON DR B A LINARES:**

Not locally we have not catered for this type of qualification locally, maybe that would have to be explored and structured.

**HON J L BALDACHINO:**

Can the Minister accept that the old scheme, the one we had that there was so much criticized by the then Opposition that there were people being trained as shop assistants and there were actually persons who had the D32 and the D33 so that the people at the end of the course would get an NVQ certificate so this one is inferior to the one that we had before is that what the Minister is saying?

**HON DR B A LINARES:**

I am not saying that it is inferior at all I am just saying that at the moment NVQs are limited to apprentices in the construction trades and to the apprentices in the engineering and the mechanical trades, we have not extended NVQ qualifications but we have other qualifications for more practical, the whole thrust, the whole philosophy and aim of these courses is to give young people who may feel that they are not academically geared or interested in pursuing academic qualifications which are more relevant to NVQs but they want a placement in a particular place of employment to gain the skills to adapt to the world of work, it is a much broader type of training and I believe that this was always the case.

**HON J L BALDACHINO:**

I agree with what the Minister is saying but what I am asking is that if the vocational cadets at the end have an NVQ qualification, which they do not have now, is that a better scheme than this one or will it not be a better scheme than this one that is what I am asking because the previous scheme prior to them coming into Government that was what vocational cadets in shop assisting area had at the end they could get an NVQ qualification, today they do not get an NVQ qualification does he not consider that this one is inferior to the one that we had before?

**HON DR B A LINARES:**

I do not doubt the veracity of what the hon Member is saying but I would like to look into the scheme as it stood at that time that he refers to to see exactly what type of qualifications shop assistants obtained. I have never been aware of shop assistants actually developing qualifications at the level of NVQ grade 2 or 3 but I will look into it to see if that is an avenue that can be pursued but certainly it was not an extensive or significant expansion of a service of training at the time that the hon Member is referring to. In any case I do not believe that it is either better or worse I think that the development of skills does not depend on a paper qualification at the end but in practical development of the personality and skills of the individual in the real world of work.

**HON S E LINARES:**

Could the Minister not look into these vocational cadets because I think the thrust of what my Colleague has just said is that at the end they ended up with an NVQ qualification which is recognised as a qualification elsewhere whilst now and I am not trying to diminish the vocational cadet scheme that they have in place but what he is trying to say is that now the qualifications most of those qualifications if any are recognised globally.

**HON DR B A LINARES:**

I have been trying to avoid being blunt about this but I have been pushed to saying really that what the hon Member is saying about the old scheme leading to qualifications and all that is really fiction. It is well known that the placements at the vocational cadet scheme that was operated then was really totally unstructured it was emplacement of young people in places of work used more often than not as cheap

labour and without any form of monitored training in the structured processes whereby employers would be guided along, that is what exists now, we are very proud of the vocational scheme that has been built up in recent years I think it is a success story all the way and any attempt to say that it is inferior to the sham that existed before is really as I say to put it as mildly as possible just sheer fiction.

**NO. 249 OF 2002**

**THE HON J L BALDACHINO**

**TRAINING – CONSTRUCTION COURSE**

Can Government state how many persons completed the construction training course and obtained craftsman level and of these how many obtained employment in their trade with:

- (a) Government of Gibraltar;
- (b) Government companies or Joint Venture Companies;
- (c) Private Sector?

**ANSWER**

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

A total of 32 trainees have obtained NVQ Level 2, which is the Craftsman level , of these:-

- (a) Up to six have obtained employment within the Government of Gibraltar.
- (b) Another six have obtained employment within Government owned companies and
- (c) Two have found employment within the Private Sector.

**SUPPLEMENTARY TO QUESTION NO 249 OF 2002**

**HON J L BALDACHINO:**

The others I suppose we do not know if they have found employment elsewhere?

**HON DR B A LINARES:**

I do not have the information with me.

**HON J L BALDACHINO:**

Has the Minister got a breakdown because the question also asks how many of these may have obtained employment in their trade, in what trade they were employed in the Government of Gibraltar and the Government companies or joint venture companies and what was the breakdown of the six and six and the two if he has got that?

**HON DR B A LINARES:**

May I refer back to the previous question about the others, we do not know where they found employment, many of them still remain actually in training they are carrying on training up to Level 3 NVQ so some of them, there are 14 who have found employment out of the 32 some of the others have continued with their training aiming at Level 3. Now the next question I have not got the detailed breakdown of the different trades but I can easily procure that.

**HON J L BALDACHINO:**

Does the Minister know how many of the remaining 18 have remained carrying on to Level 3?

**HON DR B A LINARES:**

I think most of them actually but I will give him a detailed answer to that.

**NO. 250 OF 2002**

**THE HON DR J J GARCIA**

**GOVERNMENT ASSISTANCE TO CONFERENCES**

Can Government say how many conferences they have assisted with, sponsored or co-sponsored since November 2001 to date, giving the dates, the venue, the number of participants and the subject matter of each conference?

**ANSWER**

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

Government assisted with one conference since November 2001. This was a SEDECK Conference. SEDECK is the Sociedad Española de Ciencias del Karst and this was held under the auspices of the Trans-border Institute. This took place from Friday 7<sup>th</sup> to Sunday 9<sup>th</sup> December 2001 and was held at the John Mackintosh Hall and St Michael's Cave. There were 103 participants from different parts of the world and the subject was "Karstic (that is limestone) landscapes with special references to Gibraltar" with lectures given by the Gibraltar Museum staff and researchers from Spanish Universities.

**SUPPLEMENTARY TO QUESTION NO 250 OF 2002**

**HON DR J J GARCIA:**

Do I take it this is the answer in respect of all Government Departments and not just the Minister's?

**HON DR B A LINARES:**

That is the case.

**NO. 251 OF 2002**

**THE HON DR J J GARCIA**

**TRAINING – CATERING AND HOSPITALITY SERVICES COURSE**

How many of the 15 persons who commenced the hotel catering and hospitality services course in October 2001 have continued with the course?

**ANSWER**

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

All 15 trainees that initially registered, are continuing with the course.

**SUPPLEMENTARY TO QUESTION NO 251 OF 2002**

**HON DR J J GARCIA:**

Can the Minister say when the course is due to finish?

**HON DR B A LINARES:**

They started the course in September 2001 I reckon since it is a one year course I believe, they will complete the course in September 2002.

**NO. 252 OF 2002**

**THE HON DR J J GARCIA**

**TRAINING – BUSINESS MANAGEMENT PROGRAMME**

How many persons have started the 5<sup>th</sup> course leading towards a certificate/diploma in Business Management organised by the University of Durham which was due to commence in January 2002?

**ANSWER**

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

I think there is some confusion may I respectfully say in the mind of the hon Member. Should the question be referring to the “5<sup>th</sup>” Business Management programme, commencing May 2001, then up to 20 people have registered on the Diploma Course which is delivered by the University of Durham, though organised by the Department of Education and Training. However, should the question be referring to the January 2002 commencement, namely the “Post Graduate Diploma in Strategic Management”, then up to 18 people from the private sector have registered on the course. In addition, 27 senior civil servants who achieved Diploma stage, have progressed onto the same Post Graduate course. Therefore, the corresponding number of beneficiaries is 35.

**SUPPLEMENTARY TO QUESTION NO 252 OF 2002**

**HON DR J J GARCIA:**

When they are not Civil Servants do the private companies contribute to the costs of the course?

**HON DR B A LINARES:**

I believe so yes.

**NO. 253 OF 2002**

**THE HON DR J J GARCIA**

**GARRISON LIBRARY**

Can Government say whether there have been any developments in relation to their negotiations with the Ministry of Defence for the transfer of the Garrison Library further to the last Question Time in the House?

**ANSWER**

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

No.

**SUPPLEMENTARY TO QUESTION NO 253 OF 2002**

**HON DR J J GARCIA:**

Are we at the stage where the Government are waiting for the MOD to make counter proposals or is it the other way around?

**HON DR B A LINARES:**

No the stage in the process of negotiation in inverted commas at the moment is very informal, just discussions non-committal discussions being held between myself and up to now it was Colonel Moorby who was the Chief of Staff but he has just retired and this has brought again a certain hiccup in the process. Colonel Camp I have met who is now the new Chief of Staff, we have actually mentioned the conceptual discussions that we have held up to now with the MOD but he is new in the job and he has asked for some time to familiarise himself with all the intricacies involved. It is a complex matter, there are legal aspects, there are heritage aspects, there are logistical aspects involved in the question of the Garrison Library and of course I have tried to brief him and so has Colonel Moorby but we are waiting for the man to

actually come to grips with the different situation meet the Library Committee and again to find out what they are thinking and what their feelings and their thoughts are about the matter. So, at the moment it is a bit nebulous but nevertheless fruitful because it involves a meeting of minds.

**HON DR J J GARCIA:**

The impression that the Minister gives is that this is actually quite a long term discussion, negotiations, it is not something that is going to happen imminently, is that the case?

**HON DR B A LINARES:**

It is long in the sense that obviously the Garrison Library is a historical institution. It has been there for many, many years any developments in regards to the future use of the library and any actual transference of property, the ordinance that governs the trust, those are as I say historical things that cannot be shifted overnight. I am sensitive to the fact that it involves a sensitive thinking on the part of the MOD as well as a challenging demand from our part.

**HON S E LINARES:**

Can the Minister tell us what is the Government's intention once hopefully it is in Government's possession what the use of the Garrison Library, would it be a library as it used to be or are there other plans for the Garrison Library and also if I may, if it is not going to be a library which might not be, will the books and all the resources, rich resources some of them of which the Garrison Library have be transferred to another public library, that is, the John Mackintosh Hall. If possible could that transfer already happen, could we not get the books and the resources transferred so that we disconnect the actual resources from the building?

**HON DR B A LINARES:**

As I have said the MOD may have its own process of thinking but Government too, ourselves, are also in a process of thinking we have not reached very specific conclusions about those very specific questions that he has asked me except in a very generic sense that we believe that the library and its contents, historical resources are very much one and the same thing to disassociate one with the other but that is a bit of a personal thinking on my part in terms of Government decisions we are not there yet.

**HON DR J J GARCIA:**

Just to clarify, when this issue has been raised in the House previously the impression which at least I perceived is that this were more formal negotiations and that in fact proposals were made and counter-proposals were made by the Government and so forth. The way the Minister is describing it now is that they are at a level of being more informal discussions. Can the Minister clarify?

**HON DR B A LINARES:**

These are the way things have developed whereas initially there was more of a negotiating strategy with letters written with proposals we have found in the process of dialogue that it is better at this stage to deal with these things conceptually, sharing minds, aspirations of the people in the MOD, the Library Committee and ourselves rather than actually sort of committing ourselves to very deep end legalistic proposals.

**HON J L BALDACHINO:**

The Minister has just given a personal opinion, is it a Government policy on the question of the Garrison Library that the context and the building is one and the same thing, that it is not two separate things.

**HON DR B A LINARES:**

I have said that personally I do believe they are one and the same thing I would not like a disassociation of the contents of the library which is very much the flesh, the ethos of the library and just turn it into a shell, a building. That is my personal thinking but there is no Government policy as such in terms of a decision it is not something that the Government have spelt out but the Ministers steering the negotiations at the moment who are the Minister for Culture and the Minister with responsibility for heritage, are thinking along those lines.

**NO. 254 OF 2002**

**THE HON DR J J GARCIA**

**GIBRALTAR GOVERNMENT FUNDING**

Can Government list the parties that have applied for Gibraltar Government funding since the answer given in the last Question Time in this House, indicating the amount of funding that was requested and the purposes for which it was intended, listing those applications that have been successful, those that have been unsuccessful and those applications that are still pending?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

There have been no new applications submitted for Government funding under the Gibraltar Enterprise Scheme since the answer given at the last Question Time in the House.

**NO. 255 OF 2002**

**THE HON DR J J GARCIA**

**COMMERCIAL/DOMESTIC UNITS**

Can Government say who has been allocated the five small commercial/domestic units advertised in an official notice published on 21 November 2001, giving the amount bid by the successful tenderer in each case and by those tenderers who were not successful?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The Government are in the process of finalising the allocation of these units. Until this is finalised we are unable to provide the details requested. We will be happy to do so if the hon Member writes in to the department in about a month.

**NO. 256 OF 2002**

**THE HON DR J J GARCIA**

**PROTECTED CELL COMPANIES**

Have many of the enquiries by parties interested in creating a protected cell company in Gibraltar, which the House was told had been made at the last Question Time, actually materialised into formal applications?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question No 257 of 2002.

**NO. 257 OF 2002**

**THE HON DR J J GARCIA**

**PROTECTED CELL COMPANIES**

How many applications have been received to create a protected cell company since the law was commenced on 1<sup>st</sup> November 2001 either outright or by converting an existing company?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

No applications have been received since the new law was commenced.

**SUPPLEMENTARY TO QUESTION 257 OF 2002**

**HON DR J J GARCIA:**

Then obviously the original enquiries that were made have not materialised into anything further or are they still at the level of the enquiries?

**HON K AZOPARDI:**

They are still at the level of the enquiries, we think that one of them will definitely not proceed there may be one that will and others are still in the decision making process.

**HON DR J J GARCIA:**

Can the Minister say how many there are altogether?

**HON K AZOPARDI:**

I do not have a specific number but I am talking about a handful of enquiries, four or five.

**NO. 258 OF 2002**

**THE HON DR J J GARCIA**

**FIBRE OPTIC LINK – GIBRALTAR/LISBON**

Can Government say whether the certain consents and licenses that needed to be given to establish a fibre optic link between Gibraltar and Lisbon are now in place?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The Government continue in discussion with one international carrier. The Government are not at the stage at which the public announcements can be made on this matter.

**SUPPLEMENTARY TO QUESTION NO 258 OF 2002**

**HON J C PEREZ:**

Can I ask the Minister whether this is being done by the Government or through one of the telecommunications company?

**HON K AZOPARDI:**

The hon Member will recall that this project went out to tender or rather for expressions of interest, so we had been doing it through one of the parties that had expressed an interest who had brought to Gibraltar two international carriers to discuss matters with the Government. That party has now received an order to be wound-up by the courts so the Government are in direct discussions with the international carrier itself.

**HON DR J J GARCIA:**

I think originally there was a tender or an article which came out in respect of a fibre optic cable link between Gibraltar and Morocco, the question refers to the one in Lisbon I do not know whether the two subsequently merged into one or what has happened?

**HON K AZOPARDI:**

I offered to brief the hon Member confidentially last time, that offer still stands, I would rather not discuss the details of that because there are political sensitivities but they stem from the same expressions of interest. The idea came from the same process. I am happy to discuss it with him as confidentially.

**HON DR J J GARCIA:**

I am grateful to the Minister I will be taking up the opportunity of a briefing on the subject.

**NO. 259 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Has the one party that was asked to remove display advertisements under the re-enacted Town Planning Regulations and had not done so at the time of the last Question and Answer session in this House, now complied with the instructions to remove them?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question No 260 of 2002.

**NO. 260 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Have any new parties been asked to remove display advertisements under the re-enacted Town Planning Regulations to date since the last Question – Time in this House?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The one party referred to in Question No 259 of 2002 continues in discussions with the Department on acceptable alternatives. It has not been necessary to formally order any other party to remove a sign since the last meeting.

**NO. 261 OF 2002**

**THE HON DR J J GARCIA**

**NEW BANKING LICENCES**

How many applications for new banking licences have been received since November 2001, giving the date that the application was made and the name of the bank concerned?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question No 262 of 2002.

**NO. 262 OF 2002**

**THE HON DR J J GARCIA**

**NEW BANKING LICENCES**

At what stage is the application for a banking licence which the Government said had been made in answer at the last Question Time in this House?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

No applications have been received since November 2001. The banking licence application referred to during the last Question Time has been granted.

**SUPPLEMENTARY TO QUESTION NOS 261 AND 262 OF 2002**

**HON DR J J GARCIA:**

Can the Minister give the name of the entity that was granted the licence?

**HON K AZOPARDI:**

No. The bank in question want to remain confidential for the moment or would not like their to be public disclosure of information because they are indeed reviewing options. They were eager to come to Gibraltar, they have been in long discussions with the Government, they processed an application which took some months on the basis that they wanted to set up before the end of the year but in the interim as the Commission launched an investigation into issues concerning the tax exempt companies and so on they wanted to monitor the effect of that, the judgement is now

issued it is clear that the Government will be restructuring the tax base and those consequences mean that there will be consequences for the business itself and so they want to be able to now take a final decision in the context of whatever the final tax restructure package the Government announce and until that is finally decided I think that they would rather keep the matter in abeyance, I certainly hope that they will come to Gibraltar but they are reviewing their decision in the light of the tax restructure and this is why I think the hon Member will appreciate it is so important for the matter to be dealt with sensitively for us to be able to continue to issue tax exempt certificates as an interim measure and to be able to reach the right level of tax rates and the right level of tax restructure which will maintain a competitive finance centre.

**HON DR J J GARCIA:**

Is it correct to assume that this was going to be an exempt company or a qualifying company and not a bank with an established trading presence in Gibraltar?

**HON K AZOPARDI:**

The policy of the Government is no longer to provide exempt status to companies that are physically setting up in Gibraltar with a trading presence but the bank in question would have been a qualifying company at a certain rate of tax negotiated with the Government as that is one of the schemes that is going to fall away under the new systems that are coming into place in the context of international initiatives of fiscal harmonisation there will be a clear cut rate of tax obvious in the new legislation and it is that which the bank are now waiting for to be able to decide whether they still wish to proceed.

**NO. 263 OF 2002****THE HON DR J J GARCIA****EU FUNDING**

Can Government list the parties that have applied for EU funding since the answer given in the last Question Time in this House, indicating the amount of funding that was requested and the purposes for which it was intended, listing those applications that have been successful, those that have been unsuccessful, and those applications that are still pending?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

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

Four applicants have applied for EU funding since the answer given at the last Question Time in the House. They are listed as follows:

<b>Objective 2 Programme 2000-2006</b>				
<b>Project Number</b>	<b>EU Grant</b>	<b>Sponsor</b>	<b>Purpose of Grant</b>	<b>Status</b>
010	£50,000	Department of Trade, Industry and Telecommunications	A feasibility study investigating the viability of carrying out land reclamation within the harbour	Under consideration
011	£23,938	Panorama Ltd T/A Prontopress	Purchase of printing equipment	Under Consideration
012	£4,486	Gomez and Orfila	Purchase of printing equipment	Under Consideration
013	£19,241	Everleigh Ltd T/A The Piazza Grill	Purchase of equipment, fit-out costs of new unit and advertising	Under Consideration

**NO. 264 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

At what stage is the application for the change of use from a hotel to residential of the building originally intended to house a hotel at Europort?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The Development and Planning Commission have considered the application. As its decision has not been formally communicated to the applicant it would be inappropriate to make this information public until then.

**SUPPLEMENTARY TO QUESTION NO 264 OF 2002**

**HON J C PEREZ:**

Does the Minister not find it strange that without knowing whether there has been a change of use that there should be adverts in the local media selling the hotel furniture?

**HON K AZOPARDI:**

I have not noticed those adverts.

**HON J C PEREZ:**

Well, they are in the press since last Saturday.

**HON K AZOPARDI:**

Well, I note that they may be in the press all I can tell the hon Member is that they have not been formally given the decision, I do not know if anyone in the department has informally discussed the matter.

**HON DR J J GARCIA:**

Can the Minister say, in the event of change of use being granted, if this will apply to the whole building or to sections of it or is it the whole block?

**HON K AZOPARDI:**

The application was in relation to a change of use if I remember rightly which was of a mixed nature partly residential and partly for office space I think which covered the entire building. That is what the application is for.

**NO. 265 OF 2002**

**THE HON DR J J GARCIA**

**REGISTER OF COMPANIES**

Can Government say how many companies have been struck off on a monthly basis since the new section 203A of the Companies Ordinance was commenced on 19 September 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

To date, 9,845 companies have been struck off the Register of Companies. The full listing of these companies can be viewed at [www.companieshouse.gi](http://www.companieshouse.gi) (by clicking on 'Noticeboard'). The monthly breakdown provided by Companies House is as follows:

October 2001	6
January 2002	9,839

**SUPPLEMENTARY TO QUESTION NO 265 OF 2002**

**HON DR J J GARCIA:**

Was it the case that the owners of the companies had to be notified individually as well or did it simply have to be advertised in relation to the new procedure under 203A?

**HON K AZOPARDI:**

The companies are struck off after three months have expired from the date of the final notice published in the Gibraltar Gazette unless cause is shown to the contrary. So I do not believe that the procedure is, I think we discussed the procedure last time but I do not believe that the procedure requires personal notice but just advertisements. At the end of it these are only companies that are advertised having made default in submitting annual returns for many years so it is unlikely that they are trading.

**NO. 266 OF 2002**

**THE HON DR J J GARCIA**

**NEW HARBOURS**

What is the total amount of rent owed by tenants in the New Harbours as at 31<sup>st</sup> December 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question Nos 267 and 268 of 2002.

**NO. 267 OF 2002**

**THE HON DR J J GARCIA**

**NEW HARBOURS**

Of the total number of tenants in the New Harbours as at 31<sup>st</sup> December 2001, how many have rent outstanding as follows:

- (a) current month only;
- (b) over three months;
- (c) over six months;
- (d) over twelve months?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question Nos 266 and 268 of 2002 .

**NO. 268 OF 2002**

**THE HON DR J J GARCIA**

**NEW HARBOURS**

What is the total number of tenants at the New Harbours as at:

- (a) 31<sup>st</sup> December 2001;
- (b) 31<sup>st</sup> January 2002?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The total amount of rent owned by tenants at New Harbours as at 31<sup>st</sup> December 2001 stood as follows:

<u>Current Tenants</u>	<u>Ex Tenants</u>	<u>Total</u>
£323,263.39	£263,183.16	£586,446.55

The outstanding rents by number of tenants at New Harbours as at 31<sup>st</sup> December 2001 stood as follows:

	<u>Tenants</u>	<u>Ex-Tenants</u>
(a) Current month only	19 (£11,142.36)	
(b) Over three months	30 (£290,874.66)	18 (£263,183.16)
(c) Over six months	19 (£252,749.35)	12 (£235,560.72)
(d) Over twelve months	11 (£193,059.40)	7 (£202,014.04)

- (a) The total number of tenants at New Harbours as at 31<sup>st</sup> December 2001 was 91; and
- (b) as at 31<sup>st</sup> January 2002 it remained at 91.

ORAL

**NO. 269 OF 2002**

**THE HON DR J J GARCIA**

**EUROPA BUSINESS CENTRE**

What is the total amount of rent owed by Government tenants in the Europa Business Centre as at 31<sup>st</sup> December 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question Nos 270 and 271 of 2002.

**NO. 270 OF 2002**

**THE HON DR J J GARCIA**

**EUROPA BUSINESS CENTRE**

Of the total number of tenants in the Europa Business Centre as at 31<sup>st</sup> December 2001, how many have rent outstanding as follows:

- (a) current month only;
- (b) over three months;
- (c) over six months;
- (d) over twelve months?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question Nos 269 and 271 of 2002.

**NO. 271 OF 2002****THE HON DR J J GARCIA****EUROPORT BUSINESS CENTRE**

What is the total number of tenants in the Europa Business Centre as at:

- (a) 31<sup>st</sup> December 2001;
- (b) 31<sup>st</sup> January 2002?

**ANSWER****THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The total amount of rent owed by tenants at Europa Business Centre as at 31<sup>st</sup> December 2001 stood as follows:

<u>Current Tenants</u>	<u>Ex-Tenants</u>	<u>Total</u>
£65,138.00	£73,007.90	£138,145.90

The outstanding rents by number of tenants at New Harbours as at 31<sup>st</sup> December 2001 stood as follows:

	<u>Tenants</u>	<u>Ex-Tenants</u>
(a) Current month only	14 (£7,486.95)	
(b) Over three months	9 (£48,007.79)	10 (£32,671.53)
(c) Over six months	3 (£40,242.13)	7 (£27,780.42)
(d) Over twelve months	3 (£40,242.13)	7 (£27,780.42)

- (e) The total number of tenants at Europa Business Centre as at 31<sup>st</sup> December 2001 was 32; and
- (f) as at 31<sup>st</sup> January 2002 it remained at 32.

**SUPPLEMENTARY TO QUESTION NOS 269, 270 AND 271 OF 2002**

**HON DR J J GARCIA:**

Can the Minister explain how the monies are recovered from people who are ex-tenants who are no longer there, both in this case and in the previous one in relation to New Harbours a considerable amount was due by ex-tenants?

**HON K AZOPARDI:**

In the case of tenants and ex-tenants the matter is referred to the Treasury and they invoke the recovery procedures. They first write to them to ask them to repay the amount if there is a response they sometimes enter into arrears agreements, often the enter into arrears agreements, and if not then they pursue the matter by legal action by court proceedings or by winding up the company seizing its assets or otherwise.

**HON DR J J GARCIA:**

And that applies to ex-tenants as well who are no longer.....

**HON K AZOPARDI:**

Yes I believe it applies to everyone until such time as Treasury take the view that it will recover nothing. I am told that they pursue these matters.

**NO. 272 OF 2002**

**THE HON DR J J GARCIA**

**GIBRALTAR IN EUROPE BUSINESS DEVELOPMENT SCHEME**

How many (a) full-time (b) part-time jobs have been created by the Gibraltar in Europe Business Development Scheme to 31 January 2002?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Up to 31<sup>st</sup> January 2002, the Gibraltar in Europe Business Development Scheme has created 35 full-time jobs and four part-time jobs.

**NO. 273 OF 2002**

**THE HON DR J J GARCIA**

**CERTIFICATION SERVICE PROVIDERS**

How many applications for certification service providers have been received by the Government since the last Question Time in this House, 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 AND TELECOMMUNICATIONS**

No applications have been received to date.

**SUPPLEMENTARY TO QUESTION NO 273 OF 2002**

**HON DR J J GARCIA:**

To what does the Minister attribute if possible the lack of interest in this particular field?

**HON K AZOPARDI:**

I think the fact that we have a small jurisdiction and companies providing this provide it internationally and those services are accessible very easily and I think that is the issue. The eye contact with one major international certification service provider and we are having discussions with them but we are not sure whether they would formally want to apply or not but we will see in the coming months but I guess it is something like that. It is a bit like getting a domain name, because one can get it so easily on the internet from a central registry in Virginia sometimes a dot.com registry it is difficult to get people interested in setting up things in Gibraltar. They do not need to access the service necessarily in Gibraltar but as I say we are in discussions with a leading CSB.

**NO. 274 OF 2002**

**THE HON DR J J GARCIA**

**E-COMMERCE SURVEY**

Can Government say whether they have received any more replies to their e-commerce survey other than the 176 out of 1501 completed forms that had been returned at the time of the last Question Time in this House?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question No 275 of 2002.

**NO. 275 OF 2002**

**THE HON DR J J GARCIA**

**E-COMMERCE SURVEY**

Can Government inform the House of the feedback received on the current use of e-commerce in Gibraltar from the various business sectors as a result of the survey that was conducted last year?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Three completed forms have been received since the last Question Time in this House. Final statistics are not yet available and a report will be available shortly.

**SUPPLEMENTARY TO QUESTION NOS 274 AND 275 OF 2002**

**HON DR J J GARCIA:**

Do the 179 total respondents all come from the same sector or can the Minister distinguish different sectors from the information he has?

**HON K AZOPARDI:**

The last figures not taking into account the three that have just come in but 115 came from the retail wholesale sector, 44 from financial services, 11 from the maritime sector and six from tourism related services.

**HON DR J J GARCIA:**

Are Government happy with the response and with the level of representation of the different sectors in the survey?

**HON K AZOPARDI:**

This time we sent out 1500 and we got nearly 180 back, last time we sent 1200 and got 346 it is worse than last time but it might be because we carried that exercise out last year and people felt it was too soon. We originally had felt that we would do annual exercises I think we will probably do exercises every two years now. I would like there to be more response but on the other hand one has got to take into account that there is a lot of duplication in the 1200 or 1500 that is sent out in this sense. For example in the finance centre it might be sent out to a company manager and a legal firm both of which are the same people so there is some duplication, so I do not think that there are really 1200 or so real entities out there. As to the verdict on do we have enough response as I say I would like some more response but I would say though that in the context of things to try to extrapolate some sort of strategy from a 12 per cent response is still quite significant. If one looks at any figures and any studies conducted in the United Kingdom usually on a sample of .01 per cent of anything so ultimately we still have enough information to plan but clearly the Government would like more response in future.

**NO. 276 OF 2002**

**THE HON DR J J GARCIA**

**E-COMMERCE SURVEY**

Can Government say what employment opportunities for local graduates have arisen as a result of e-commerce, how many and where?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

A total of 96 vacancies were advertised by the Department of Employment from the period of January 2001 to January 2002 in IT and related fields. An individual analysis of each job profile would have to be done to establish to what extent these individuals are involved in or have been employed as a result of a desire to boost e-commerce possibilities of those businesses.

**SUPPLEMENTARY TO QUESTION NO 276 OF 2002**

**HON DR J J GARCIA:**

Other than that or perhaps by doing that how do Government measure the impact of their policy objective, is that the only way that it can be done and if so will it be done or not?

**HON K AZOPARDI:**

We are trying to measure the success of e-commerce and the impact and the consequences on employment and other consequences of business by things like a survey so it is better that people respond. Other than the survey itself the direct question to businesses, it is very difficult for us to actually know unless people tell us because if we go to the statistics at the ETB clearly sometimes they may file an advert for an IT related company but it is a bit of a guessing game to decide whether companies have employed them as a result of e-commerce or not. Some of them look like they would have been but some of them are in "traditional" businesses so

we are not really sure whether employments of an IT person in a bank is as a result of e-commerce or not. Some banks have put forward internet banking processes and services so it might be but it might not so it is very difficult unless people respond to direct questions. Other cases are clearer.

**HON DR J J GARCIA:**

Were any of the 96 related to things like offshore betting for example?

**HON K AZOPARDI:**

Yes some of them.

**HON DR J J GARCIA:**

How many?

**HON K AZOPARDI:**

Well I have not counted them but just flicking through the list I would say that it is a significant proportion. It looks like 25 to 30 per cent.

**HON DR J J GARCIA:**

So the original 96 when they were advertised in IT related fields could actually be as the Minister said anybody using a computer or anything not necessarily for any commerce activity, could be banking or offshore betting or other types of businesses where a computer is used?

**HON K AZOPARDI:**

Well because the ETB categorise things under job title and not under purpose of the job. One might be a lawyer but the purpose of ones employment as a lawyer might be to provide advice within a bank to customers but that is the problem and they categorise people under IT we are talking about operations technicians, user support, communications, computer engineer, software professionals, data analysts I mean it could be telecommunications engineers and that type of thing, the hon Member will appreciate the difficulty in trying to assess what is what.

**HON DR J J GARCIA:**

Would it be possible for the Minister to supply a copy of that information?

**HON K AZOPARDI:**

Yes I do not see why not it has names of companies it does not have names of individuals so I can certainly give the hon Member that list.

**NO. 277 OF 2002**

**THE HON DR J J GARCIA**

**E-BUSINESS**

Can Government say whether there have been any instances of a relaxation of immigration laws in Gibraltar in order to foster e-business, giving details of the cases if any?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Government policy is to foster e-Business by being responsive to the needs of business in securing skills migration to Gibraltar of individuals that may not have automatic residence or work rights. This does not entail a “relaxation” of immigration laws. It merely means that Government need to deal with each case on its individual merits and decide whether to exercise their discretion to grant work permits to particular individuals.

**SUPPLEMENTARY TO QUESTION NO 277 OF 2002**

**HON DR J J GARCIA:**

I think the use of the term “relaxation” of immigration laws was actually used by the Minister if I remember correctly in the E-Com press conference but be that as it may have there been any instances or not?

**HON K AZOPARDI:**

There have been instances when non-EU nationals have been employed in companies to provide services related to e-business in the context of the Government’s general policy which is to apply the immigration rules flexibly so that we attract expertise to Gibraltar. I do not think I ever used the word “relaxation” in the

form of strategy document we issued, we talked about flexible application but what we are talking about is individual case assessment so that if a company comes to Gibraltar and says “ look I want to establish a data business in Gibraltar but I want to bring 20 Americans to Gibraltar” that we do not say “no they are not EU nationals and therefore you cannot bring them.” That is what I am talking about.

**HON DR J J GARCIA:**

I am grateful to the Minister for the explanation but does he have a record of how many instances there have actually been, how many persons have been involved in those instances?

**HON K AZOPARDI:**

No because in most of the matters formal Government intervention is not necessary. An application is made to the ETB and the matter is discussed with the department and is processed. It is only when someone is intending to establish a major presence in Gibraltar were they are talking hypothetically it is not about people who are in Gibraltar who may want to recruit someone who is a non-EU national that usually is processed through the system what I am talking about is someone coming in and saying they want to come to Gibraltar on the back of Government consent to allow a certain number of non-EU nationals to be brought in as part of the business. That is where there are more direct talks with the Government at a more senior level. That has happened in a couple of cases where we have said that in principle we do not have difficulty but we do not keep quantifiable statistics. All we can do is apply the policy in a case by case basis as I have indicated.

**HON DR J J GARCIA:**

Does the Minister confirm that this has already actually happened that there have been cases of companies who want to bring in a non-EU nationals and have discussed it with the Government and the Government have agreed to that actually taking place, is that the case?

**HON K AZOPARDI:**

Yes, not only in relation to e-business, I mean in relation, for example, the finance centre, that happens as a matter of course it happens a lot because there is a major Swiss presence in the finance centre and until recently they had not signed an agreement with the European Union on establishment of workers rights et cetera.

**NO. 278 OF 2002**

**THE HON DR J J GARCIA**

**E-BIZ EXHIBITION**

What was the cost of attending the E-biz exhibition in November 2001 and how many people from Gibraltar took part?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question No 279 of 2002.

**NO. 279 OF 2002**

**THE HON DR J J GARCIA**

**E-BIZ EXHIBITION**

Can Government say how many other exhibitors took part in the E-biz exhibition and who they were?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Three local companies and the Government of Gibraltar took part. The cost was £13,225.43.

E-business	-	Total Exhibitors	36
M-business	-	Total Exhibitors	35

The list of exhibitors is as follows:

**e-business Expo A-Z Listings**

Ascertus Limited	D111
Bowstreet	Demo Hub
CI-Host	Demo Hub
CODEL	D112
DHMS Limited	D110
DTI-Security at Work	Infosecurity Village
e-centre	E60
EBIZZ	D113
Ecom Ltd	Gibraltar Pavilion
EEMA	E20
EC World	G10
GNC Networks	Gibraltar Pavilion

Government of Gibraltar	Gibraltar Pavilion
Guernsey Telecoms	F30
12B	D123
IBM Business Partner Event Programme	D112
Inland Revenue-Electronic Business	D105
Intel & Dell	F68
Internet Security Systems Ltd	E10
Mediafish Ltd	D122
Miracel e-Solutions Limited	Demo hub
Ncorp Ltd	E52
Perwill PLC	G40
Projectplace Ltd	F52
QED IT Group Ltd	E40
SAP(UK) Ltd	D30
Shopcreator PLC	G30
SITPRO	E62
Software AG (UK) Ltd	D112
SSr Personnel Services	Infosecurity village
StreamServe Ltd	F60
SwanBayley Purchasing Ltd	F40
Systech Ltd	Gibraltar Pavillion
UK Online Business	F64
University Of Westminster	D121
Williams Lea	D111

#### m-business Expo A-Z Listings

APD Communications Ltd	M1
Brown's Operating System Services Ltd	M3
BT Cellnet	M180
Business Systems UK	M124
Casio electronics Co Ltd	Demo area
Communicate	M5
Control Force Ltd	M56
Dialogue communications	M122
Equisys UK Ltd	M128
Extended Systems Ltd	480
Flying SPARK Ltd	M172
IN Car Technologies	M174
Intermec Technologies	M129
IOrA Ltd	M140
Itronix (UK) Ltd	M126
Langdale Systems Ltd	M46
Live Devices	Telematics Pavilion
Managers & Developers Ltd	M176
Maxon-Sewon Europe Ltd	M160
MCUG	M6
Orange	M120
Panasonic UK Ltd	M124
Paradigm Technology Limited	M168
Peramon Technology	M48

Priori Media	M212
Rdtower	M164
RGI Mobile solutions	M70
Rocking Frog	M166
Sales Director	M212
Siemens	M10
Siemens VDO Trading Ltd	Telematics Pavilion
Telematics & In Car Business Magazine	Telematics Pavilion
Technological Business solutions (TBS)	M200
ThreeX	M71
WapMX	M127

### **SUPPLEMENTARY TO QUESTION NOS 278 AND 279 OF 2002**

#### **HON DR J J GARCIA:**

Is it possible for the Government to indicate whether the interest which was expressed by people visiting the stand et cetera materialised into any formal applications or enquiries to come to Gibraltar?

#### **HON K AZOPARDI:**

This is very unquantifiable in the sense that marketing, I have indicated before to the hon members my view on marketing that while it is easy to know and understand and appreciate when one has a one to one meeting with an institution whether they then come to Gibraltar or not, one can assess that, it is very difficult to assess going to an exhibition or a conference centre, setting up a stand, handing out 200 brochures and then deciding whether there is any impact or not. There is word of mouth, there is direct and indirect impact, I think it is a useful exercise to do it is probably more easier to quantify and more useful to have one to one presentations set up and that is where our emphasis lies in the finance centre and in other types of marketing but in e-business itself there are major exhibitions and conferences were to a large extent everyone is exhibiting and we feel obliged to also be there. If we are not the hon Member will look at the list and will see in this case in fact the words many other competitor governments there but Guernsey was there. In others that we have been to Guernsey, Jersey, and Bermuda are usually there and they are the people that we look to as our peer group not only financial services but telecomms and we feel that we should be at these conferences to attract business to Gibraltar because if we are not there people do not talk about us at all and while it may be less quantifiable than direct meetings it is none the less deemed to be a useful exercise or at least a necessary one.

#### **HON DR J J GARCIA:**

The reason for mentioning whether it was quantifiable or not because the Government in their own press release mentioned that it attracted interest in the Gibraltar pavilion was one of the main exhibitors and it attracted interest from the UK and European companies. We were wondering from the Opposition benches

whether actually interest from those UK and European companies materialised into anything further?

**HON K AZOPARDI:**

It is an on-going thing some people give their business card and say that they want to be kept abreast of information so we put them on our database and send them information from time to time on a monthly or quarterly basis and some people actually have a formal enquiry, some people go away and then they introduce someone to us and this is what I am saying how do I then explain to the hon Member or quantify or list what degree of success there is. This is an on-going matter which renders long term and indirect success but it is a necessary matter.

**HON S E LINARES:**

Just as a matter of interest this is similar to a previous question my Colleague has just asked before to the Minister of Tourism and it is to basically monitor the impact of any fairs, e-biz, exhibitions or anything. Is it not possible to have within the computer base or within interviews or even within the application formally where, because I have seen it before, where the company has initially seen the fact that Gibraltar is marketing whatever and therefore that although not scientific and not first time evidence it gives an indication to whether one exhibition or another has more impact one from the other.

**HON K AZOPARDI:**

I think it is much easier to do in tourism because they conduct a lot of advertising and I have said to the House before and the hon Members that they will not see a lot of advertising, one sees some, but one will not see a lot of advertising from my department in finance centre or telecommunications because I do not believe that that renders success in my areas. In my experience one does not get banks coming to Gibraltar because they have seen an advert. People know whether they want to come and they will want to come if they understand the tax system, the political stability and they have an interview with the Government and they understand whether we will facilitate it for them and tourism is a different market and I think that in our case we tend to approach the matter while I am grateful for the suggestion we tend to approach it in a different way.

**NO. 280 OF 2002**

**THE HON DR J J GARCIA**

**ELECTRONIC COMMERCE DIRECTIVE**

Can Government say whether the United Kingdom has now notified the European commission of the following:

- (a) the designation of a Gibraltar "Contact Point" under Article 19 of the Electronic Commerce Directive;
- (b) the transposition by Gibraltar of the Electronic Signatures Directive;
- (c) the transposition by Gibraltar of the Electronic Commerce Directive?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The UK have informed the Government that they will notify for Gibraltar when the UK notifies for itself. The UK is still passing the necessary legislation; when it is passed in the UK then all necessary notifications (for Gibraltar and the UK) will be made at the same time.

**NO. 281 OF 2002**

**THE HON DR J J GARCIA**

**REVIEW OF LICENSING HOURS**

At what stage is the Government's review of licensing hours which was expected in the autumn of 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The relevant department collated and assessed the responses received and submitted its recommendations on the changes that should flow from the consultative exercise. Ministers are currently considering the matter.

**SUPPLEMENTARY TO QUESTION NO 281 OF 2002**

**HON DR J J GARCIA:**

Can the Minister tell the House the reason for the delay?

**HON K AZOPARDI:**

The recommendations included I think there was some urgency as to recommendations, so at least consensus on urgency because our people wanted to have some systems in place for the summer period last year so what we decided was to strip out certain measures and apply a pilot scheme somewhat now controversially in the marinas and Casemates areas, on the basis that we would monitor how things go and then review the effect of the rest of the consultative exercise and implement other measures as necessary. So firstly what we tried to do is deal with what was in our view urgent by introducing this pilot scheme and then secondly keep in abeyance the implementation or consideration of the rest of it until

Ministers had properly been able to understand the effect of the pilot scheme and the rest of the recommendations. It is also true that there has been additional delay because of the other more pressing matters that have hit Gibraltar since the summer and I am talking there about obviously the Anglo-Spanish situation and the tax restructure which has at least concentrated the resources of my department to a very large extent. So Ministers have been engaged in other matters, people will understand that but we intend to review this as soon as practicable.

**HON DR J J GARCIA:**

Is the report of the document which is being considered by the Council of Ministers gone actually further than only the question of licensing hours, does it cover other areas as well?

**HON K AZOPARDI:**

Yes, it covers areas such as the Trade Licensing System itself, the administration of the system, opening hours in music and entertainment and the definition, it covers the legal age for drinking and purchase of alcohol and other matters relating to intoxicating liquor, the tightening and review of legislation the historic legislation in those provisions and it also covers clubs and sub-letting.

**HON DR J J GARCIA:**

Is the Minister in a position to tell the House when this report or these recommendations are expected to see the light of day?

**HON K AZOPARDI:**

No, I would like the consideration process to take its course sooner rather than later but I cannot give the hon Member an indication at this stage.

**NO. 282 OF 2002**

**THE HON DR J J GARCIA**

**INDUSTRIAL PARK – LATHBURY BARRACKS**

Can Government say whether the business units at Phase 1 of the industrial park at Lathbury Barracks will be completed on schedule by March 2002?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question No 283 of 2002.

**NO. 283 OF 2002**

**THE HON DR J J GARCIA**

**INDUSTRIAL PARK – LATHBURY BARRACKS**

Can Government say whether the rent in respect of the business units at Phase 1 of the industrial park at Lathbury Barracks have now been set, and if so at what level?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The industrial park at Lathbury Barracks is now expected to be completed by the end of June 2002. The level of rent to be set for the business units at Lathbury Barracks has not yet been established.

**SUPPLEMENTARY TO QUESTION NOS 282 AND 283 OF 2002**

**HON DR J J GARCIA:**

Can the Minister explain the reason for the delay from March to June?

**HON K AZOPARDI:**

I am told it is a combination of two things, one that it was a late submission of details in the design and secondly the very bad weather conditions slowed down the construction phase.

**NO. 284 OF 2002**

**THE HON DR J J GARCIA**

**ECOM LTD**

Can Government explain the state of affairs of the Ecom Ltd project at Lathbury Barracks following the announcement that the company was being wound up by a creditor in January?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

An Order to wind-up Ecom was granted by the Supreme Court on the 25<sup>th</sup> January 2002. The liquidators are gathering information on the company and a report will be submitted by them to the Official Receiver shortly.

**SUPPLEMENTARY TO QUESTION NO 284 OF 2002**

**HON DR J J GARCIA:**

Can the Minister then clarify what happens to the project and what happens also to the land?

**HON K AZOPARDI:**

The land is Crown Land because the development licence has yet not been formalised they had planning permission but not development licence so, we do not need to do anything there I am told that there is no need for a formal repossession because the land is still within the Crown. As to the project they were before the winding-up in talks to try to sell the company and the project to another entity whether that continues through the liquidators or not I cannot tell at this stage but as

far as the Government are concerned the information that we have to hand today I will have to say that the ECOM project is no more.

**HON DR J J GARCIA:**

Had any payments been made by ECOM to the Government?

**HON K AZOPARDI:**

No I do not think so.

**HON J C PEREZ:**

Can the Minister say whether at the stage of granting the building licence to this company the Government made the necessary investigations as to the financial viability of the company before engaging them in such an important project which was described by the Minister on television as obviously a breakthrough and one that would create employment for people in Gibraltar?

**HON K AZOPARDI:**

We did not get to the stage of signing a development licence, they did have planning permission as I indicated what we agreed in principle was that this project would take place and that we would use our best endeavours to get planning permission and enter into a development licence for the land and so on but to answer the hon Member's question we were indeed in discussions with their financial backers. I remember perhaps two anecdotes if I can put it that way but the hon Member will understand the point that I am going to make. I went to a meeting when I was in London on other matters they wanted to demonstrate to the Government that they had substantial financial backing and they organised the meeting with one of the leading directors of Golden Sachs, Golden Sachs do not back a company unless there is substance in the project and so on. It is true that I think this had contributed to it or before I come to that let me highlight the second issue. The shareholding of ECOM is a whole long list of people who have shareholding in ECOM, some of them are very well known American companies in particular I seem to recall Computer Associates, the huge multinational have a holding in ECOM and so as a result of all of that the Government were of the view that there was funding available and we did receive assurances, it was clear to us that the shareholdings represented substantial contributors, it is also true that when we discussed the principle of these arrangements there was still a lot of money to be had in this field. Since that time there has been a marked downturn in telecommunications financing and so on in particular the last 12 to 15 months and technology media and telecommunications stocks have crashed world-wide, they are at a tenth of their value in the case of many leading companies and that has meant that financiers have backed off and I am told that the basic reason here because actually ECOM started the demolition process up at Lathbury Barracks of the area that they had and they had awarded the tender for demolition and were on the process of awarding the tender for construction. Now what happened here was that they became affected by the drying up of the reservoir of financing of telecommunications projects as a result of the global downturn and it is unfortunate but I think that was the basic reason.

**HON J C PEREZ:**

Would the Minister agree with me that given the reputable backers and shareholders that it might have been more opportune for the company to have withdrawn from the project rather than have a small local contractor sending it into liquidation by winding up order?

**HON K AZOPARDI:**

Yes I think it is a very unfortunate matter and we would have wanted that matter to be resolved so that if there was going to be a withdrawal it should be a withdrawal without losses. It is a regrettable incidence and consequence of this and I hope that the liquidators locate some assets to be able to at least partly satisfy that debt.

**NO. 285 OF 2002**

**THE HON DR J J GARCIA**

**APPLICATION FOR SMALL LOANS AND GRANTS**

Do Government have any plans to simplify and expedite the applications and the process for the approval of small loans or grants to the business community?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The Government, through the Department of Trade, Industry and Telecommunications are looking at ways and means of simplifying and expediting the application process in relation to Schemes that offer assistance in the form of grants or loans to the Business Community. The hon Member should note that the Government are constrained by European Regulations governing the application process.

**SUPPLEMENTARY TO QUESTION NO 285 OF 2002**

**HON DR J J GARCIA:**

Do those constraints apply only in respect of EU funding or do they apply in respect of Gibraltar Government funding as well?

**HON K AZOPARDI:**

No the constraints that I am talking about now only apply to European funding.

**HON DR J J GARCIA:**

Do Government not agree that it could be one of the reasons for the low uptake on EU funding and could be related specifically to the complicated and bureaucratic application method and are Government aware of the complaints made by the Federation of Small Businesses in its last annual report in this respect?

**HON K AZOPARDI:**

We are trying as much as we can to simplify the process. I think that people who want funding do apply, I do not think that they will not apply because the process is somewhat complicated if they do genuinely want to apply. The business advisors are there indeed to assist them to formulate their application but we recognise that we could and should do something about simplifying the process and we are trying to do that within the constraint of the regulation and so we are trying to relax the extent of information that is being requested in relation to small projects but unfortunately there are EU minimum requirements that constrain us from simply finding a process the way that we would like. We raised the matter with the European Commission directly at a meeting that was held of the monitoring Committee because the Commission sent the representative to that group and the Commission told us that this was a European wide issue affecting small businesses and confirmed that the Commission was working towards simplifying the assessment procedure with a view to cutting down on the information required to be submitted with each application. Clearly that is the solution, we in Gibraltar are constrained by the EU regulations, if the EU regulations can be reviewed at source as the Commission recognised needs to be done because this is an EU problem, then I think it would follow that we would be allowed to do what we want to do which is to simplify the process.

**HON DR J J GARCIA:**

In relation to a Gibraltar Government grant or funding under the Gibraltar Enterprise Scheme or any other scheme that the Government set up, would it not be possible to simplify those without involving the European Commission or not?

**HON K AZOPARDI:**

Yes one can do whatever one wants if one is providing the funding and I think that they are markedly different already, it is much easier as a process and we will do what we can when the matter is within our control.

**HON DR J J GARCIA:**

I do not know whether the Minister has had the opportunity of examining the GFSB report but it mentions the system operated in the United Kingdom which is operated by business links where the grants are allocated within a week. Whether allocated or not they are allocated within a week from the company making the application, is that something which perhaps the Government shall consider locally?

**HON K AZOPARDI:**

I mentioned that to the department and there is some dispute as to whether in fact reference to the FSB report is inaccurate. The department contacted people in DTI UK and they do not believe that that is the case that there is a system where one can get a grant within a week. There is a system where one can get determination of a grant within a few weeks maybe 3, 4 or 5 and that replicates the system that we are trying to put into place here in relation to small grants under a level of I think £10,000.

**NO. 286 OF 2002**

**THE HON DR J J GARCIA**

**60 DEVIL'S TOWER ROAD – GARAGE**

Can Government list the parties who submitted a tender for a garage at 60 Devil's Tower Road indicating the sum bid by the successful and the unsuccessful tenderers?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The advert appeared for garage use only. As interest had been expressed for the use of the premises for storage it has been decided to re-advertise for store and/or garage use to give an opportunity to persons interested.

**SUPPLEMENTARY TO QUESTION NO 286 OF 2002**

**HON DR J J GARCIA:**

Has anybody actually submitted a tender in respect of the original tender advert as it appeared?

**HON K AZOPARDI:**

Yes there were eight proposed tenderers for a garage and one for a store, there may be others for a store, one who put it in anyway although we had not advertised for a store but I will just make a point. Firstly we had other people interested and therefore we have decided to re-advertise, secondly people applying for a garage there, well there was no one who lived in the vicinity unfortunately.

**HON DR J J GARCIA:**

Can the Minister list the eight proposed tenderers and the one for the store which was the original question?

**HON K AZOPARDI:**

Well because we have decided to re-advertise I would rather not at this stage because that is not the proper tender process that will see adjudication.

**HON J C PEREZ:**

Is it that the Minister thinks that the Government will be able to obtain more rent if it is tendered as a store than as a garage?

**HON K AZOPARDI:**

No, not necessarily it is just a question of giving people an opportunity because there was a demand for storage but we did not actually allow them to do that publicly in the advertisements. A consideration that we take into account of course is when people apply for a garage whether they live anywhere in the immediate environment.

**HON J C PEREZ:**

But does the Minister not consider that since originally it came out for garage use and there are eight applicants that it is not that there has not been any applicants that those applicants by now feel that it is unfair that it should be re-tendered because their chances of obtaining it are much less given that the original tender was for garage only?

**HON K AZOPARDI:**

I do not know if it is much less the Government's view would be not to require them to re-tender, they can if they want to but they will be considered in the context of the applications that are received and I do not think it necessarily follows that they will have less of a chance we will see what happens when the process comes out and if we adjudicate it to someone who did not apply this time then the hon Member may have been right but I do not think we can assume it yet.

**HON DR J J GARCIA:**

Was it the case that these premises had been used as a store before? We are trying to establish why the Government have changed their minds after issuing the tender and receiving the submissions on the basis of one person being interested in converting it into a store?

**HON K AZOPARDI:**

It is a small thing, it is either a garage or a tender. At first instance there were people firstly interested in a store, we did not allow them an opportunity. Secondly had there been a large demand from people living in say Laguna Estate then we would have adjudicated it as a garage for anyone who lives in Laguna Estate but the applications that we received were quite distant from the area we had not given an opportunity to people we knew were interested for storage use really and because those provisions anyway when we advertised that the Government do not bind themselves to accept any or the lowest tenderer we took the view that it would be fairer for everyone concerned to take the list of people who had submitted this time and allow an opportunity to people to come forward next time.

**NO. 287 OF 2002**

**THE HON DR J J GARCIA**

**ROSIA BAY**

Can Government say how many tenderers had submitted a tender for the development of Rosia Bay and the Victualling Yard before the original closing date of 18<sup>th</sup> January 2002 giving names of the tenderers in question?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Answered together with Question No 288 of 2002.

**NO. 288 OF 2002**

**THE HON DR J J GARCIA**

**ROSIA BAY**

Can Government say how many tenderers had submitted a tender for the development of Rosia Bay and the Victualling Yard before the original closing date of 18<sup>th</sup> January 2002 giving the names of the tenderers in question?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

No tenders have as yet been received. In any event, none are expected prior to the 15<sup>th</sup> February 2002 which is the extended closing date.

**SUPPLEMENTARY TO QUESTION NOS 287 AND 288 OF 2002**

**HON DR J J GARCIA:**

Why was the tender extended until the 15<sup>th</sup> February 2002?

**HON K AZOPARDI:**

Because the original closing date was just after Christmas and it was felt that we really should extend it and to give people a little bit more time. Land Property Services wrote to everyone who had collected a document and gazetted the information.

**HON DR J J GARCIA:**

We ask because the original tender advert appeared on the 30<sup>th</sup> November 2001 with a closing date of the 18<sup>th</sup> January 2002 which gave the whole of December and half

of January and then on the 3<sup>rd</sup> January 2002 two weeks before the closing date the second advert appeared extending it to February so when the second advert appeared the first had not even closed, is there any other reason why this took place?

**HON K AZOPARDI:**

No as I have explained the advert appeared, it had been drafted and then appeared 30<sup>th</sup> November 2001 and I had a conversation with one of the officials who work at Land Property Services who suggested to me that it might be too short a period round about the third week of December we had this discussion that it might be too short a period because we were going to have Christmas and the New Year and we would loose three weeks effectively and I said well all right if that is a genuine consideration write to everyone who has collected the tender notice and gazette an extension of a month and that is what happened that is why they did that after we spoke in early January.

**NO. 289 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Can Government say whether any objections have been received by the Development and Planning Commission in respect of the proposed developments at:

- (a) North Block Royal Naval Hospital;
- (b) Former Garrison Medical Centre, Royal Naval Hospital?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

- (a) One letter of representation has been received that supports the development in principle, but raises an objection in relation to the proposed access, parking provision and loss of public parking spaces.
- (b) One objection has been received.

**SUPPLEMENTARY TO QUESTION NO 289 OF 2002**

**HON S E LINARES:**

Can the Minister confirm whether that objection is to do with an institution that is near the Naval Hospital?

**HON K AZOPARDI:**

The second one?

**HON S E LINARES:**

Yes, an institution I do not want to mention names.

**HON K AZOPARDI:**

An educational institution. The nature of their objection is not that they object to the development I think all they say in their letter is that if the development would happen they will have to be relocated which seems like common sense to me.

**NO. 290 OF 2002**

**THE HON DR J J GARCIA**

**GUN WHARF**

Can Government say with respect to the Gun Wharf development:

- (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 AND TELECOMMUNICATIONS**

- (a) The Outline Planning Permission was granted in April 2001.
- (b) No Building Application has been submitted to the Development and Planning Commission.
- (c) The Development Licence has not yet been issued. There are on-going discussions with the MOD and the adjoining developer that will affect the extent of the development area. When these are resolved the Licence will issue.
- (d) The developer effected a part payment of £110,886.68 on 11<sup>th</sup> October 2001.

**SUPPLEMENTARY TO QUESTION NO 290 OF 2002**

**HON DR J J GARCIA:**

Do the discussions related with the MOD relate to the finger jetty?

**HON K AZOPARDI:**

No they relate to MOD consent is needed so that there can be some reclamation near the slipway by Gun Wharf.

**NO. 291 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

At what stage is the Development and Planning Commission's consideration of:-

- (a) the construction of a residential development of 71 apartments in five blocks at the Rock Hotel?
- (b) the proposed development to erect an apartment block on six floors at the staff quarters of the Rock Hotel?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

An Environmental Impact Assessment has been ordered by the Minister pursuant to the Environmental Impact Regulations. The Commission will continue its consideration of the matter once this is received.

**SUPPLEMENTARY TO QUESTION NO 291 OF 2002**

**HON DR J J GARCIA:**

Can the Minister say who conducts the environmental impact assessments?

**HON K AZOPARDI:**

Whoever the developer instructs in that field, clearly it will have to be a company that are qualified in that area.

**HON DR J J GARCIA:**

Is there no independent assessment conducted by the Government?

**HON K AZOPARDI:**

It is funded by the developer it is supposed to be an independent environmental impact assessment. I think that there have discussions as to the party that will be appointed other than that the legislation does not require another assessment.

**HON J C PEREZ:**

Have Government taken a decision in principle to renegotiate the terms of the lease given that it needs the Government renegotiation of the use of the lease prior to the Development and Planning Commission granting any planning permission?

**HON K AZOPARDI:**

Not yet, the Government also want to await the environmental impact assessment to review their position as landlords in relation to the matter.

**HON J C PEREZ:**

Would it not be opportune that before the environmental report is ready that that should be the basis on which a decision is taken before the Development and Planning Commission take the project any further?

**HON K AZOPARDI:**

I am not sure if I follow the hon Member.

**HON J C PEREZ:**

The Minister is saying that there is an environmental study being undertaken to see the impact of it, I am saying should the decision of the Government not be taken at the stage when that environmental report is with it and should the Development and Planning Commission not proceed any further until there is a decision by the Government in principle on whether they will be in a position to renegotiate the terms of the lease and the financial aspects of it?

**HON K AZOPARDI:**

I think the processes have to run in parallel, the Commission is entitled to take into account when determining an application whether the developer, the applicant, has landlords consent which at the moment it does not. So, we can take that into account but the DPC needs to commence the process required by law and order of the assessment and so on. In parallel the Government will consider their position in the light of the environmental impact as well. I think to a large extent the thrust of what the hon Member is saying will be achieved even though the processes will run in parallel.

**HON J C PEREZ:**

Will the Minister give this House a commitment that none of the things that were said on television by the holder of the lease in respect of this helping him to pay back loans given by the Government to the hotel should be a consideration in looking at the feasibility or otherwise of this project?

**HON K AZOPARDI:**

Firstly, I did not see that interview, secondly I am trying to answer the question with two hats one because I have had supplementaries on two different lines if, one in relation to Government as landlord and one in relation to the planning process. It is certainly and I can give the hon Member a wholehearted assurance that it will have no bearing whatsoever in the planning process. The Government as landlords will consider the environmental impact and will consider other general issues of relevance and of perceived benefit to the community at large and that is the context in which it will decide that application.

**HON J C PEREZ:**

I take the point, my point is that consideration of the change of use of the lease should not have anything to do with the separate issue of the Government having given loans to the Rock Hotel and the possibility of those loans having to be repaid which was linked by the leaseholder in his television interview. One thing is for the Government to give a loan to a hotel and that hotel has to pay the loans regardless of whether the project goes ahead or not as we see it and that the payment or non-payment of that loan should not have an influence over looking at this project which in our view should be totally separate and unconnected with the scheme for hotels which the Government initiated in giving loans to hotels.

**HON K AZOPARDI:**

I certainly agree that if people have entered into financial arrangements they need to comply with them irrespective of the success or otherwise of their planning or Landlords Applications.

**NO. 292 OF 2002**

**THE HON DR J J GARCIA**

**INDUSTRIAL PARK – NORTH MOLE**

Were the units at the North Mole industrial park handed over to the Government at the end of last year as planned?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

No. The hand over is expected to take place by the end of February 2002.

**SUPPLEMENTARY TO QUESTION NO 292 OF 2002**

**HON DR J J GARCIA:**

What was the reason for the delay in this handover?

**HON K AZOPARDI:**

There were some additional works that were commissioned and monitoring of waterproofing elements of the roof as some leaks had been detected during the excessive rainfalls.

**HON DR J J GARCIA:**

Are Government already in negotiation for allocations of part of that complex?

**HON K AZOPARDI:**

I said last time that the units will go out to tender and they will. I expect that they will go out to tender in the next couple of weeks, the tender notice is ready. The only direct allocation that the Government are considering is an allocation in a strategic location which will enable the Government to proceed with what they consider to be an important project of public interest and that is the only one that we were considering. I said that to the House last time.

**HON DR J J GARCIA:**

Is the Minister in a position to say what the project entails without revealing who the person is?

**HON K AZOPARDI:**

The opening of a new road.

**NO. 293 OF 2002**

**THE HON DR J J GARCIA**

**DEVELOPMENT AND PLANNING COMMISSION**

Can Government say how many meetings the Development and Planning Commission has had since 1<sup>st</sup> November 2001 giving the dates when such meetings took place?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

Two meetings have been held since 1<sup>st</sup> November 2002. These were held on the 5<sup>th</sup> December 2001 and on the 24<sup>th</sup> January 2002.

**NO. 294 OF 2002**

**THE HON DR J J GARCIA**

**INTERREG IIIB 2000 - 2006**

Can Government say what funds will be destined to Gibraltar from 66.2 million euros available for south-western Europe as announced by the European Commission on 13 December 2001?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY AND TELECOMMUNICATIONS**

The sum of 425,000 euros (approximately £272,780) has been allocated to Gibraltar under the Interreg IIIB 2000 – 2006 for the South West Europe Programme.

**SUPPLEMENTARY TO QUESTION NO 294 OF 2002**

**HON DR J J GARCIA:**

Can the Minister say whether this is in respect of a project which the Government has earmarked funds for or is it simply an allocation for which they now have to find a project to fill?

**HON K AZOPARDI:**

This is a general figure not in relation to specifics. To make use of the funds though we need to develop partnerships with other regions within the geographical area of south west Europe, with people around Gibraltar more or less, at present we are liaising with other departments to see whether projects will be put forward in areas such as heritage planning, environment and the port and representatives of those departments have been urged to discuss the matter with representatives in other countries so that we take forward possible projects.

**HON DR J J GARCIA:**

Can the Minister say what the role of the Managing Authority for these particular funds is giving that the Managing Authority is I think Cantabria in Spain and how are they selected for this role?

**HON K AZOPARDI:**

Sorry the Managing Authority is what?

**HON DR J J GARCIA:**

The Managing Authority, the press release issued by the European Commission says it is the Dirección General de Economía of Cantabria in Santander.

**HON K AZOPARDI:**

The hon Member is asking me to express a view as to how the Managing Authority is selected I do not know.

**HON DR J J GARCIA:**

What role do they have to play?

**HON K AZOPARDI:**

I do not know I think that what they might do is centrally discuss projects with other entities but if the hon Member wants some more information I would invite him to write in to the Department, I will certainly facilitate any information he wants on any specific issue in relation to this programme. What is not going to happen is what is being suggested by the Mayor of the adjoining town that there are huge sums available to build technology parks and all that, I am not sure where he gets that information.

**HON J C PEREZ:**

The president of the European .....

**HON K AZOPARDI:**

Well yes but I think Buck Cox's reference in the papers was in relation to a possible positive outcome to the referendum which is I would say next to zero but there have been comments made as to the prospects of using these funds for the building of massive infrastructure but as the hon Member will appreciate with this type of contribution we are not doing anything more than feasibility studies probably.

**NO. 295 OF 2002**

**THE HON J J BOSSANO**

**TAX EXEMPT AND QUALIFYING COMPANIES**

Can Government confirm that they have not and will not issue any additional tax exempt or qualifying certificates in respect of tax exempt or qualifying companies respectively after 1<sup>st</sup> January 2002?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

The Tax Exempt Unit of the Department of Trade, Industry and Telecommunications continues to process the demand for exempt and qualifying companies certificates, knowing that local management companies in the private sector are fully aware of the current situation facing these two fiscal vehicles.

**SUPPLEMENTARY TO QUESTION 295 OF 2002**

**HON J J BOSSANO:**

So in fact the statements in the judgement of the court which claimed that there was a commitment by the Government of Gibraltar to discontinue the creation of new qualifying and exempt companies after the 1<sup>st</sup> January this year is not true?

**HON K AZOPARDI:**

When we launched the litigation at Brussels on this matter we had been advised by lawyers that the effect of the investigation process that was launched in July was to suspend the measures immediately and that we should therefore not be granting

certificates and so on. That gave rise to the interim application as a result of the judgement it has become clear that the case itself raises new jurisprudence in Brussels by which investigations launched under article 88 do not necessarily have suspense of effect and the judges made clear that this is not the case here and so we continue on that basis subsequent to what transpired in court given the court's ruling now we continue on the basis that everyone knows, all the company managers know who are making these applications what the current situation is. It may not have suspense of effect, the investigation continues and the Government are embarked on a tax restructure process that will take place to replace those vehicles.

**HON J J BOSSANO:**

I am afraid that is not correct the judgement does not say that and there is no connection with the suspense of effect or otherwise, what the judgement said was in answer to the Government's case about the cataclysmic effect of ending exempt and qualifying companies is that they had already given a commitment to the Primorolo Group that there would be an ending of structure in the year 2005 and that no new additions would be permitted after December 2001 and according to my reading of the text of the judgement that was a commitment given by the Government to the European Commission long before the court case was launched.

**HON K AZOPARDI:**

No. I think the hon Member with respect has misread the judgement I will just read him one sentence in the judgement of the President of the Court of First Instance in the European Court of Justice and it just says in paragraph 100 "...as stated above" paragraph 98 "the contested decisions" the decision of July, "do not oblige the applicant immediately to suspend the legislation on exempt companies and qualifying companies." Irrespective of that the legal advice that we have is that the terms of the judgements make clear that we do not have to suspend, we can continue with the legislation until we restructure the tax system on the basis that company managers make applications with their eyes opened.

**HON J J BOSSANO:**

It is not a question of whether I am reading it or not reading it correctly, is it not a fact that these are not judgements or opinions of the court that I am bringing to the Government's attention. What I am bringing to their attention is what the court claims were the facts before it including the fact provided by the Gibraltar Government not by anybody else that they had given a commitment that they would not be allowing any new companies after the end of December 2001, was such a commitment given to the Commission or not?

**HON K AZOPARDI:**

I do not believe a commitment was given, what the Commission was told in evidence was that we had been advised that the investigation in July had this effect and this is why we were making an interim application for an injunction to the courts. Under the paragraph that says ".....findings of the president," the president himself of the court says after having recited all the facts et cetera makes the point in paragraph 98 that

the applicant is under no obligation to suspend the legislation and confirms that in paragraph 100 as a result of the judgement and the clear urging of the court that we do not have to suspend it we are continuing processing those applications so as not to undermine the finance centre on the basis that we will have a restructure shortly.

**HON J J BOSSANO:**

Yes, I know the Minister keeps on quoting that but I am not talking about suspending the legislation or the court action, is it factually true as it says in paragraph 103 that the legislation identified by the Primorolo Group must be rolled back not later than 2005, this is independent of the investigation under state aid and that no new companies are able to take advantage of the legislation on exempt and qualifying companies after the end of 2001 and then if that is factually what is required independent of the suspension or otherwise on state aid rules, and a commitment has been given, then that is what the judgement says happened if no such commitment was given by the Government to the Commission. I think in fact what the judgement said at one stage was that it was given both by the UK Government and subsequently by the Gibraltar Government.

**HON K AZOPARDI:**

Paragraph 103 states factually what the Primorolo Group requires. The Primorolo Group is the code of conduct reports. The code of conduct is a non-legally binding report and the Government do not recognise that it has obligations stemming from the code of conducts reports. It may be that the tax restructure that we intend to announce complies also coincidentally with that report but we do not recognise that we have a legally binding obligation to comply with the code of conduct report and that has been confirmed also in the House of Commons where Ministers in the UK have answered that. All I am saying is paragraph 103 was introduced as an extraneous consideration by the judge that had no legally binding bearing on this case, the effect of the judgement is that we do not need to suspend the legislation and it follows therefore that we do not need to suspend the issue certificates. That is helpful to the finance centre in that the finance centre does not grind to a halt. We will continue issuing those in the knowledge that people know that those physical vehicles will be replaced by the tax restructure that we intend to announce and we have not given a commitment to do anything else.

**HON J J BOSSANO:**

So, the court is wrong when it says that the United Kingdom gave a commitment of compliance with what let us call it the Primorolo Group Code of Conduct and that the Government's position on that has not changed which is today has been expressed by the Minister as it has always been expressed from the first day it appeared. That this was not a legally binding thing that it was a political agreement and that therefore we were free to choose whether we adopted it or whether we do not?

**HON K AZOPARDI:**

The court is not wrong in saying that the United Kingdom have said that they want to comply with this. The United Kingdom's position is different to the Government of Gibraltar, we have made our position clear it is not a legally binding one and we do

not intend to comply with it because we do not have to. It may be that the tax restructure measures comply with it as a coincidence but not because we are setting out to comply with it.

**HON J J BOSSANO:**

When the Minister says that the United Kingdom Government have given a commitment to the Commission which is what it says here to comply with it it is a commitment ostensibly made by the Member State responsible for our external affairs made on our behalf am I correct?

**HON K AZOPARDI:**

I do not know what nature of discussions have been on-going, clearly the United Kingdom in our view cannot properly enter into commitments when they know that the position of the Gibraltar Government is very different to that stated in any possible commitment.

**NO. 296 OF 2002**

**THE HON J J BOSSANO**

**FINANCIAL ASSISTANCE TO COMPANIES**

As at 31<sup>st</sup> January 2002 had any of the companies that have received financial assistance from the Government failed to meet interests or repayment requirements on their loans and if so which companies?

**ANSWER**

**THE HON THE MINISTER FOR TRADE, INDUSTRY & TELECOMMUNICATIONS**

As at 31<sup>st</sup> January 2002 three companies have failed to meet their interest and capital repayments on their respective loans. J & B Enterprises, Carlton Design, and Zenith Printers.

**SUPPLEMENTARY TO QUESTION NO 296 OF 2002**

**HON J J BOSSANO:**

Is there in the loan agreements a consequence to default, does it trigger on any action on the part of the Government in those agreements?

**HON K AZOPARDI:**

I have not seen those loan agreements I would imagine so, I would imagine it gives the Government rights to pursue the debt if there is default. If they are properly drafted.

**HON J J BOSSANO:**

How much in default are they?

**HON K AZOPARDI:**

I do not have that information I have information as to the loan amounts but I do not have information as to the extent of default.

**HON J J BOSSANO:**

The loan amounts would be the amounts that should have been paid by now?

**HON K AZOPARDI:**

No, the loan amounts is what was given in the first place.

**HON J J BOSSANO:**

Does the Minister have information as to, for example, in the three cases have they paid any interest at all or nothing?

**HON K AZOPARDI:**

I do not have that information, I have information that in one of the cases we moved to take possession of assets so there must be some provision under the loan agreement that allows that to happen after court proceedings.

**HON J J BOSSANO:**

After court proceedings, well other than that one case is anything else being done to make people comply with the terms of the loans or not?

**HON K AZOPARDI:**

Anticipate that there are provisions in the loan agreement that allow recovery and that Treasury is reviewing. What usually happens is that these loan agreements are entered into by Treasury who then monitor through the Central Arrears Unit what default there is and what recovery proceedings and what course of action is followed in each case. I believe that they have done so in relation to all three cases.

**HON J J BOSSANO:**

To all three?

**HON K AZOPARDI:**

Yes, that they have reviewed it I do not know what specific action they are taking in relation to all of them. I know that in one they have taken court proceedings.

**HON J J BOSSANO:**

Can the Minister say which of the three has gone to court proceedings?

**HON K AZOPARDI:**

In relation to the loan to J & B Enterprises there have been court proceedings because an order was entered by the Supreme Court for possession of the assets in September.

**HON J J BOSSANO:**

What was the amount in the case of J & B Enterprises?

**HON K AZOPARDI:**

£39,457.00.

**HON J J BOSSANO:**

Would the court proceedings be on the basis that because they have defaulted they have to repay the loan in full, does he know whether that is the nature?

**HON K AZOPARDI:**

I would imagine so and that I would imagine that there must be provision in the loan agreement that if someone defaults and one takes court action one goes for recovery of the whole amount or for at ones election one can decide to pursue presumably just what is in default and if people do not pay then, which must have been the case in that situation, the court can order possession of the assets.

**HON J J BOSSANO:**

But the Minister does not know in this particular case what it is that has transpired, whether the Government have sought an order from the court to recover the full amount that was left, presumably he can obtain that information and let us have it.

**HON K AZOPARDI:**

Yes.

**NO. 297 OF 2002**

**THE HON J C PEREZ**

**COMMON LAW IMMUNITY**

Can Government state whether they intend to take any action in respect of the comments made by Lord Justice Neill, the President of the Court of Appeal, over the common law immunity the Crown enjoys in respect of accidents on the highway?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government have this issue under review.

**SUPPLEMENTARY TO QUESTION NO 297 OF 2002**

**HON J C PEREZ:**

Could the Chief Minister indicate to us whether they intend to move quickly on this subject or whether it is not a priority?

**HON CHIEF MINISTER:**

The Government take seriously any structural criticism of the law coming from such a judiciary eminent source in this matter as indeed they have done and intend to do in the case of the Landlords and Tenants Ordinance were the Court of Appeal has made a similar observation I think we have conveyed the Government's views to the hon Members in the past in the House in which I recall saying to them that the Government were minded to modernise the law in this regard but wished to wait until their Highways Refurbishment Programme was more advanced in order that if the tax payer is to start assuming liability for accidents on the highway that at least we

should start that new scenario from the position of maximum good condition of the highway rather than start to incur those liabilities at a time when the highway suffers from many decades of under investment. So, the answer is yes we do intend to act on the indication from the President of the Court of Appeal, it is not a priority in the sense that the legislation is not imminent but it will be done when the Highways Refurbishment Programme is more advanced. Basically that means not that roads have all been fixed but that the infrastructure for Government to react to dangerous situations on the highway has been upgraded, I am thinking, for example, of the restructure of the highways department which will put the Government in a position to be able to maintain the highway as I am sure both he and I will both like to see it maintained.

**NO. 298 OF 2002**

**THE HON J C PEREZ**

**GIBTEL/NYNEX**

Have steps now been taken to initiate legal proceedings against the European Commission for failure to act over the six year old complaints made by Gibtel and Nynex, over Spain's refusal to recognise the 350 International telephone code?

**ANSWER**

**THE HON THE CHIEF MINISTER**

By letters dated 5<sup>th</sup> December 2001 and 22<sup>nd</sup> January 2002, Gibtel and GNC have requested a meeting with the Commission in order to seek its view on the Spanish "offer" to grant further numbers to Gibraltar. As is known, the Spanish "offer", as it currently stands, is unacceptable to the Government of Gibraltar, Gibtel, GNC and Verizon, the Government of Gibraltar's partner in the companies and indeed to the independent Gibraltar Telecoms Regulator. Legal action cannot be taken by the Government. It is a matter for the two telephone companies. If they decide to take legal action the Government would warmly support their decision.

**SUPPLEMENTARY TO QUESTION NO 298 OF 2002**

**HON J J BOSSANO:**

But presumably it is open to the Government as shareholder in the meetings of the Board to propose such a step. It would be a question whether the Government's partner agrees with the Government or not even though the Government warmly supports the decision if they take it.

**HON CHIEF MINISTER:**

I would have thought that what I had said would be sufficient for the Leader of the Opposition to read between the lines because he must understand that it would be

completely unhelpful for Gibraltar if there was any degree of politically motivated decision making behind the decision of the companies to proceed and therefore I would limit myself to what I have already said in answer to the first question.

**HON J J BOSSANO:**

I am surprised that the Chief Minister should say that because at one stage he said what he has just said and then he subsequently said that that was no longer a constraint because it had been made clear that the Spanish side was acting politically and therefore we were then free from that constraint I certainly recall him saying that in the House. In any case is it not up to the companies to take it and the Government as shareholder to press them on it and I do not see how that has got any question other than that the Government would be protecting their investment as a shareholder.

**HON CHIEF MINISTER:**

I have answered the question to the extent that I propose to.

**HON J J BOSSANO:**

Has any thought been given to taking action against the commission's failure to act?

**HON CHIEF MINISTER:**

Since I have given no answer there cannot possibly be a supplementary on it.

**HON J J BOSSANO:**

The original answer was that they were seeking a meeting with the Commission on the question of the Spanish offer of 70,000 numbers in the Cadiz numbering plan does that not imply that that is an alternative recognition of the 350 if the companies take that position with the Commission?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

So the companies even if they sort out the technicalities which make the present offer unacceptable would continue to press for the recognition of the 350?

**HON CHIEF MINISTER:**

That is a matter for the companies.

**HON J J BOSSANO:**

Well would the Government welcome the companies doing it?

**HON CHIEF MINISTER:**

I have answered that in my original question.

**HON J J BOSSANO:**

No he has not answered that, I am asking if the 70,000 numbers which have been on offer and which are unacceptable to everybody as a result of the matter being taken up by the Commission which is the original answer is satisfactorily resolved, would the Government welcome the 350 issue still being pursued by the companies?

**HON CHIEF MINISTER:**

The Government's position on that has been made repeatedly clear in this House and indeed recently in a public statement that was made on this very issue and that is that the Government even if an acceptable offer of 70,000 numbers were made would not accept it as a final resolution of the telephone issue between Gibraltar and Spain.

**NO. 299 OF 2002**

**THE HON J C PEREZ**

**TELEPHONE NUMBERING PROBLEM**

Have Government informed the European commission of the aspects of the offer made by Spain of extra telephone numbers which run contrary to EU Law?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 300 of 2002.

**NO. 300 OF 2002**

**THE HON J C PEREZ**

**TELEPHONE NUMBERING PROBLEM**

Do Government feel that the aspects of the Spanish offer of extra telephone numbers which run contrary to EU Law will have any effect in pushing the European Commission to initiate legal proceedings against Spain?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes, I cannot speculate on what effect the aspects of the Spanish offer to which he refers will have on the EU Commission, in the Government's view, however, the offer is, on the face of it, a breach of Competition Rules and principles.

**SUPPLEMENTARY TO QUESTION NOS 299 AND 300 OF 2002**

**HON J C PEREZ:**

What the Chief Minister is saying is that that has been made clear to the commission now, that has been put forward to the Commission?

**HON CHIEF MINISTER:**

It has been made clear to both the Commission and to the British Government and the hon Member may have detected a slightly less warm reference from the British side to the telephone offer in the London Straw/Piqué Communique than was present in the Barcelona Straw/ Piqué Communique and the Government believe that the reason for that difference in attitude on the part of the British Government is that they have now absorbed the analysis that has been provided to them from Gibraltar of that offer.

**HON J C PEREZ:**

Is it the Government that have informed the European Commission or the companies?

**HON CHIEF MINISTER:**

The hon Member knows that independently of the legal complaints made by the two companies, the Government have separately been pursuing a governmental representation to the Commission throughout this. Indeed to that effect I met briefly with the Commissioner responsible during my recent visits to Strasbourg but the answer is that the Government have informed the Commission directly of this by providing to the Commission under cover of letter a copy of all the papers that we have sent to the UK including three separate independent analysis of the effect of the Spanish offer competition licensing and regulatory principles.

**HON J C PEREZ:**

Has the Chief Minister any idea when they expect to receive the reply from the Commission on that aspect?

**HON CHIEF MINISTER:**

It is not unusual for the Commission not to reply to the Gibraltar Government on the basis that they take the view that from whichever part of a Member State they receive letters that the substance of the reply they channel through their established Member State communication channels which invariably takes via the UK. I usually however or I have in the past received some holding or courteous minimalist acknowledgement or response without actually dealing with the subject with the substance of the complaint in any detail, whether that will be the case on this occasion or not remains to be seen but I am certainly happy to let the House know how things develop on that front.

**NO. 301 OF 2002**

**THE HON J C PEREZ**

**OMBUDSMAN'S REPORT**

Of the cases investigated by the Ombudsman after his December 2000 report, where the conclusion is that either a Government Department or a Government Agency has acted wrongly, can Government state whether they have taken any action to correct this, and in this respect of which cases?

**ANSWER**

**THE HON THE CHIEF MINISTER**

After his December 2000 report the Ombudsman has identified a total of 46 cases where he has concluded that a complaint against a Government department or agency has been sustained. The recommendations made in respect of 26 cases have been accepted. In respect of 10 cases the recommendations were refused, 10 cases are pending resolution. I hand the hon Member a list summarising the cases and their current status as to the action taken.

## Answer to Question 301 of 2002

### Recommendations made throughout 2001

#### **Attorney General's Chambers**

CS/175 Not having been granted a goodwill payment. - Case sustained. Recommendation refused.

#### **Buildings & Works**

CS/231 Refurbishment works at block of flats without taking the necessary safety precautions. - Case sustained. Recommendation pending.

#### **Civil Status and Registration Office**

CS/192 Not granting passports. - Case sustained. Recommendation accepted.

#### **Education and Training**

CS/258 Failure to treat complainant as a mature and independent student entitling her to exemption from parental contributing in her final year of her degree course. - Case sustained. Recommendation accepted.

CS/64 Grant and tuition fees. - Case sustained. Recommendation accepted.

#### **Employment Service**

CS/226 Refusing to issue a work permit. - Case sustained. Recommendation pending.

CS/248 Alleged breach of agreement. - Case sustained. Recommendation accepted.

#### **Environmental Agency Ltd.**

CS/57 Failure to properly address the Complainant's grievances. - Case sustained. Recommendation pending.

#### **Gibraltar Health Authority**

CS/3 Alleged clinical malpractice and delay in obtaining a reply from the administration. - Case sustained. Recommendation pending.

Cont..

**Housing Agency**

CS/196	Delay in re-housing.	- Case not sustained.	Recommendation accepted.
CS/232	Inordinate delays in answering letters and tackling a housing problem.	- Case sustained.	Recommendation refused.
CS/234	Delay in re-housing.	- Case not sustained.	Recommendation refused.
CS/205	Allegedly not keeping agreement.	- Case not sustained.	Recommendation pending.
CS/244	Failing to decant.	- Case not sustained.	Recommendation accepted.
CS/191	Delay in re-housing.	- Case not sustained.	Recommendation accepted.
CS/286	Alleged lack of interest in resolving a housing problem.	- Case sustained.	Recommendation accepted.
CS/153	Failure to adequately address re-housing requirement.	- Case sustained.	Recommendation accepted.
CS/159	Failure to check the rent account for confirmation of husband's payment and then requesting sum of £1815.10 in arrears from complainant.	- Case sustained.	Recommendation accepted.
CS/177	Failure to request the payment of rent arrears on termination of tenancy and failure to inform.	- Case sustained.	Recommendation accepted.
CS/182	An eviction and the way it was handled.	- Case not sustained.	Recommendation accepted.
CS/201	Delay in re-housing and for having been taken off the waiting list.	- Case sustained.	Recommendation accepted.
CS/203	Delay in answering letter and because of the Agency's refusal in allowing a further extension.	- Case sustained.	Recommendation accepted.
CS/213	Delay in the payment of compensation and in re-housing.	- Case sustained.	Recommendation accepted.
CS/219	Alleged inadequate manner the complainant was treated involved a dispute with a neighbour.	- Case sustained.	Recommendation refused.
CS/274	Problems with the complainant's flat.	- Case sustained.	Recommendation accepted.
CS/282	Refusal to make a second offer of accommodation.	- Case sustained.	Recommendation refused.

**Income Tax**

CS/183	Failure to grant tax relief in respect of payments.	- Case not sustained.	Recommendation refused.
CS/202	Tax relief.	- Case sustained.	Recommendation accepted.

Contd...Answer to Question 301 of 2002

**Land Property Services Ltd.**

CS/134	Negligently demarcating a boundary between residential property.	- Case sustained.	Recommendation refused.
CS/17	Loss of opportunity to purchase a property that had been in the family since the 1950's.	- Case sustained.	Recommendation refused.

**Royal Gibraltar Police**

CS/260	Ignoring calls for assistance.	- Case not sustained.	Recommendation accepted.
CS/173	Loss of personal belongings.	- Case sustained.	Recommendation accepted.
CS/253	No parking sign which allegedly was not gazetted.	- Case sustained.	Recommendation accepted.
CS/200	Removal and disposal of a motorbike.	- Case sustained.	Recommendation accepted.

**Social Security**

CS/97	For failure to review and update the Schedule to the Social Security.	- Case sustained.	Recommendation pending.
CS/125	Failure to notify the Complainant upon her enquiry of a statutory time-limit within which unemployment benefit may be claimed and collected.	- Case sustained.	Recommendation pending.
CS/209	Withdrawing the Complainant's Social Assistance Benefit ('SAB') of £29.10 per week given her refusal to seek a Maintenance Order against her former partner.	- Case sustained.	Recommendation pending.
CS/250	Suspending the complainant's unemployment benefit.	- Case not sustained.	Recommendation accepted.

**Technical Services**

CS/131	Not using material specifically imported for the performance of a Government contract.	- Case sustained.	Recommendation accepted.
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**Trade, Industry and Telecommunications**

CS/240	Not having been granted development aid.	- Case sustained.	Recommendation pending.
CS/217	Alleged failure to inform complainant of the anticipated increase in import duty.	- Case not sustained.	Recommendation refused.

Contd.

Contd... Answer to Question 301 of 2002

**Traffic Commission**

CS/254	Delay in issuing a parking permit for the disabled.	- Case sustained.	Recommendation refused.
CS/256	Delay in issuing a parking permit for the disabled.	- Case sustained.	Recommendation accepted.

**Treasury**

CS/197	Failure to make arrangements for payment for respite care for handicapped child.	- Case sustained.	Recommendation accepted.
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**Tourism and Transport**

CS/224	Requesting that the Dock Labour Board ('DLB') discontinue with the re-registration of dock workers.	- Case sustained.	Recommendation accepted.
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**Others**

CS/208	Alleged failure in advertising a vacancy for Pilots' Administrative Fees Collector.	- Case sustained.	Recommendation pending.
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**SUPPLEMENTARY TO QUESTION NO 301 OF 2002**

**HON J C PEREZ:**

Clearly of the cases not accepted where a decision has already been taken, Government take a different view from that of the Ombudsman, of those 10 cases has any legal action been initiated against the Government in respect of those particular cases that have been rejected?

**HON CHIEF MINISTER:**

I am not presently aware that any legal action has been started many of the complaints may not give way to a legal course of action anyway, some of them might but many of them will not.

**NO. 302 OF 2002**

**THE HON J C PEREZ**

**POST OF COLLECTOR OF CUSTOMS**

Has the vacancy of Collector of Customs now been advertised?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No.

**SUPPLEMENTARY TO QUESTION NO 302 OF 2002**

**HON J C PEREZ:**

The last time I raised the matter in the House the Chief Minister said that there were two people acting and that the vacancy would be open because the question of acting was so that both persons could get enough experience obviously in order to be able to apply, has that position changed or is it the same position at the moment?

**HON CHIEF MINISTER:**

I understand there is one acting Collector as such and I expect the position will change shortly in the sense that the matter will be proceeded with and the post will be advertised.

**HON J C PEREZ:**

Is the Chief Minister intending that the vacancy should be opened internally or is he thinking that it should be opened out of the Government Service?

**HON CHIEF MINISTER:**

No the Government have no intentions of advertising it outside the Government Service.

**NO. 303 OF 2002**

**THE HON J C PEREZ**

**RESTRUCTURE OF PERSONNEL DEPARTMENT**

Is the restructure into the Personnel Department now completed, and if so, are Government now in a position to open the vacancy of Personnel Manager?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Chief Secretary has completed his review of the structure of the Personnel Department and his recommendations are now being considered. These involve a number of changes in staffing and working practices, including a redefinition of the role of Personnel Manager.

**SUPPLEMENTARY TO QUESTION NO 303 OF 2002**

**HON J C PEREZ:**

I ask the Chief Minister the same thing whether the intention is that the vacancy will be opened internally or is it the thinking that someone from outside the service should be recruited?

**HON CHIEF MINISTER:**

The hon Member should not assume that it involves any recruitment but certainly if it did involve recruitment it would not be from outside the service but the restructure does not necessarily involve the creation of a vacancy.

**HON J C PEREZ:**

I am only asking that because of what the Chief Minister has said previously to this so, what the Chief Minister is saying is that as a result of the restructure there might not be a need to open up the post of Personnel Manager and that that post will be lost?

**HON CHIEF MINISTER:**

The Chief Minister does not mean that at all, the fact that a restructure does not result in the opening of a vacancy does not necessarily mean that a post is going to be lost it may continue to be held by the person who holds it but with redefined responsibilities as I said in my original answer.

**HON J C PEREZ:**

What the Chief Minister is saying is that there might be a reassessment of the post so that the individual that is now acting, for example, in the reassessment might be made Personnel Manager without the vacancy having been advertised is that the situation?

**HON CHIEF MINISTER:**

The hon Member is talking about the difference about acting and substantive I am talking about the incumbent rather than about the post. No what would be redefined are the responsibilities attaching to the existing post, the post will remain the same and it will be filled from within and not from outside the service so, there may be a redefinition of the functions of the Personnel Manager in the sense that some of the existing functions may be moved elsewhere.

**HON J C PEREZ:**

I accept what the Chief Minister is saying but he says then that it should not follow that the post needs necessarily to be advertised.

**HON CHIEF MINISTER:**

I beg your pardon on the basis that the incumbent is acting it would need to be filled in the usual way, yes.

**NO. 304 OF 2002**

**THE HON J C PEREZ**

**LAND PROPERTY SERVICES**

Have Government now finalised the review of the contract with Land Property Services?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, a review of the current contractual arrangements has been looked into by Baker Tilley on behalf of the Government. The proposals are still being looked into by Treasury in consultation with Land Property Services Ltd.

**SUPPLEMENTARY TO QUESTION NO 304 OF 2002**

**HON J C PEREZ:**

When was it decided to involve Baker Tilley in the matter?

**HON CHIEF MINISTER:**

I do not know.

**HON J C PEREZ:**

So the situation at the moment is that Baker Tilley has done a report and the recommendations of that report have been discussed between Land Property Services and the Treasury and I presume an input from Convent Place will have to come at some stage after that discussion, is that the case?

**HON CHIEF MINISTER:**

Yes, the Government will of course have to make policy decisions on the question of the alterations to the Land Property Services contract, I can only assume that the hon Members share the Government's desire to arrive at a solution which is both value for money for the taxpayers and also fair to the shareholders and employees of Land Property Services and I assume that the hon Member's interests in this matter is in the same vein as is the Government's in this matter.

**HON J C PEREZ:**

May I ask the Chief Minister whether the report of the contractorisation of Baker Tilley was something that was proposed by the Government and if so who is paying the cost of the report whether it is Government only or jointly the Government and Land Property Services.

**HON CHIEF MINISTER:**

I do not but nor do the Government feel it appropriate necessarily to go into too much detail of what is an on-going contractual negotiation but the answer to his question is that I do not know, I assume it is a Government commissioned report and therefore, I assume although he should not take that on its face unless I have had an opportunity to check it that therefore the Government will be paying the fee.

**NO. 305 OF 2002**

**THE HON J C PEREZ**

**ELECTRICITY AUTHORITY**

Is it the intention of Government to proceed with the setting up of an Electricity Authority?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes.

**SUPPLEMENTARY TO QUESTION NO 305 OF 2002**

**HON J C PEREZ:**

Can the Chief Minister explain how he intends to do this given that the information that is in the public domain is that there is a chunk of the workforce that has accepted the offer and quite a substantial number of the workers in the Electricity Department that have not accepted the offer of the Government, can the Chief Minister state how the Government intend to proceed in that situation?

**HON CHIEF MINISTER:**

No I think it would be inappropriate for the Government to say how they intend to proceed in this situation precisely for the very reason that he has highlighted in his question and in any event discussions continue.

**NO. 306 OF 2002**

**THE HON J C PEREZ**

**GGCA/PROSPECT**

Can Government state whether the Association representing clerical and technical grades, Prospect, have taken up the offer made by the Chief Minister at their Christmas party, which is to put to arbitration their differences with Government over the 1999 and 2000 Pay Reviews?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Yes.

**SUPPLEMENTARY TO QUESTION NO 306 OF 2002**

**HON J C PEREZ:**

At what stage are we can the Chief Minister say whether the position is that we are now looking for an independent acceptable arbitrator or whether that has already been done?

**HON CHIEF MINISTER:**

Again subject to the caveat that it is neither conventional nor indeed helpful to conduct matters of industrial relations in the sort of public way that the hon Member's questioning requires I can say this, the Government and Prospect have agreed in principle to submit the remaining differences to arbitration and discussions will now take place about the detail of how that arbitration is conducted. They have not actually yet commenced those discussions.

**HON J C PEREZ:**

Will the result of that arbitration have any bearing on the pay of the Customs and the Port Department who at one stage were linked with the clerical grades in respect of those two reviews?

**HON CHIEF MINISTER:**

Customs and the Port remain analogued as they have always been, there has not been any change to that analogue there are on-going discussions but they have not yet been concluded.

**NO. 307 of 2002**

**THE HON DR J J GARCIA**

**GIBRALTAR CHRONICLE**

Further to Question No 1176 of 2001 why was the £35,000 for an in-depth study of the Gibraltar Chronicle Ltd paid for by the Government?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government decided to make a grant to the Gibraltar Chronicle Ltd in order to find an independent assessment of its problems and needs.

**SUPPLEMENTARY TO QUESTION NO 307 OF 2002**

**HON DR J J GARCIA:**

Can Government say whether the grant was made to the Chronicle itself or to the experts that carried it out and if so who was it that chose the experts, the Government or the Chronicle itself?

**HON CHIEF MINISTER:**

The experts were selected by the Chronicle and the Government had no difficulty with the experts that they had selected. I cannot tell him whether the payment was made directly to the experts or made to the Chronicle and they actually passed it on to the experts, in either case it was by way of grant to the Chronicle.

**HON DR J J GARCIA:**

Were these funds available under the Gibraltar Enterprise Scheme or the Gibraltar In Europe Business Development Scheme or from any other source?

**HON CHIEF MINISTER:**

No, they are not from that area at all. They are from the Government's vote for studies and assessments and reports.

**HON J J BOSSANO:**

Were Government given a report of the conclusions that the experts reached?

**HON CHIEF MINISTER:**

Yes.

**HON J J BOSSANO:**

How long ago is it since the Government have had the report?

**HON CHIEF MINISTER:**

I cannot remember, I would have thought over a year ago or around a year ago. I cannot say from memory.

**HON J J BOSSANO:**

Have the discussions on providing assistance to the Chronicle then been based on the recommendations in that report?

**HON CHIEF MINISTER:**

Yes that is the case.

**NO. 308 OF 2002**

**THE HON DR J J GARCIA**

**REFORM OF COMPANY TAX**

When do the Government expect to be in a position to make public their reform of company tax?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government do not consider it appropriate to speculate publicly on this very sensitive issue. The reform package will be published when it is ready, and it is appropriate to do so, that is to say even when it is ready it may be withheld for an appropriate timing but I repeat it is not ready yet.

**SUPPLEMENTARY TO QUESTION NO 308 OF 2002**

**HON J J BOSSANO:**

In terms of being confident that the reform will achieve the desired result of overcoming the problems created by the new scenario of State Aid and all the rest of it, is it the approach of the Government to test this with either the UK or the Commission or to take their own technical and legal advice and proceed?

**HON CHIEF MINISTER:**

No, there is an element of both and that is to say that the Government on the one hand will not concede to the UK a lack of fiscal autonomy on the part of Gibraltar, indeed the Leader of the Opposition may be aware that to stop the EU tax code the chancellor is himself saying to the Commission that because the overseas territories fiscal autonomy all he can do is try to persuade them to fall into line while our Constitutional Status is the same as all the other overseas territories in that respect. So, we have the same degree of fiscal autonomy which we do not wish to

compromise or prejudice in the current situation, on the other hand the State Aid challenge is a legalistic challenge to Gibraltar State Aid. Therefore, the United Kingdom has a legitimate entitlement to be satisfied that we are properly resolving that issue if and when it becomes a legal obligation to do so which is not yet because the hon Member will recall the investigation has only just started. There is not yet a legally binding obligation so at the moment we are in a sort of limbo where the Government may move sooner than they strictly need to for reasons of finance centre confidence et cetera et cetera therefore is not under any compulsion to consult the UK as to the proposed reform but the Government do intend to refer the proposed tax reform both to the UK and to the EU Commission because in the former case because the legislation will in any case require royal ascent and in the latter case because we need to be satisfied that it will put to an end to the State Aids challenge by the EU code. So there is no value to Gibraltar and particularly given that it is such a sensitive area for the finance centre and therefore to the economy there is no point in launching a proposal which then does not work and the finance centre just gets plunged back into uncertainty.

**NO. 309 OF 2002**

**THE HON DR J J GARCIA**

**LEGAL ACTION AGAINST THE EUROPEAN COMMISSION**

What was the total cost, giving a breakdown, of the Government's legal action against the European Commission following the latter's decision to open a State Aid investigation against the Gibraltar Qualifying Company and the Gibraltar Tax Exempt Company?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The cost to date is as follows:

White & Case	£155,837.00
Michael Llamas	£ 67,150.00
Professor J Fletcher	£ 4,000.00
Triay, Stagnetto & Neish	£ 3,000.00
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	£229,987.00
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**SUPPLEMENTARY TO QUESTION NO 309 OF 2002**

**HON DR J J GARCIA:**

Can the Chief Minister explain what the £4,000 paid to Professor Fletcher were in aid of?

**HON CHIEF MINISTER:**

Yes, Professor Fletcher was a professional witness and as the hon Member knows it is both customary and indeed acceptable for professional witnesses to charge a professional fee.

**HON J J BOSSANO:**

Is it not the case that he did not turn up according to my recollection of the report of the courts there was originally an objection to him appearing and then the objection was removed but he did not turn up because he was unable to turn up for some personal reason did he still charge the fee?

**HON CHIEF MINISTER:**

I do not know whether he turned up or not, I had not heard that. He may not have turned up for oral examination but I am certain that he submitted an affidavit and a report to the court of the work involved in doing that presumably to what he charged the fee to. I am sure that Professor Fletcher would not charge a fee for work that he did not do and he is not a lawyer he is a University Professor.

**NO. 310 OF 2002**

**THE HON DR J J GARCIA**

**TAXATION OF SAVINGS INCOME DIRECTIVE**

Can Government say at what stage are the negotiations to persuade the United Kingdom 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 such negotiations are taking place. The UK Government have refused to promote amendments to the draft directive that would have the effect described in the question.

**SUPPLEMENTARY TO QUESTION NO 310 OF 2002**

**HON DR J J GARCIA:**

Can the Chief Minister say whether the Government are aware as to whether the UK has adopted the same position in relation to the crown dependencies or other territories which they are responsible for?

**HON CHIEF MINISTER:**

This requires a detailed understanding of the nature of the directive itself which I think we have debated in the House before at Question Time. The starting point is that the position of Gibraltar is different in the context of directives to the rest of the overseas territories because we unlike they are part of the European Community and therefore the directive has legal effect on us but on this occasion and whereas usually directives do not apply to those overseas territories and crown dependencies that are not in the EU for these purposes, non of the crown dependencies even are

part of the Single Marketing Services capital. On this occasion this directive is subject to what is called sequencing provisions, in other words at Feira a year or so ago the Member States agreed that they would not adopt this directive for the community as a whole unless certain third countries and certain dependent territories of Member States agreed to do certain things. In the case of the third country and I think there were six, they had to take what were called equivalent measures. The overseas and dependent territories and other associated territories of Member States and they were listed had to agree to take the same measures so the requirement was equivalent measures in the case of non-Member independent countries and the same measures in the case of associated territories of Member States. All that is called in community jargon in case the hon Member wants to use the phrase "sequencing provisions" it remains moot whether all those places are going to give the undertaking that they seek, the difficulty for Gibraltar which is the basis upon which we were making our submissions to the United Kingdom namely the level playing field is that given that three Member States have now been given a transition period of seven years were they can choose between exchanging information or withholding the tax, given that three Member States are in that position it is going to be jolly difficult not to say completely immoral for anyone to expect a third country or even an overseas territory of a Member State to be worse off than the three Member States of the Community that have the transition. So what I think is going to happen at the very least is that the same measures or equivalent measures are going to mean the same or equivalent as the three transition states not as the twelve states that get no transition and we are according to the terms of the directive are in the category of the twelve states without transition, result is that at least for the seven year transition period all are competitors, at least the European ones will have the choice between withholding tax or exchanging information whereas theoretically Gibraltar will not have that choice.

**NO. 311 OF 2002**

**THE HON DR J J GARCIA**

**OECD TAX INCENTIVES**

Has there been any more contact between the Government and the OECD in relation to their initiative on harmful tax competition, since the last Question Time in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question No 312 of 2002.

**NO. 312 OF 2002**

**THE HON DR J J GARCIA**

**OECD TAX INCENTIVES**

Can Government say whether the letter of commitment to the OECD will be given by the United Kingdom or by the Gibraltar Government and when they expect this to happen?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 311 of 2002**

Yes the Government have made contact with the OECD since the last Question Time in the House.

**Answer to Question No 312 of 2002**

The letter of commitment will be given by and issued by the Government of Gibraltar. The Government of Gibraltar expect this to happen by the 28<sup>th</sup> February 2002 deadline.

**SUPPLEMENTARY TO QUESTION NOS 311 AND 312 OF 2002**

**HON DR J J GARCIA:**

Did contact with the OECD take the form of officials actually travelling here or Gibraltar Government officials going there or was it simply correspondence?

**HON CHIEF MINISTER:**

Not it has been both correspondence and a meeting that took place between finance centre that is DTI officials and representatives of my office visiting Paris to meet the OECD directly.

**NO. 313 OF 2002**

**THE HON DR J J GARCIA**

**INVESTOR COMPENSATION SCHEME DIRECTIVE**

Can Government say at what stage is the European Commission's action against the United Kingdom over the implementation of the Investor Compensation Scheme Directive in Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Infraction proceedings were commenced on 24<sup>th</sup> July 2000 which was the date that an Article 226 letter was issued. The UK replied on Gibraltar's behalf on 24<sup>th</sup> October 2000. The Commission issued its Reasoned opinion on 2<sup>nd</sup> February 2001 to which UK replied on 2<sup>nd</sup> April 2001. The Commission decided to refer the matter to the European Court of Justice on 12<sup>th</sup> July 2001 and the relevant application was lodged at the Court on 10<sup>th</sup> December 2001. The defence was due in Court by 10<sup>th</sup> February 2002, however we understand the UK is seeking a six week extension of time.

**SUPPLEMENTARY TO QUESTION NO 313 OF 2002**

**HON DR J J GARCIA:**

The Investor Compensation Scheme Ordinance has since been published as a Bill what bearing does that have in this House adopting this and all the infraction proceedings?

**HON CHIEF MINISTER:**

Incalculable.

**NO. 314 OF 2002**

**THE HON DR J J GARCIA**

**OFFSHORE BETTING LICENCES**

Can Government say whether there have been any new applications for a licence to conduct offshore betting from Gibraltar since the last Question Time in this House, and whether any other applications remain under consideration since then?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Four enquiries have been received since the information provided in answer to Question No 1119 of 2001 in October 2001, of which only one is being pursued. There are five other applications being processed. Of these three are from existing operators seeking to expand their gaming operations in Gibraltar and have been approved in principle. Of the remaining two, one has been approved in principle and the other is under consideration.

**SUPPLEMENTARY TO QUESTION NO 314 OF 2002**

**HON DR J J GARCIA:**

Can the Chief Minister say what the three existing operators were seeking to expand, is that to expand the offshore betting or to expand into something else that is linked to it like, for example, casino or the type?

**HON CHIEF MINISTER:**

The latter.

**NO. 315 OF 2002**

**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 31<sup>st</sup> December 2001 and 31<sup>st</sup> January 2002, 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 returns received from licensed operators as at 31<sup>st</sup> January 2002 a total of 412 persons were employed by eight operators. I hand the hon Member the employment information he has requested.

**SUPPLEMENTARY TO QUESTION NO 315 OF 2002**

**HON J J BOSSANO:**

The source of the information is what the people registered with the ETB?

**HON CHIEF MINISTER:**

No as I said in the answer to the question these are based on returns received from licensed operators as at the 31<sup>st</sup> January 2002. We are monitoring this, the quickest way to monitor this is to ask them to submit a return of their employees, there are only eight operators.

Answer to Question 315 of 2002

**OFFSHORE GAMING COMPANIES - EMPLOYMENT STATISTICS AS AT 31 JANUARY 2002**

**Licensed Operators**

	<u>Gibraltarian</u>	<u>Other British</u>	<u>Spanish</u>	<u>Other</u>	<u>Total</u>
Ladbroke (Gibraltar) Limited - Full Time	6	14	0	4	24
- Part Time	0	0	0	0	0
<b>Sub-Total</b>	<b>6</b>	<b>14</b>	<b>0</b>	<b>4</b>	<b>24</b>
Victor Chandler (Int) Limited - Full Time	37	105	6	31	179
- Part Time	33	20	9	3	65
<b>Sub-Total</b>	<b>70</b>	<b>125</b>	<b>15</b>	<b>34</b>	<b>244</b>
Simon Bold (Gibraltar) Limited - Full Time	13	17	0	10	40
- Part Time	0	0	0	2	2
<b>Sub-Total</b>	<b>13</b>	<b>17</b>	<b>0</b>	<b>12</b>	<b>42</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 )	7	1	3	3	14
Eurobet (Gibraltar) Limited	2	0	1	3	6
Demmysportsbet.com Limited	4	3	0	0	7
<b>Totals:-</b>					
Full Time	92	183	10	53	338
Part Time	39	20	9	6	74
<b>Overall Total</b>	<b>131</b>	<b>203</b>	<b>19</b>	<b>59</b>	<b>412</b>

Source: Office of the Financial & Development Secretary

**NO. 316 OF 2002****THE HON DR J J GARCIA****VISAS FOR NON-EU NATIONALS**

What is the total number of visas issued in British Consular offices in Morocco for non-EU nationals wishing to travel to Gibraltar on a monthly basis since November 2001 inclusive, providing a breakdown showing those issued in Tangier and Casablanca?

**ANSWER****THE HON THE CHIEF MINISTER**

The total number of visas for Gibraltar issued in Morocco since 1<sup>st</sup> November 2001 up to and including 5<sup>th</sup> February 2002 on a monthly basis is as follows:-

November 2001	-	85
December 2001	-	74
January 2002	-	76
February 2002	-	10
Total No of visas issued	-	245

The number of visas issued by Tangier and Casablanca is :

		<u>Tangier</u>	<u>Casablanca</u>
November 2001	-	71	5
December 2001	-	52	16
January 2002	-	61	5
February 2002	-	8	0

**ORAL**

**NO. 317 OF 2002**

**THE HON DR J J GARCIA**

**NUMBER OF LICENSED RESTAURANTS**

Can Government supply a list of all licensed restaurants and bars in Gibraltar as on 31<sup>st</sup> January 2002?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 318 and 320 of 2002.

**NO. 318 OF 2002**

**THE HON DR J J GARCIA**

**NUMBER OF TAVERN LICENCES**

How many premises have a tavern licence with extended hours as on 31<sup>st</sup> January 2002 and can Government provide a list?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 317 and 320 of 2002.

**NO. 319 OF 2002**

**THE HON DR J J GARCIA**

**“ALL HOURS” LICENSING**

Can Government say whether their initiative to allow bars, restaurants and discos in designated areas to open all hours has had the intended effect of deterring our youth from going to Spain for their leisure activities?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government are delighted with the effect that Casemates and the “all hours” licensing has had on day and night-time leisure in Gibraltar. It has provided local young people with an alternative to going to Spain.

**SUPPLEMENTARY TO QUESTION NO 319 OF 2002**

**HON DR J J GARCIA:**

Given that the idea is to offer an alternative and people then make a choice, given that one of the intentions of the Government was precisely to encourage people to stay here, can the Chief Minister say whether in fact it is possible to monitor that or whether that intended effect of the legislation is being monitored in any way?

**HON CHIEF MINISTER:**

I am glad that the hon Member picked up the distinction between the words used in his question and the words used in my answer. The Government do not do things like these to deter people from going to Spain, people should feel perfectly free to go to Spain as indeed I do when I get the opportunity. The Government did not

introduce Casemates to deter people from going to Spain, it introduced Casemates so that people would have a choice and not feel obliged to go to Spain in pursuit of their leisure. The Government do not have available any scientific means of testing the position, I understand from the owners of the various restaurants in Casemates that they do a very intense trade on Friday and Saturday nights, of course some of that business may have been almost certainly will have been dislocated from existing establishments elsewhere in Gibraltar but my understanding is that much of it is not dislocated to the extent that I have available to me a source of information, it is my daughter who is a regular user of Casemates who tells me people are exercising their choice indeed they are staying in Gibraltar for longer hours and for more of the days and they sometimes do go to Spain and frankly that is fine. As I said in my answer the Government consider the Casemates project to have been a resounding success.

**NO. 320 OF 2002**

**THE HON DR J J GARCIA**

**LEISURE AREAS (LICENSING) ORDINANCE**

Have any restaurants or bars in Gibraltar been refused a licence further to the list of licensed restaurants and bars supplied at the last Question Time in this House?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question Nos 317 and 318 of 2002**

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

**Answer to Question No 320 of 2002**

Since the last Question Time in November 2001, neither the Magistrates Court sitting as the Licensing Authority nor the Licensing Authority pursuant to the Leisure Areas (Licensing) Ordinance have refused any licences to restaurants or bars for which they have respective jurisdictions.

## Answer to Question No 317 of 2002

LIST OF BARS AND RESTAURANTS AS AT 31ST JANUARY 2002 - *UNDER THE LICENSING AND FEES ORDINANCE*

Name & Address of Premises
007 Bar -- 3 Eastern Beach
Al Andaluz - 23 Cornwall's Lane
Anchor Bar - Watergardens
Anglo Hispano _Sandpits Vault
Ark Royal Bar - 36 Irish Town
Bacchus Wine Bistro - 30 John Mc Square
Bahia Restaurant Bar - 2 Queensway
Bahia Restaurant Disco Bar
Barbary Ape Cafeteria - Grand Parade
Beach Bar - Both Worlds
Bourbon Street - 150 Main Street
Bristol Hotel - Cathedral Square
Buddies - 15 Cannon Lane
Bunters - 1 College Lane
Cable Car Top Station Bar/Café - Cable Car Top Station
Café Cyberworld - Unit 14/16 Ocean Heights
Café Roma - Unit G1 Cornwall's Centre
Café Roxy - 15 Cooperage Lane
Calpe Hounds - 22 Cornwall's Lane
Cannon Hotel - 7/9 Cannon Lane
Captains Cabin - 5 John Mc Square
Catholic community Centre - Line Wall Road
Chicago - 10 cannon Lane
Chimney Corner Club - 1 & 2 Fish Market Road
Coach and Horses - 1 South Sheds Place
Cool Blues Café - 310 Main Street
Copacabana - 242 Main Street
Corks Wine Bar - 79 Irish Town
Curro Jimenez - Maidstone House
Departure Lounge Bar - Air Terminal
Devil's Bar - 59 Devil's Tower Road
Eastern Beach Kiosk (Chringuito)
El Burlaero - 5 Governor's Parade
El Cortijo - 12 Town Range
El Rincon - unit 19 Block 3 Watergardens
Elliott Hotel - Governor's Parade
Frontier Club - 126 Devil's Tower Camp
funky Monkey - 1 Eastern Beach
Gatsby's Eating House - Units 1, 2 & 3 Watergardens
Golden Gate - 15 Cooperage Lane
Hole in T'Wall - 5K Castle Road
Hong Kong Chinese Restaurant - 13 Market Lane
Horseshoe Bar - 193 Main Street
Il Piccolo Mondo - 9 Governor's Parade
Jola Café - Unit No 5A - 1 Old Chubb Store
Jumpers Wheel - 20 Rosia Road
Just A Nibble - Unit F15 ICC
Kafe Kuby - 45 Main Street
Kerry's - G5 Cornwall Centre

**Answer to Question No 317 of 2002**

Kowloons Unit - 20 Waterdanes  
La Bayuca - 21 Turnbull's Lane  
La Mamela - 15 Catalan Bay  
Laguna Bar - 14 Laguna Estate  
Le Coq D'OR - Unit 9 & 10 Watergardens  
Leanse Kosher Restaurant - 7 Bomb House Lane  
Maharaja Restaurant - 5 Tuckeys Lane  
McAuto - Europort  
McDonalds - Europort  
Milk & Honey - 238 A Main Street  
Ministers - 310 Main Street  
Monbar Café Restaurant - Unit G4D ICC  
Murphys Bar - 8 City Mill Lane  
Naafi Xi Ultrabowl - building 77/001 Europa Estate  
Nelson's Bar - Both Worlds  
Norddin Takeaway - 25 Prince Edwards Road  
Norma Jeans Roadside Dinner  
Peralta - Checkout Cafeteria - 104-107 New Harbours  
Piazza Grill - 156/3 Main Street  
Picassos Café - Restaurant  
Piccadilly Gardens - Rosia Road  
Pickwicks - 17 Governors' Parade  
Pig & Whistle - Unit 18 Watergardens  
Pizzaland - 1 Bedlam Court  
Queens Hotel - Boyd Street  
Rock Hotel - 3 Europa Road  
Roosters - Saluting Battery Bar  
Royal Oak - 59 C Irish Town  
Roy's 2 Fish & Chips - 1A Convent Place  
Rumours on the Rock - Block 6 Watergardens  
Safeway - Westside Reclamation  
Salsa Café Restaurant - 4 Cornwalls Parade  
Silk Cut Lounge Bar - Air Terminal  
Simons Restaurant - 44 Cornwalls Lane  
Splendid Bar - 1 George's Lane  
St Michael's Cabin - Cave Branch Road  
Stakis Casino (Gib) Ltd - 7 Europa Road  
Sunflower Shop - Europa Point  
Taste of India - Unit 12, Block 5 Watergardens  
The Angry Friar - 287 Main Street  
The Aragon - 15 Bell Lane  
The Black Kat - 104/6 Irish Town  
The Britannia Bar - Cruise Terminal  
The Cannon Bar - 27 Cannon Lane  
The Clipper - 78 Irish Town  
The Continental Hotel - 3 Engineers Lane  
The duck & Firkin - Building 6 , Europort  
The Edinburgh Arms - 37 Naval Hospital Road  
The Gibraltar Arms - 184 Main Street  
The Hackney Carriage - 19 Waterport Wharf  
The Killick - Europort

**Answer to Question No 317 of 2002**

The London Bar - 76/78 Governor's Street  
The Market Restaurant - The Public Market Waterport  
The Matchbox Inn - 46 South Barrack Road  
The Mermaid - 96 Catalan Bay  
The Quaterdeck - Unit 26 Watergardens  
The Red Lion - Unit 24 Watergardens  
The Rock Bar - 16 City Mill Lane  
The Rock Café (ICC) - ICC 2a Main Street  
The Royal Calpe - 176 Main Street  
The Sea Wave - 60 Catalan Bay & 15 Catalan Bay  
The Star Bar - 12 Parliament Lane  
The Three Owls - 102 Irish Town  
The Three Roses - 60 Governor's Street  
The Venture Inn - 2 and 2A Lynch's Lane  
The Viceroy of India - 9/4 A Horse Barrack Lane  
Tiffany;s Cafeteria - 2 Queensway  
Toby Bar - 11/13 Cannon Lane  
Tony's Restaurant - 194 Main Street  
Trafalgar Tavern - 1A Rosia Road  
Victoria Stadium Bar - Bayside  
Village Inn - Catalan Bay  
Wembley Bar - 10 South Barrack Ramp  
Ye Olde Rock

**Answer to Question No 317 of 2002**

**LIST OF BARS AND RESTAURANTS AS AT 31-01-02 – UNDER THE  
LEISURE AREAS (LICENSING) ORDINANCE**

<b><u>PREMISES</u></b>	<b><u>ADDRESS</u></b>
Yvey's	1YZ Casemates Square
Pizza Hut	Unit G4X, 65 & G6 ICC
Burger King	24 Casemates Square
Cafè Solo	1/3 Casemates Square
All's Well	1/4 Casemates Square
The Tunnel	Unit 8, Casemates
La Barcina	2/1 Casemates Square
Little Rock Cafè	Unit 5 Casemates Square
Latino's	Unit 9 Casemates Square
Lord Nelson	10 Casemates Square
El Patio	1/11 Casemates Square
The New Buccaneer	1 Reclamation Road
Chimney Corner Club & Watergate Restaurant	2 Fish Market Road
The Underground	7/8 West Place of Arms
Sax II	Unit F6, ICC
Cool Blues Cafè	310 Main Street
Da Paolo	Unit B, The Tower, Admiral's Walk, Marina Bay
Charlie's Tavern	Unit ½, Admiral's Walk, Marina Bay
Schooners Restaurant	Unit A, The Tower, Marina Bay
The Little Mermaid	Units 4 & 5 Britannia House, Marina Bay
Meson Jabugo	Unit C, The Tower, Marina Bay
Claus on the Rocks	Commercial Unit 14, Queensway Quay
Café Paradiso	Unit 17B, Ragged Staff Wharf, Queensway
Waterfront Restaurant	Units R4 & R5, Ragged Staff Wharf, Queensway
Casa Pepe	Unit R18, Ragged Staff Wharf, Queensway

**Answer to Question No 318 of 2002**

**PREMISES WITH EXTENDED HOURS**

<b>Name &amp; Address of Premises</b>	<b>Nature of Licence</b>
Chicago - 10 Cannon Lane	Tavern Licence
Beach Bar - Both Worlds	Tavern Licence
Nelson's Bar - Both Worlds	Tavern Licence
Copacabana - 242 Main Street	Tavern Licence
Calpe Hounds - 22 Cornwall's Lane	Tavern Licence
Trafalgar Tavern - 1A Rosia Road	Tavern Licence
Anglo Hispano _ Sandpits Vault	Tavern Licence
Al Andaluz - 23 Cornwall's Lane	Tavern Licence
The Market Restaurant - The Public Market Waterport	Tavern Licence
The Continental Hotel - 3 Engineers Lane	Hotel Licence
Bahia Restaurant Bar - 2 Queensway	Tavern Licence
Bahia Restaurant Disco Bar	Tavern Licence
Tiffany;s Cafeteria - 2 Queensway	Tavern Licence
The Mermaid - 96 Catalan Bay	Tavern Licence
Elliott Hotel - Governor's Parade	Hotel Licence
Bristol Hotel - Cathedral Square	Hotel Licence
El Burlaero - 5 Governor's Parade	Tavern Licence
Cannon Hotel - 7/9 Cannon Lane	Hotel Licence
Café Roma - Unit G1 Cornwall's Centre	Tavern Licence
Chimney Corner Club - 1 & 2 Fish Market Road	Tavern Licence
Corks Wine Bar - 79 Irish Town	Tavern Licence
The Black Kat - 104/6 Irish Town	Tavern Licence
Kowloons Unit - 20 Waterdanes	Tavern Licence
Leanse Kosher Restaurant - 7 Bomb House Lane	Tavern Licence
Devil's Bar - 59 Devil's Tower Road	Tavern Licence
The Sea Wave - 60 Catalan Bay & 15 Catalan Bay	Tavern Licence
Royal Oak - 59 C Irish Town	Tavern Licence
The Red Lion - Unit 24 Watergardens	Tavern Licence
Piazza Grill - 156/3 Main Street	Tavern Licence
El Cortijo - 12 Town Range	Tavern Licence
The Gibraltar Arms - 184 Main Street	Tavern Licence
Bunters - 1 College Lane	Tavern Licence
Queens Hotel - Boyd Street	Hotel Licence
Jumpers Wheel - 20 Rosia Road	Tavern Licence
Pig & Whistle - Unit 18 Watergardens	Tavern Licence
Il Piccolo Mondo - 9 Governor's Parade	Tavern Licence
Maharaja Restaurant - 5 Tuckeys Lane	Tavern Licence
Roosters - Saluting Battery Bar	Tavern Licence
Piccadilly Gardens - Rosia Road	Tavern Licence
Captains Cabin - 5 John Mc Square	Tavern Licence
Milk & Honey - 238 A Main Street	Tavern Licence
McDonalds - Europort	Tavern Licence
McAuto - Europort	Tavern Licence
Barbary Ape Cafeteria - Grand Parade	Tavern Licence
Anchor Bar - Watergardens	Tavern Licence
El Rincon - unit 19 Block 3 Watergardens	Tavern Licence
Bacchus Wine Bistro - 30 John Mc Square	Tavern Licence
St Michael's Cabin - Cave Branch Road	Tavern Licence
Hong Kong Chinese Restaurant - 13 Market Lane	Tavern Licence

## **Answer to Question No 318 of 2002**

Norma Jeans Roadside Dinner	Tavern Licence
Cool Blues Café - 310 Main Street	Tavern Licence
Ministers - 310 Main Street	Tavern Licence
Picassos Café - Restaurant	Tavern Licence
The Quaterdeck - Unit 26 Watergardens	Tavern Licence
Rock Hotel - 3 Europa Road	Hotel Licence
Taste of India - Unit 12, Block 5 Watergardens	Tavern Licence
La Bayuca - 21 Turnbull's Lane	Tavern Licence
Safeway - Westside Reclamation	Tavern Licence
Salsa Café Restaurant - 4 Cornwalls Parade	Tavern Licence
Catholic community Centre - Line Wall Road	Tavern Licence
Simons Restaurant - 44 Cornwalls Lane	Tavern Licence
Stakis Casino (Gib) Ltd - 7 Europa Road	Tavern Licence
La Mamela - 15 Catalan Bay	Tavern Licence
The Killick - Europort	Tavern Licence
The Viceroy of India - 9/4 A Horse Barrack Lane	Tavern Licence
Ye Olde Rock	Tavern Licence
Kerry's - G5 Cornwall Centre	Tavern Licence
Tony's Restaurant - 194 Main Street	Tavern Licence
Buddies - 15 Cannon Lane	Tavern Licence
TOTAL	69

## **SUPPLEMENTARY TO QUESTION NOS 317, 318 AND 320 OF 2002**

**HON DR J J GARCIA:**

In respect to Question No 320 of 2002 is it the case that nobody has actually been refused a Tavern Licence?

**HON CHIEF MINISTER:**

That is the case, since November 2001 when last we discussed this question here in the House neither the Magistrates Court in respect of their area of jurisdiction nor the Licensing Authority under the Leisure Areas (Licensing) Ordinance in respect of its area of jurisdiction have either of them refused any licences to restaurants or bars in their respective jurisdictions.

**HON DR J J GARCIA:**

The Chief Minister mentioned jurisdiction and their respective jurisdictions of the Magistrates Court and of the Chief Secretary under the Ordinance to issue licences, are the Government aware of the confusion which was created at this year's Brewster Session in the Magistrates' Court precisely between the two jurisdictions when it came to certain licences for establishments?

**HON CHIEF MINISTER:**

I am not aware of such confusion nor can I imagine why any such confusion might have been caused. The Ordinance is perfectly simple, perfectly clear and perfectly explicit as to the areas within which establishments fall within the Casemates Licensing Authority. I am not aware that there was any difficulty, I am not aware of the nature of the difficulty and certainly no one has approached the Government suggesting that the Leisure Areas (Licensing) Ordinance may need amending to eliminate any alleged lack of clarity so it may be that people were just unfamiliar with the terms of the Bill and hopefully those problems will not reoccur.

**HON DR J J GARCIA:**

In terms of these confusions one of the arrests for example was the distinction between a discotheque and an establishment with a tavern licence for extended hours for dancing. A second area referred to the question of daytime cafés within the ICC given that the ICC is included as part of the Casemates area and would come under the Chief Secretary but I understand that was resolved by the Magistrates giving the licence themselves and the third one was in relation to some establishments applying for a Tavern Licence with extended hours, would the Government be happy to look into the cases to see whether there was in fact there is anything which can be done to improve the legislation or make it clearer if it is lacking?

**HON CHIEF MINISTER:**

Well of course it is always for the judiciary to interpret legislation to the extent that it requires interpretation. If the difficulty of judicial interpretation of legislation derives from lack of clarity in the legislation then of course it is incumbent on the Government and on this Legislature to amend the legislation to clarify it, as I said to the hon Member, no one has made such a request to the Government but if they do make it of course the Government will consider bringing amending legislation because the Government strongly believe that laws should be clear as to who they apply to and to who they do not apply to. As to the discotheque point the hon Member included in supplementary there is a detailed definition of what is a discotheque in the Bill and that does not depend on geographical location, as I recall it it was a very explicit definition which did not leave very much to the imagination.

**NO. 321 OF 2002**

**THE HON DR J J GARCIA**

**CASEMATES DEVELOPMENT**

Can Government say how many parties have applied for each of the three vacant units at Casemates Square, following the publication of an official notice on 27<sup>th</sup> November 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

A total of five tenders have been received by the Government for the three vacant retail units at Casemates Square. Of these, three applications for Unit 6E Casemates Arcade, and one each for units 18B and 21B on the first floor of Casemates Barracks building.

**SUPPLEMENTARY TO QUESTION NO 321 OF 2002**

**HON DR J J GARCIA:**

Can the Government say whether these units were actually vacant and have never been allocated to anybody or whether they have in fact been vacated by the previous tenants and they are now out to tender as a result of that?

**HON CHIEF MINISTER:**

I am not 100 per cent certain of this but I am almost 100 per cent certain of this that these are units that were never occupied. I am almost completely certain that that is true although I would like to have the opportunity to confirm it to the hon Member. I am not aware of any business opening and closing except, yes, I do not know if it is included in this, not it is not, but there is one place the ice cream parlour I think is

closed in the old Health Centre Building but it cannot be included here because none of these relate to the ex-Health Centre Building.

**HON DR J J GARCIA:**

The original advert that came out mentions that it enjoys development aid in relation to rates and also to trade licences can the Chief Minister explain the reference to trade licence and development aid in this context?

**HON CHIEF MINISTER:**

Well although I am very happy it is not usual for hon Members to seek legal advice across the floor of the House but as the hon Member knows there is a general requirement in Gibraltar for businesses opening to obtain a trade licence under the Trade Licensing Ordinance from the Trade Licensing Committee. One of the benefits of enjoying development aid in this and in any other development subject to development aid whether public or private is that these licences are given automatically without the usual procedure of allowing people to object and then there being a termination to the Committee themselves. That is one of the facets generally of development aid so, for example, if the hon Member thinks of any of the developments that have been built in Gibraltar, the commercial units in them do not have to go through the usual contest that I understand it has become to obtain their trade licences, they are given automatically.

**HON DR J J GARCIA:**

In terms of whether the units have been vacant or not, the Chief Minister can confirm at a later stage, can he say what the procedure would be if in fact a unit is vacant and somebody decides to give it up?

**HON CHIEF MINISTER:**

It is sometime since I last looked at them, my recollection of the lease documents is that they do allow assignment albeit with the Government's consent I believe that is what they say in respect of all of them but certainly in respect of the bars where large amounts of investment have been required with Government consent they can assign.

**NO. 322 OF 2002**

**THE HON DR J J GARCIA**

**GIBRALTAR DEVELOPMENT CORPORATION**

Can Government give a total number of persons employed by the Gibraltar Development Corporation as at 31<sup>st</sup> December 2001 and 31<sup>st</sup> January 2002 and indicate in each case how many of these are employed in tourism?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The total number of persons employed by the Gibraltar Development Corporation as at 31<sup>st</sup> December 2001 was 161 of which 65 were employed by the Gibraltar Tourist Board a division of the Gibraltar Development corporation. As at 31<sup>st</sup> January 2002 the figure stood at 160 of which 64 were assigned to the GTB.

**NO. 323 OF 2002**

**THE HON DR J J GARCIA**

**HEAD 8A SUBHEAD 13**

Further to the answer to Question No 1175 of 2001 in respect of private sector fees for legal advice, can the Government provide a breakdown of the £506,853.80 paid to one legal firm on 9<sup>th</sup> June 2000 and tell the House in respect of what matter this advice was given?

**ANSWER**

**THE HON THE CHIEF MINISTER**

On the assumption that the hon Member is focusing not on the total but on the figure of £203,380.10 which forms part of the total figure that was paid to L W Triay and partners for professional services rendered between the 30<sup>th</sup> December 1996 and 3<sup>rd</sup> February 2000 in connection with the incinerator dispute arbitration.

**NO. 324 OF 2002**

**THE HON DR J J GARCIA**

**IMPORT DUTY**

What is the amount of import duty paid on building materials on a monthly basis since October 2001 inclusive?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The amount of import duty paid on building materials on a monthly basis since October 2001 is as follows:

October 2001	-	£28,173.36
November 2001	-	£28,738.75
December 2001	-	£29,824.24

**NO. 325 OF 2002**

**THE HON J J BOSSANO**

**RGP – COMPLAINT BY MR D SANTOS**

Can Her Majesty's Attorney General state whether a decision has now been taken to institute criminal proceedings in respect of the complaint made to the RGP by Mr Douglas Santos of 78 Rosia Dale?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The decision to initiate prosecutions is one for the Royal Gibraltar Police. No Member of the Government is responsible or accountable for such matters in this House. To the extent that the learned Attorney General has constitutional or statutory functions as prosecuting authority he is not accountable therefore in this House.

**SUPPLEMENTARY TO QUESTION NO 325 OF 2002**

**HON J J BOSSANO:**

Can the Government explain why the Attorney General is not answering the question?

**HON CHIEF MINISTER:**

Questions are put to the Government, who on the Government's side chooses to answer a question as indeed has always been the case is a matter for me.

**HON J J BOSSANO:**

I am afraid the Chief Minister is wrong, this question is not addressed to the Government it is addressed to the Attorney General particularly given the number of times we are being told by the Government that questions related to the Police or what the police do or do not do are not a matter for them to answer because the Police do not come under them.

**HON CHIEF MINISTER:**

The Attorney General's presence in this House is and indeed can only be as a Member of the Government. In this House one either sits as the Speaker, as a Member of the Government or as a Member of the Opposition. The suggestion by the Leader of the Opposition therefore that the learned Attorney General has some status in this House separate from the status as a part of the Government is a Constitutional nonsense.

**HON J J BOSSANO:**

I am not suggesting anything and I am sure that the Chief Minister seeks to avoid giving straight answers by diverting attention and saying something is a nonsense or not a nonsense. My question is quite simple as far as I am concerned there have been innumerable occasions when questions have been addressed in this House to the Attorney General and the Attorney General has never had any difficulty in answering them, including some put by the Chief Minister when he was on the Opposition side. So, is it that the Government preferred that he should not answer?

**HON CHIEF MINISTER:**

The Leader of the Opposition may have noticed that during all the years that we have been in Government it has been the Government's preference that the non-elected Members of the House do not answer questions since they are not accountable to the electorate of Gibraltar, the non-elected members for the information that they give. This case falls into exactly the same category, the hon Member will have noticed that I answer lots of questions of a legal nature that might historically and when Gibraltar was differently governed have been answered by non-elected Members of this House. That is no longer the practice and this is simply a further instance of that same practice. The answer to his question is that individual prosecuting decisions are not a matter for discussion in this House. Indeed my view is that the question ought never to have been allowed to get on to the Order Paper but of course that is a matter for the Speaker and not for me. I do not believe that there is any precedent in this House for a particular case of prosecution identified by name of complainant has resulted in a question being allowed on the floor of this House as to whether Police have or have not made a decision to prosecute. It is not for me to decide what questions are allowed onto the order paper but it is certainly for me to decide which are answered and which are not and we have exercised that option.

**HON J J BOSSANO:**

I accept that the Government have exercised the option not to answer and they can do that about any question they want that has always been the case but presumably a citizen who is told that a complaint has been referred to the Attorney General for a decision is entitled to approach a Member of the House to find out whether the decision has been taken or not or is that a right that the citizen does not have?

**HON CHIEF MINISTER:**

No, I believe that in Gibraltar given the Constitution that we have a citizen is not entitled to seek the help of a Member of Parliament to extract a decision from the independent prosecuting authority as to whether or not that independent prosecuting authority has decided to prosecute or not. The answer is that I do not think that that is a right that ordinary citizens have, his right I would have thought is to pursue the matter with the Police, if he is not satisfied with the response he gets from the Police I would have thought that his right was to make a complaint to the Police Complaints Authority and if he is not satisfied with the Police Complaints Authority then his right is thanks to the enlightened transparency policies of this Government to make a further complaint to the Ombudsman. Those are the rights which citizens have in this community and not to have individual prosecuting decisions bandied across the floor of this House as the Leader of the Opposition has in my opinion quite improperly done.

**HON J J BOSSANO:**

I know that the Chief Minister is clearly quite incensed about this for reasons that I am sure will not be lost on the listening public but nonetheless since I do not agree with his interpretation of what we are permitted or not permitted to do presumably there would be nothing to stop me seeking after six months to raise the matter again?

**HON CHIEF MINISTER:**

The Leader of the Opposition will get exactly the same answer that he has got now.

**NO. 326 OF 2002**

**THE HON J J BOSSANO**

**INCOME TAX – SELF-EMPLOYED PERSONS**

As at 31<sup>st</sup> January 2002 what were the amounts assessed in respect of self-employed persons for each tax year from 1995/96 to 2000/2001 giving the amounts discharged, confirmed and paid and the number of tax payers involved and can it further show in respect of each year whether this was based on returns provided by the taxpayer or estimates by the department?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I regret to inform the hon Member that the statistical information sought is still not available. Despite his department's best efforts, I am advised by the Commissioner of Income Tax that the relevant available data requires further scrutiny before it can be released.

**SUPPLEMENTARY TO QUESTION NO 326 OF 2002**

**HON J J BOSSANO:**

Will the Government be able to provide it to me if it becomes available before the next Question Time?

**HON CHIEF MINISTER:**

Yes should the Commissioner of Income Tax make it available to the Government we will certainly pass it on to him and I will ask him to do so.

**NO. 327 OF 2002**

**THE HON J J BOSSANO**

**INCOME TAX – PAYE**

How much was collected in PAYE each month since October 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The figures (net of refunds) and subject to possible adjustments when reconciled with the Treasury Books are as follows:

	£M
October 2001	4.4
November 2001	4.2
December 2001	4.0

**NO. 328 OF 2002****THE HON J J BOSSANO****EMPLOYERS' DECLARATION AND PAYE CERTIFICATES**

As at 31<sup>st</sup> January 2002 how many of the employers, who had returned the Employers' Declaration and PAYE Certificates for the tax years 1996/97 to 2000/2001, had not yet paid the full amount of the tax deducted and what was the amount of tax deducted and the number of employees affected in respect of each year?

**ANSWER****THE HON THE CHIEF MINISTER**

From the Question, as phrased, it is not clear if the hon Member wants to know the total amount of tax deducted on those PAYE returns that have an amount outstanding or the total amount outstanding. The answer assumes that the information sought is the amount outstanding. The hon Member will note that this answer does not provide the number of employees affected. He should recall that I have on numerous occasions in the past advised him that it is not possible to identify the number of employees affected as there is no way that it can be established to which specific employees the PAYE tax outstanding refers. PAYE tax deducted is paid in by an employer and credited to that employer's account. It is not identified as the PAYE tax of this or that employee.

<b>Year</b>	<b>Amount Outstanding (£)</b>	<b>No of Employers</b>
1996 – 1997	336,773	125
1997 – 1998	470,988	161
1998 – 1999	785,007	212
1999 – 2000	1,069,634	218
2000 – 2001	2,738,014	254

## SUPPLEMENTARY TO QUESTION NO 328 OF 2002

**HON J J BOSSANO:**

On the basis of the introduction to the answer, the amounts outstanding is in fact the total that has been deducted from employees and not handed over. Is it not the case that, for example, if we go back to 1996/1997 the employees affected would have had their final assessments made by the tax office?

**HON CHIEF MINISTER:**

The employees affected, yes.

**HON J J BOSSANO:**

.....and therefore there would be £336,773, for example, for 1996/1997 which by now we assume has been sort of gone through the system which would have involved in some instances refunds. How does the department deal with that if they do not in the answer that is given that they know who the employer is but they do not know who the employee is to whom the specific tax outstanding belongs?

**HON CHIEF MINISTER:**

I am not an expert in the techniques of the administration of the Income Tax Ordinance but I understand and subject to the caveat that I make I understand that the way that that works is that the employee is not prejudiced by the fact that an employer owes money. It is treated as a debt to the employer and the employee gets credit as if the tax due had been paid over. So it is not a question of a need to recalculate later he gets the benefit in his original assessment but just in case that I am not right in that understanding I will check that information and have it confirmed. My understanding is that the employee gets the credit for the tax deducted whether or not it has actually and by that stage been paid over by the employer or not.

**HON J J BOSSANO:**

I was making an even more specific point. If a tax payer in 1996/1997 had tax over deducted but the Government have not received the money, would they still make the refund to the person even though they have not received the money?

**HON CHIEF MINISTER:**

Yes my understanding is that that is exactly how it works, the debtor is always the Government and not the employees affected.

**HON J J BOSSANO:**

Can the Government say in respect of the amounts that have been outstanding longest would that be something that by now would be with the Treasury with a view to taking action to recover the money?

**HON CHIEF MINISTER:**

Yes after this length of time this matter then gets passed across to the Central Arrears Unit within the Treasury and it gets dealt with as do all other debts to Government?

**HON J J BOSSANO:**

Is there a sort of an established mechanism triggering that off after a certain number of years. I can understand, for example, that the £2.7 million which is as recent as last year employers may be still given leeway to pay up but does the tax office wait two years or three years or four years and then pass it on to the Treasury or is there not such a rule?

**HON CHIEF MINISTER:**

There are guidelines internal between the Treasury and the Income Tax and indeed other Government departments that generate debts to the Government. I do not know whether they pass them on within six months or so but certainly it is not three years I think that the definition of arrears is much more current than that. I think debts are treated as arrears much sooner than three or four years, again I do not wish to be held to this answer but I think almost immediately they get passed over.

**HON J J BOSSANO:**

Would the Chief Minister know whether in fact we are talking about different employers or is it likely that there will be a big proportion of the same employer appearing year after year?

**HON CHIEF MINISTER:**

I cannot speculate as to that it would not surprise me if there were regular defaulters.

**NO. 329 OF 2002**

**THE HON J J BOSSANO**

**EMPLOYERS' DECLARATION AND PAYE CERTIFICATES**

As at 31<sup>st</sup> January 2002 how many employers had returned the 2000/2001 Employers' Declaration and PAYE Certificates and what was the total amount of tax deducted and the number of employees affected?

**ANSWER**

**THE HON THE CHIEF MINISTER**

As at 31<sup>st</sup> January 2002, a total of 1535 employers had lodged their 2000/2001 Employers' Declaration and PAYE Certificates. The total amount of PAYE tax deducted is £42million and the number of employees is 19,705.

**NO. 330 OF 2002****THE HON J J BOSSANO****EMPLOYERS' DECLARATION AND PAYE CERTIFICATES**

As at the end of January 2002 how many employers had not yet returned the Employers' Declaration and PAYE Certificates for the tax years 1996/1997, 1997/1998, 1998/1999, 1999/2000 and 2000/2001 and what is the number of employees affected in each year?

**ANSWER****THE HON THE CHIEF MINISTER**

I hand the hon Member a schedule giving the information.

<b>Year</b>	<b>No Employers</b>	<b>No of Employees (approx)</b>
1996/1997	124	100
1997/1998	117	100
1998/1999	135	300
1999/2000	204	400
2000/2001	396	3500

**SUPPLEMENTARY TO QUESTION NO 330 OF 2002****HON J J BOSSANO:**

In respect of the 2000/2001 figure do I take it that the estimated number of employees, 3,500 includes a substantial number from Government as has been the case in previous years?

**HON CHIEF MINISTER:**

Yes that is the case.

**HON J J BOSSANO:**

Does the Chief Minister have an idea of the Government component of that?

**HON CHIEF MINISTER:**

I do not except that I think I am remembering from past answers that the figure usually hovers at around 2,800, is that not the last answer that I gave him, it is usually something like that?

**HON J J BOSSANO:**

In this case were in fact we are not talking about arrears that have been identified because no return has been made, what does the tax office do to get the employers consent for example, the 124 employers who still have not returned the 1996/1997 PAYE certificates that presumably cannot go through the arrears unit because there is no arrears there to collect?

**HON CHIEF MINISTER:**

That is absolutely correct this is dealt with within the Income Tax Office as part of their ordinary chasing up enforcement mechanism I cannot tell the hon Member what they are it is a series of reminders with escalating threatening terms.

**HON J J BOSSANO:**

Apart from escalating the threats do the threats ever get converted into something more solid?

**HON CHIEF MINISTER:**

I do not know whether the Commissioner of Income Tax actually takes the threat of legal action, I suspect he does not and indeed one of the areas that the Government are looking at generally is of strengthening the Income Tax Office's investigative and enforcement mechanisms and that is presently under consideration but as we speak I suspect the system is the one that has always prevailed and that we inherited from the hon Member.

**HON J J BOSSANO:**

And the hon Member inherited from somebody else and somebody else inherited from somebody else. Is no attempt even made to find out whether, for example, we are talking as far back as 1996/1997 whether these people are still trading?

**HON CHIEF MINISTER:**

Yes note is taken of such things as the filing of notices of discontinuing of business regulations, note is taken of liquidations that are published in the Gazette but of course the fact that employers do not comply with their PAYE requirements is not in itself an indication that they are out of trading and therefore I suppose the level of suspicion that might be the reason, it does not start to generate until two or three years later because traders often delay that long. If the hon Member is asking whether the Income Tax Department has any proactive system in place to send people out, to ring up on the telephone directory to find out if this company still exists I cannot tell him, I do not know it is a pretty obvious thing to do and since it seems such a pretty obvious thing to do I presume that it is done but certainly I will suggest it just in case it is not being done.

**NO. 331 OF 2002**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

What was the total amount collected in Corporation Tax in each month since October 2001?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Corporation Tax collected in each month since October 2001 (net of refunds) was as follows:

	£M
October 2001	0.2
November 2001	0.2
December 2001	1.0
January 2002	0.4

These figures are subject to Treasury books reconciliation.

**NO. 332 OF 2002**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

As at 31<sup>st</sup> January 2002 how many companies had been assessed by the Commissioner of Income Tax, without having made a return of taxable profit, (a) above and (b) below £35,000 in taxable profit for the years 1998/99 to 2000/2001, what was the tax assessed and paid in each case and for each category and each year and what were the amounts of tax assessed and paid by qualifying companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

**Answer to Question 332 of 2002**

**COMPANIES OTHER THAN QUALIFYING COMPANIES**

	Year of Assessment		
	1998/1999 £	1999/2000 £	2000/2001 £
<u>Under £35,000</u>			
No of Companies assessed	967	883	715
Total assessed (i.e. total tax payable)	1.9M	1.5M	1.4M
Total paid under	1.2M	0.8M	0.4M
<u>Over £35,000</u>			
No of Companies assessed	58	55	39
Total assessed (i.e. total tax payable)	3.4M	3.3M	2.4M
Total paid over	3.2M	2.8M	1.5M

**QUALIFYING COMPANIES**

<u>Under £35,000</u>			
No of Companies assessed	27	32	6
Total assessed (i.e. total tax payable)	25K	28K	1K
Total paid	2K	Nil	Nil
<u>Over £35,000</u>			
No of Companies assessed	4	10	18
Total assessed (i.e. total tax payable)	57K	0.4M	1.2M
Total paid	37K	0.4M	0.2M

**SUPPLEMENTARY TO QUESTION 332 OF 2002**

**HON J J BOSSANO:**

In my question I was asking for the distinction between those who had actually made a tax return and those who had not made a tax return and the department had made the assessment. In the light of the answer that I was given to the question the last time which was No 1221 of 2001, for example, says under £35,000 there were 154 for 1999/2000 and here we have got 283 for that same year. I was told the last time that this was because the 154 were people who had actually made tax returns and therefore on this occasion I was asking for the figure to show which had been the ones that had made tax returns so that if possible to compare it with the previous answer which were the ones that had not, that is in my original question?

**HON CHIEF MINISTER:**

Well, I suppose that the question has been misread and I am not sure if it is as clear as the hon Member thinks. I had not read it myself to mean that he was asking for a comparison, the question asks how many companies had been assessed by the Commissioner of Income Tax without having made a return and therefore the information given I assume is that, in other words the ones given without a return but I am sure that I can have it converted into a comparative table for the hon Member to look at, I will have to ask the Commissioner of Income Tax to do that.

**NO. 333 OF 2002**

**THE HON J J BOSSANO**

**INCOME TAX – CORPORATION TAX**

As at 31<sup>st</sup> January 2002 how many companies had declared a taxable profit (a) above £35,000 and (b) below £35,000 for the tax years 1998/1999 to 2000/2001, what was the tax assessed and paid in each category and can Government state in each category and for each year how many were qualifying companies and what were the amounts of tax assessed and paid by such companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

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

Answer to Question 333 of 2002

COMPANIES OTHER THAN  
QUALIFYING COMPANIES

	Year of Assessment		
	1998/1999 £	1999/2000 £	2000/2001 £
<u>Under £35,000</u>			
No of Companies assessed	139	164	192
Total assessed (i.e. total tax payable)	331K	333K	419K
Total paid under	309K	321K	389K
<u>Over £35,000</u>			
No of Companies assessed	51	44	55
Total assessed (i.e. total tax payable)	6.2M	6.1M	5.9M
Total paid over	6.2M	6.1M	5.7M

QUALIFYING COMPANIES

<u>Under £35,000</u>			
No of Companies assessed	5	3	Nil
Total assessed (i.e. total tax payable)	3K	3K	Nil
Total paid	3K	3K	Nil
<u>Over £35,000</u>			
No of Companies assessed	9	12	2
Total assessed (i.e. total tax payable)	440K	1.2M	106K
Total paid	425K	1.2M	106K

**NO. 334 OF 2002****THE HON J J BOSSANO****INCOME TAX – CORPORATION TAX**

As at 31<sup>st</sup> January 2002 how many companies had been assessed for company tax for the tax years 1995/1996 to 2000/2001, the amounts of tax payable and the amounts paid in respect of each year?

**ANSWER****THE HON THE CHIEF MINISTER**

I hand the hon Member a schedule giving the information requested. The number of companies assessed is in the region of 1300/1400 each year.

	1995/96	1996/97	1997/98	1998/99	1999/2000	2000/01
	£m	£m	£m	£m	£m	£m
<b>Assessed</b>	15.7	15.2	17.8	23.6	84.5	18.3
<b>Discharged</b>	5.1	4.1	6.6	10.0	70.4	6.0
	10.6	11.1	11.2	13.6	14.1	12.3
<b>Paid</b>	9.5	10.2	10.2	12.5	12.7	9.0
<b>Outstanding</b>	1.1	0.9	1.0	1.1	1.4	3.3

## **SUPPLEMENTARY TO QUESTION NO 334 OF 2002**

**HON J J BOSSANO:**

When the information was provided the last time there was a figure of companies shown for each year, is it that it is not available on this occasion?

**HON CHIEF MINISTER:**

No it is available I do not know why it is not included in the main answer but moving from 1995 /1996 onwards the numbers are 1435, 1450, 1447, 1416, 1445, and 1326 the last figure relating to 2000/2001. The first figure relating to 1995/1996.

**HON J J BOSSANO:**

I believe these are different figures from the ones provided last time which in turn were different from the ones provided on the previous occasion. One would expect the differences to be in the recent years as more companies are assessed but I am talking of going back to 1995/1996, the question has been asked three times and I have been given three different figures for the number of companies.

**HON CHIEF MINISTER:**

I would hope that the number of companies, the differences simply relate to the fact, I hope they are smallish type differences that relate to the fact only that some companies are eventually reached in respect of years long gone by and I have not got previous answers, he says that they are different I do not know what the extent of difference is.

**HON J J BOSSANO:**

If I may Question No 1222 of 2001 I was told that 1995/96 was 1363 as opposed to 1435, that 1996/97 was 1338 as opposed to 1450, that 1997/98 was 1367 as opposed to 1447, 1998/99 is the same 1414 as it was so it is the figures for 1995/96, 1996/97 which have now gone up by about 100 and in fact the last time in Question No 1222 of 2001 they had come down from the answer given a year earlier and I was told in the supplementary by the Chief Minister that they had come down because the figure given a year before had been a mistake because some companies had been counted twice. I do not know if they have gone up now because they have been counted twice again but I think it would be useful to know which of the three figures we have been given on three different dates are the right ones?

**HON CHIEF MINISTER:**

I will still find out whether the figures are correct or they are a mistake but the fact that they altered does not necessarily mean that there is some degree of mistake, some increase in the figures would be justified by the fact that the Commissioner may get round to assessing a company of which he was not aware if he becomes

aware of a company now he may assess it going back a few years that would result in the number for that year going up by one whether there are 100 of such cases whether that is realistic or not I do not know but I will find out the answer to the hon Member's question. In order for there to be no mistake it is not essential that there is no increase in figures, some increase in the figures is entirely explicable by reference to the fact that the number of companies assessed even in respect of years as long ago as 1995/96 may occur but I will find out into which category this latest batch correspond.

**HON J J BOSSANO:**

Would the Chief Minister not agree that that explanation is unlikely to be correct given that the amount assessed has not changed that is to say if in 1996/97, 1338 tax payers were assessed at having a liability of £15.2 million in answer to Question No 1222 of 2001 and now 1450 which is 112 more are assessed at £15.2 million then if there were new people one would expect that the assessment would also show a change I do not see how the assessment can be the same and the tax payers be 100 more?

**HON CHIEF MINISTER:**

We are in the realms of speculation and I do not think this is a very constructive conversation, even what the hon Member says is possible there could be more companies making less profit I do not know whether assessment to tax means that one is making a profit at all where one may be assessed to tax and even if the results show zero I do not know, certainly the fact that there are more tax payers does not necessarily mean that there are more tax would be expected although I could tell the hon Member that throughout all of these years the tax yield from corporation tax has risen each year and therefore there is no evidence that profitability is falling which tends to confirm his own assessment. I will find out from the Commissioner what is the explanation for the variation in the figures and I will come back.

**HON J J BOSSANO:**

The point is of course that I am not talking about movement from one year to the other what I am saying is if we take the column of the information he has just passed over to me and take as an example 1996/97 which is where the biggest disparity exists, the assessment is £15.2 million, the amount discharged is £4.1 million, the amount liable is £11.1 million, the amount paid is £10.2 million and the balance outstanding is £0.9 million and those figures each and every one of them is identical with the answer to question No 1222 of 2001 so the only figure that is different in the entire column is the number of taxpayers?

**NO. 335 OF 2002****THE HON J J BOSSANO****IMPORTS**

What was the value of goods imported by land and sea, other than petroleum products, since October 2001?

**ANSWER****THE HON THE CHIEF MINISTER**

The information requested is as follows:

<b>Month</b>	<b>Land (£)</b>	<b>Sea (£)</b>
<b>October</b>	20,132,000	1,706,000
<b>November</b>	23,915,000	3,627,000
<b>December</b>	17,795,000	1,859,000
<b>Total</b>	<b>61,842,000</b>	<b>7,192,000</b>

**NO. 336 OF 2002**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Can Government say what was the estimated value of the GDP provided to the Court of First Instance by Professor Fletcher, in respect of what year and how was it calculated?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 337 and 348 of 2002.

**NO. 337 OF 2002**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Are Government in a position to say now when they expect to make public the findings of the Input/Output Study conducted by Professor Fletcher?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 336 and 348 of 2002.

**NO. 338 OF 2002**

**THE HON J J BOSSANO**

**CENSUS OF GIBRALTAR**

Can Government say how Mr T G Evans was selected as Commissioner to take the Census of Gibraltar?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Mr T G Evans was selected from a short-list of two suitable candidates after both had been invited to submit their proposals for the assignment in December 2000.

**SUPPLEMENTARY TO QUESTION NO 338 OF 2002**

**HON J J BOSSANO:**

Was he recruited from the UK Office of Census or Statistics or something like that or how did the Government get to know about Mr T G Evans?

**HON CHIEF MINISTER:**

It was suggested by the Head of Statistics in Gibraltar, the Chief Statistician. If the hon Member could just hold I am reading a letter, there is some suggestion in this letter in front of me that Mr Evans would have some connection with Harry Fell going back a long time some contact of the Gibraltar Statistics Office people.

**HON J J BOSSANO:**

So we are not talking about some sort of specific skills or qualifications relating to conducting a Census?

**HON CHIEF MINISTER:**

Yes that is laid at the root of the choice of this gentleman.

**HON J J BOSSANO:**

Was he contracted for a specific period of time and how was he paid?

**HON CHIEF MINISTER:**

I do not know how he was paid there is a vote for the conduct of the Census in the estimates of this year I do not know what the contractual arrangements are I suppose he was contracted to conduct the Census. There is an indication here that the Commissioner's fees are £30,000 and then there are different figures here for enumerators, Census team, coders et cetera. His own fees would appear to be £30,000.

**HON J J BOSSANO:**

I am trying to establish whether in fact Government paid him to do it and he gets on with it and brings us the results or whether he was sort of acting as it were as a contract officer of the Government with a salary?

**HON CHIEF MINISTER:**

The Census is conducted by the Government of Gibraltar's Statistics Office and through this gentleman the Government provide the enumerators of which there have been 80. I do not think it is a case of here is a contract do the Census and bring us the results, I believe the control of it is much more in-house than that.

**HON J J BOSSANO:**

So the actual processing of the information in the returns is not something that is fanned out to the Commissioner it is done here?

**HON CHIEF MINISTER:**

No, I think that that is part I see there are four Senior Census Officers, 80 enumerators, a number of coders to input the data, a number of programmers, I think it is a team most of which is provided by them.

**HON J J BOSSANO:**

Here provided by them?

**HON CHIEF MINISTER:**

I think the enumerators are provided locally, I think the Census team is provided by the Commissioner.

**HON J J BOSSANO:**

What is the time-scale for the completion of this work?

**HON CHIEF MINISTER:**

I do not know I cannot tell the hon Member what the estimated completion date of the Census is. I would have thought it would take very much longer than a year to do. I will find out if there is an estimated time?

**NO. 339 OF 2002**

**THE HON J J BOSSANO**

**GIBTEL**

Can Government state how much they received from the sale of their shares in Gibtel and whether this has been credited to the Consolidated Fund?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Gibraltar Nynex Communications Limited acquired 100 per cent of the shares in Gibtel for a consideration of £7.5 million. The payment to each shareholder is being made in two instalments, the first amount of £1,500,000 receivable by the Government in the current Financial Year and the second of £2,250,000 in 2002-2003. A decision has not yet been made as to whether the funds are to be paid into Consolidated Fund Reserve, or the improvement and Development Fund.

**SUPPLEMENTARY TO QUESTION NO 339 OF 2002**

**HON J J BOSSANO:**

Has the £1.5 million already been received?

**HON CHIEF MINISTER:**

No.

**NO. 340 OF 2002**

**HON J J BOSSANO**

**GIBRALTAR SAVINGS BANK**

What has been the rate of interest payable by the Gibraltar Savings Bank On-Call Investment Accounts since 1<sup>st</sup> April 1999?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The rate of interest payable by the Gibraltar Savings Bank On-Call Investment Accounts since 1<sup>st</sup> April 1999 is as follows:

1 <sup>st</sup> April 1999	-	3.50 per cent
1 <sup>st</sup> May 1999	-	3.25 per cent
1 <sup>st</sup> July 1999	-	3.00 per cent
1 <sup>st</sup> October 1999	-	3.25 per cent
1 <sup>st</sup> December 1999	-	3.50 per cent
1 <sup>st</sup> February 2000	-	3.75 per cent
1 <sup>st</sup> March 2000	-	4.00 per cent
1 <sup>st</sup> March 2001	-	3.75 per cent
1 <sup>st</sup> May 2001	-	3.50 per cent
1 <sup>st</sup> June 2001	-	3.25 per cent
1 <sup>st</sup> September 2001	-	3.00 per cent
1 <sup>st</sup> October 2001	-	2.75 per cent
1 <sup>st</sup> November 2001	-	2.50 per cent
1 <sup>st</sup> December 2001	-	2.00 per cent

**NO. 341 OF 2002**

**THE HON J J BOSSANO**

**GOVERNMENT DEBENTURES**

As at 31<sup>st</sup> January 2002 what was the value of Monthly Income Debentures and Pensioners Monthly Income Debentures issued by the Gibraltar Savings Bank?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The value as at 31<sup>st</sup> January 2002, of Monthly Income Debentures and the Pensioners Monthly Income Debentures is as follows:

Monthly Income Debentures	£18,908,100
Pensioners Monthly Income Debentures	£17,374,900

**NO. 342 OF 2002**

**THE HON J J BOSSANO**

**CONSOLIDATED FUND**

Can Government say what are the current forecast revenue and expenditure totals for the Consolidated Fund in the financial year ending March?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The current forecast outturn for revenue and expenditure for the Consolidated Fund for the current financial year is not available at this moment in time. The Government are in the process of preparing their Estimates for the next financial year (2002-2003), which will include departmental projections of the forecast outturn for the current financial year.

**SUPPLEMENTARY TO QUESTION NO 342 OF 2002**

**HON J J BOSSANO:**

Is it no longer the practice then in the Treasury to do this at the beginning of January?

**HON CHIEF MINISTER:**

The forecast outturn, and even then it remains only a forecast, had to be struck as of the 31<sup>st</sup> March which is the figure that has to be included in the estimates for the next financial year. I am not aware that it was ever done in January I am almost certain it has never been done in January the figure is struck as at March. Yes, it has been confirmed to me that what the hon Member is referring to is the figure of the forecast is as at January but they are being revisited because of pay settlement issues and they are not ready yet.

**NO. 343 OF 2002**

**THE HON J J BOSSANO**

**I & D FUND**

Have Government drawn the £10 million loan for the Improvement and Development Fund in the current financial year?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, the £10 million is expected to be drawn towards the end of this financial year.

**SUPPLEMENTARY TO QUESTION NO 343 OF 2002**

**HON J J BOSSANO:**

.....but they still expect them to draw on it at the end of March?

**HON CHIEF MINISTER:**

Yes whether it will all need to be drawn I do not know because there is a projected slippage of I think of £5 million in the Improvement and Development Fund expenditure and whether that materialises or not will be a determining factor.

**NO. 344 OF 2002**

**THE HON J J BOSSANO**

**PUBLIC FINANCE (CONTROL AND AUDIT) ORDINANCE**

Can Government list the companies whom the Principal Auditor is empowered to audit under Part IX of the Public Finance (Control and Audit) Ordinance because it has received a contribution from public monies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No, the Government do not have a list of such companies. The Principal Auditor has very wide powers, under Part IX of the Public Finance (Control and Audit) Ordinance, to audit any company that is in receipt of a contribution from any public monies or whose operations may impose or create a liability on any public monies. Although the Principal Auditor has no obligation to carry out such audits, he may do so at his discretion.

**SUPPLEMENTARY TO QUESTION NO 344 OF 2002**

**HON J J BOSSANO:**

So it is a matter for his initiative whether he decides to do it?

**HON CHIEF MINISTER:**

Absolutely so and I am not sure it is limited to companies, I believe he is powered to audit anybody that is in receipt of public monies not necessarily any company. He will see from the Auditor's Report each year those public bodies that he chooses to audit for that reason and the ones that are not included in the list are presumably the ones that he has chosen not to audit on that year. There is not set out anywhere in

the law a list of such bodies that are auditable by the Principal Auditor the law simply provides for a generic description of bodies that are subject to audit by the Principal Auditor and that is anyone who is in receipt of public funds.

**HON J J BOSSANO:**

But the Government are saying that this is happening in some cases and that they are listed in the Principal Auditor's Report?

**HON CHIEF MINISTER:**

Yes, in the Principal Auditor's Report if my memory does not fail me there is a list of bodies that he has chosen to audit in exercise of his discretion under these sections but that is nothing new by the way.

**HON J J BOSSANO:**

My understanding is that the entities he audits are the entities where in specific legislation it is required to audit them every year, for example, GBC not using this discretionary element?

**HON CHIEF MINISTER:**

The Auditor's Report is a report of all the people that he has chosen to audit to the extent that there is or there is not anyone that he chooses to on that list to whom he has chosen to audit under this particular section that is entirely his decision but if the hon Member looks at pages 56 to 57 of the report this year, for example, he will see the audits that he has chosen to do usually they are GBC, Health Authority, Police Reward Fund, Gibraltar Heritage Trust, Magistrates' Poor Fund, Gibraltar Magistrates' Association and then a whole list of liquidators accounts from compulsory liquidation appears to be the audits that he has done, for example, this year but this is a matter entirely for him.

**HON J J BOSSANO:**

This is in fact what I am questioning the accuracy of that answer that is to say that what has been listed are not things which he has chosen to do but which he is required to do and therefore it is not under this discretionary, he has no choice about auditing GBC or the Health Authority, or the Elderly Care Agency because in the Ordinance setting those up it says "that the Principal Auditor will carry out the audits." This is not because they receive money from the Government, the people he has mentioned?

**HON CHIEF MINISTER:**

Well I do not know since the heading is "Statutory Audits" whether the reference there to statutory is to some other statute or to this one I do not know he may be right. The hon Member asked whether there was a list of companies under part 10 that the Auditor is entitled, empowered to audit, the answer is that there is no such

list he simply chooses from year to year which he does whether there is any in this year's list which falls under this power I do not know it is not a matter for the Government it is a matter for him.

**HON J J BOSSANO:**

Well I accept that the Chief Minister does not know but he was telling me that he knew five minutes ago and inviting me to look at page 56 and 57 where I would find the list of companies that it shows him to do it. Fair enough if it is the case.....

**HON CHIEF MINISTER:**

No, I have not said that that was not the purpose of the reference, the purpose of the reference to pages 56 and 57 was so that he could see the list of entities that he has audited necessarily anyone that is not on that list he has not audited so if he wants to know how many he has audited under this power he can go to the list of things that he has audited and if there are none on that list for which there is no other statutory compulsion then the answer to his question is that he has audited none under this, that was the purpose of pointing out.

**HON J J BOSSANO:**

Well if he listens to the way he has formulated his answer the Chief Minister will see that he has told me he chooses and that if I want to know which he has chosen I would find it under that list.....

**HON CHIEF MINISTER:**

Which if any.....

**HON J J BOSSANO:**

.....which if any, and it would appear that there are not any from my recollection of the names of the list. So in fact are the Government then not aware if the Government have given money to an entity and do not get the money that they should, would there be steps that the Principal Auditor might be expected to take under these powers?

**HON CHIEF MINISTER:**

I think the hon Member misunderstands the function of audit. The Principal Auditor is not regarded by the Government as part of the internal Government machinery indeed we have gone to some trouble to establish him as an increasingly independent authority from the Government but the Government have their own machine they call the Treasury to monitor the payment of monies due to the Government and I would expect the Treasury to pick it up long before the Auditor has to pick it up. I believe that the principle function of the Auditor in relation to public funds going into these vehicles is to ensure the funds are used for the purpose for

which they were paid to the body rather than to check whether they have been paid back if they were only a loan.

**HON J J BOSSANO:**

Even if the purpose of the section is the one described by the Chief Minister even though it is like that, that is not happening surely?

**HON CHIEF MINISTER:**

No the hon Member seems to be in a mischievous mood on this issue it is not the function, the Principal Auditor is not the policeman of whether the Government are being paid the money that they are due to being paid. That function as an internal management control vests in the Treasury which is the manager of the Government's financial affairs. The Principal Auditor's job is to audit and he has other value for money functions as well but he is principally to audit the use of public funds. I believe to ensure that they are being properly spent and whether or not to suggest that unless the Principal Auditor does an audit of any of these companies or that if he does not therefore there is no way of checking whether monies due to the Government are being paid is incorrect because the function to establish that is not the Principal Auditor's but the Accountant General's.

**HON J J BOSSANO:**

That lengthy reply was the reply to the previous supplementary which the Chief Minister had already given and my last supplementary was hypothetically accepting his argument if he sees the role as making sure that the recipients of the money are using the money for what it was intended then if no audits are done of the recipient's how is that achieved?

**HON CHIEF MINISTER:**

I had not realised that the hon Member's supplementary was quite so poor because he must know the answer to that question he cannot possibly have spent eight years in office without knowing the answer to that question. The answer to that question is that each Government department that administers policies that involve the payment of public monies to companies, for example, the DTI in respect of EU programmes or Government funding programmes have their own mechanisms to ensure that the monies are being used for the purposes for which they are intended that is the answer to the hon Member's question.

**HON J J BOSSANO:**

I know that the Chief Minister needs to qualify his answers by whether I am being mischievous or weak and I do not need to speculate as to his changing moods in supplying answers I am limiting myself to the content of information and then of course if he has argued that he considers that the purpose for which these powers exist which do not seem to be being used is so that the purpose for which the public money has been provided the Principal Auditor in his audit function, not as a policeman of the Government, but in his audit function is satisfying himself that the

money is being spent as intended by the House when the money was voted, I do not see why he finds it so offensive that I should ask a supplementary like that. If he considers that that is the proper role for the Principal Auditor to be undertaking and that is the proper interpretation of the provisions that are contained in the law and referred to in the Auditor's Report then if no audits ever take place how does that happen?

**HON CHIEF MINISTER:**

I think that the question is based on a false premise there is no need for audits to take place for that to happen because each of the companies are themselves audited and to the extent that they are in receipt of public funds for some specific purpose the Government department sponsoring that particular policy and administering that particular policy does the checking but the hon Member's interest in this area is interesting. Let me tell him that the time of need for auditing the use of public funds in unaccountable companies ended when he was voted out of office because those were the days in which tens of millions of pounds of public funds were swashing around companies without any explanation to this House without accounts being laid or prepared, those were the days when we all wished that the Principal Auditor had used his powers under this ordinance more frequently than he is doing now. Frankly now the need does not exist.

**NO. 345 OF 2002**

**THE HON J J BOSSANO**

**GIBRALTAR TAX STATUS**

Can Government explain what is the change to Gibraltar's tax status that the Secretary of State was referring to in the context of getting Spain's support in the EU for transitional assistance as part of the comprehensive agreement on Gibraltar's future?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 346 and 347 of 2001.

**ORAL**

**NO. 346 OF 2002**

**THE HON J J BOSSANO**

**GIBRALTAR TAX STATUS**

Have Government accepted that it is an EU obligation to make changes to Gibraltar's tax laws, and if so, when and why was this accepted and what are the required changes?

**ANSWER**

**THE HON THE CHIEF MINISTER**

Answered together with Question Nos 345 and 347 of 2001.

**NO. 347 OF 2002**

**THE HON J J BOSSANO**

**GIBRALTAR TAX STATUS**

Can Government explain what is the nature of the commitment given by the UK in the European Union that Gibraltar's tax system would be changed by 2005?

**ANSWER**

**THE HON THE CHIEF MINISTER**

**Answer to Question No 345 of 2002**

I cannot give the hon Member the explanation that he seeks because I do not know it. I would speculate that he is referring to the EU Code of Conduct on Business Taxation which is the only initiative that is political and therefore open to the negotiation of transitions. But in any case, compliance with OECD and State Aid requirements will deliver compliance with that Code. Transitions under the Code would prevent compliance with State Aid Regulations (if required) and with the OECD. It is therefore a meaningless point in practice.

**Answer to Question No 346 of 2002**

Government have not accepted that they are under any EU obligation to change Gibraltar's tax laws.

**Answer to Question No 347 of 2002**

Under the Tax Code of Conduct the UK has, together with other EU Countries, made a political commitment to eliminate 66 tax measures that have been identified as harmful. These include the Gibraltar Tax exempt and qualifying company. The Tax Code is a political agreement and has no legal standing under EU or international law. It is not therefore an international obligation. The UK has recognised this by

conceding that it cannot therefore impose it on its Overseas Territories or Crown Dependencies. Since we have the same Constitutional framework as the other Overseas Territories, that concession must necessarily and in law also apply to us.

### **SUPPLEMENTARY TO QUESTION NOS 345, 346 AND 347 OF 2002**

**HON J J BOSSANO:**

In respect of Question No 347 of 2002 what is the exact commitment being guided by the United Kingdom which is referred to in the judgement of the court?

**HON CHIEF MINISTER:**

Sorry that is referred to where?

**HON J J BOSSANO:**

In the judgement of the court of first instance in the report it talks about a commitment having been given by the United Kingdom to roll back the system by the year 2005?

**HON CHIEF MINISTER:**

And that is the subject matter of my answer I cannot give the hon Member the explanation because I do not know what the court may have had in mind, I can speculate that they meant the EU Code of Conduct which is the only document initiative to which the UK is a party and which includes roll back and standstill and I have gone on to give an explanation that that is not an international legal obligation, that is a mere political commitment the details of which, if he is interested, he can find in the Government's April 2001 Consultation Document of the Finance Centre.

**HON J J BOSSANO:**

Is the Chief Minister saying then that given that he is speculating that this is what he meant that the United Kingdom did not inform him that such a commitment was given when it was being given?

**HON CHIEF MINISTER:**

The Government of Gibraltar are aware as is almost everybody else that I know that the United Kingdom signed up to the EU Code of Conduct on business taxation. That is the document that we believe the court was referring to it is the only document that they could be referring to, it is the only document to which the United Kingdom has made a commitment in relation to taxation matters.

**HON J J BOSSANO:**

In the way that the conclusions are phrased the impression is given that this was a specific commitment given to the Commission and that in fact the Government of Gibraltar were on board in that commitment.

**HON CHIEF MINISTER:**

The Leader of the Opposition can spin as many webs of circumstances on the basis of his own suppositions as he pleases, there is no such specific Gibraltar related commitment given by the UK Government with or without the Gibraltar Government being on board, the only one that it could be referring to and I am not accountable for the court's judgement although words of the judge, the only one he could be referring to is the EU Code of Conduct on business taxation and I have gone to the trouble of explaining once again to the hon Member what the nature of that document is.

**HON J J BOSSANO:**

I am seeking information because this is a document that is public and which appears to suggest something different to what we have been told in the past. I do not know why the Government seem to find it so offensive that I should ask questions and accuse me of spinning and of everything else. I am lousy at spinning the Chief Minister should know that by now. So in the judgement the court was referring to it seems there were questions of fact that were not in dispute in looking at the effect of having to eliminate qualifying companies the court says that the standstill was operating as from the end of last year and that the Gibraltar Government had confirmed this it says so at one stage in the report.

**HON CHIEF MINISTER:**

It does not say anything of the sort as to the last bit, the first bit it does say it is true that the EU Code of Conduct on business taxation has those standstill and roll by dates in it that is the basis upon which the Government speculate that this is the commitment to which the court may have been referring.

**NO. 348 OF 2002**

**THE HON J J BOSSANO**

**INPUT/OUTPUT STUDY**

Will Government make public the report of Professor Fletcher on the economic impact of the application of State Aid Rules, to exempt and qualifying companies which has been provided to the Court of First Instance and the EU Commission and is referred to in the judgement?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Input/Output Study is expected to be finalised at the end of this month. Professor Fletcher will be visiting Gibraltar shortly to complete final validation of data. No figure for GDP was provided by Professor Fletcher to the European Court of First Instance. GDP estimates will be available once the Input/Output model has been completed. The Government do not consider that it would be either helpful or productive at this stage to make public Professor Fletcher's evidence to the European Court of First Instance. The matter is currently the subject of expedited investigative procedures by the Commission and a decision is expected to be reached sometime in the autumn.

**SUPPLEMENTARY TO QUESTION NOS 336, 337 AND 348 OF 2002**

**HON J J BOSSANO:**

How did Professor Fletcher come to the conclusion that the GDP could fall to the level of 1988 without calculating what the GDP was which is what he said in the court or what the written submissions said in the court according to the court report?

**HON CHIEF MINISTER:**

I have not indicated to the hon Member that Professor Fletcher has not made his own assessment already of what the GDP is I have simply informed him that he did not provide it to the court. I have said no figure for GDP was provided by Professor Fletcher to the court, in other words he did not say "GDP is x" he may have it in his own mind an assessment already.

**HON J J BOSSANO:**

My reading of the judgement is that he said "*the GDP will fall from x to the 1988 figure*" that is what the summary indicates, it is difficult to see how Professor Fletcher could say to a court if the damage to Gibraltar is that we can fall from the level we are to the 1988 level but I am not saying at what level we are. If that is the nature of the argument then that is not what is reflected in the court's summary.

**HON CHIEF MINISTER:**

The hon Member is assuming that Professor Fletcher's stance was that he would not tell the court what GDP was, it was not, in fact he did not tell the court what it was but it was not in the circumstances implied by the hon Member in his supplementary it is just that it is not the form that his evidence took. His assessment is and I suppose that one could almost arrive at that conclusion without reference to GDP figures, one just looks at the economic activity and there are other indicators one can look at jobs and many things and one can have a rough and ready reckoner. The hon Member is interested to know what GDP is now, we are all interested to know what GDP is now and we will find out when the economic model is available that is why the economic model was commissioned by the Government.

**HON J J BOSSANO:**

Are Government prepared to make available a copy of the report on a confidential basis because quite independent of the State Aid issue, obviously the consequences of possible changes to the economy of Gibraltar are a matter which are of interest in the assessment that we will make when we come to look at things like the estimates of expenditure of this House. If there is information available then I can understand the Government may think now is not the time to make it public until after the State Aid business is finished but it is information surely that is important to know in making a judgement of what is happening?

**HON CHIEF MINISTER:**

Yes, the Government have not yet addressed their minds to the degree of publicity to be given to the economic model indeed it may be made public we may make it available to the Members of the House on a confidential basis. I think the hon Member should proceed on the basis that the Government are going to be willing to do one of those two and are not going to restrict the document to themselves but I am not yet in a position to tell the hon Member because we just have not addressed our minds to it but I would have thought it would be either one or the other, either we simply make it a public or at least we will make it available to the hon Members privately and confidential.

**HON J J BOSSANO:**

To what extent the information that Professor Fletcher provided for the court, which is what he got paid the £4,000 for, to what extent is that confidential in the court, who else has access to it?

**HON CHIEF MINISTER:**

I am not an expert on European court procedures but my understanding is that interim applications and this was an interim application are in private and therefore the evidence tendered by one side or the other are not publicly available documents indeed that might be the position even in Gibraltar I do not know but my understanding is that they are not publicly available documents whether that will be different if the matter comes before the full court in the main actions I do not know.

**NO. 349 OF 2002**

**THE HON J J BOSSANO**

**EXEMPT AND QUALIFYING COMPANIES**

Will Government explain what is the next stage in the court case in the European Court of First Instance regarding the application of state aid rules to Gibraltar exempt and qualifying companies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The next stage in the court case is for the hearing to take place in the main actions. The Court has not yet set the date for such a hearing. As the Government of Gibraltar have already indicated, the Court will be applying the expedited procedure in the main actions. We therefore expect the hearing to take place shortly (possibly April/May 2002).

**SUPPLEMENTARY TO QUESTION NO 349 OF 2002**

**HON J J BOSSANO:**

Is this main action designed to stop the Commission investigation proceeding on the basis that the State Aid Rules do not apply to our case?

**HON CHIEF MINISTER:**

Yes it is based on the complaint that the investigation should not proceed under the new aid as opposed to the existing aid procedures and it also makes submissions

about the non applicability of the State Aid Regulations to Gibraltar's tax laws on a number of grounds, the alternative.

**HON J J BOSSANO:**

So in fact if we were to win that argument there would be no need to reform anything and the qualifying companies and the exempt companies would carry on?

**HON CHIEF MINISTER:**

If we were to win the actions that would be true. Theoretically the exempt status companies would not be in breach of State Aid Regulations there is a residual question of whether the marketplace can wait that long to find out the answer.

**NO. 350 OF 2002**

**THE HON J J BOSSANO**

**SUPREME COURT OF GIBRALTAR – JUDGEMENTS**

Since the answer to Question No 1241 of 2001, has there been any instance of a Supreme Court judgement being accepted for enforcement in Spain?

**ANSWER**

**THE HON THE CHIEF MINISTER**

I can confirm that since the answer to Question No 1241 of 2001 the Government have received no request for the transmission to Spain of a Supreme Court judgement.

**NO. 351 OF 2002**

**THE HON J J BOSSANO**

**FRONTIER DELAYS**

Has the European Commission now made a decision on the matter of frontier delays by Spain?

**ANSWER**

**THE HON THE CHIEF MINISTER**

None that have been communicated to the Government of Gibraltar.

**SUPPLEMENTARY TO QUESTION NO 351 OF 2002**

**HON J J BOSSANO:**

I think there was something in the news this morning suggesting that a decision had been announced by somebody that Spain was permitted to have controls that whether the controls were disproportionate or not was what was being looked at, has that been communicated to the Government?

**HON CHIEF MINISTER:**

I have not heard that news but certainly that news is perfect if it exists it is entirely consistent with the Government's understanding of the position as they have explained it in this House on numerous occasions. Obviously Spain is entitled to exercise immigration controls, passport controls because we are not part of Schengen and customs control because we are not part of the Common Customs

Union. The question therefore is whether those controls are being disproportionately applied in a way which in an unwarranted manner amounts to interference with the overriding right of free movement in the European Community. Spain's entitlement to exercise passport checks at the border are limited to Schengen reasons, Schengen does not override the Community principle of free movement of community nationals within the community territory. Therefore Spain's entitlement to exercise passport controls are limited to establishing whether the traveller is or is not a community national. Once it has established that the traveller is a community national they are not entitled to exercise anymore controls or checks. Spain is entitled to exercise normal customs control at the border but unless she does so conventionally in accordance with generally accepted national control regimes and deploys sufficient resources for the purpose then it is suggested, it is submitted and I think accepted by the Commission that if she did not do it in the proper way it would be a device in which she would disproportionately be interfering with the right of freedom of movement. So, I have not seen the report to which the hon Member refers but if it says as he has described it then it strikes me as being spot on on the issue the Commission is supposed to be forming a judgement of .

**NO. 352 OF 2002**

**THE HON J J BOSSANO**

**GIBRALTAR'S EU STATUS**

Can Government state whether they have now received a reply from the Secretary of State in respect of the motion of this House regarding any possible re-negotiation of Gibraltar's EU Status?

**ANSWER**

**THE HON THE CHIEF MINISTER**

No.

**SUPPLEMENTARY TO QUESTION NO 352 OF 2002**

**HON J J BOSSANO:**

Have Government taken any action to get a reply?

**HON CHIEF MINISTER:**

The only action open to me that I can think of is to send him a reminder, I can confirm that I have not yet sent him a reminder.

**HON J J BOSSANO:**

When Mr Bevan visited Gibraltar did he say anything to the Government on this matter and are the Government aware that in fact we raised it in the meeting he had

with the Opposition and we made public his reply which appeared to be the answer we are seeking from the Foreign Secretary. Did the Government get any indication from him as we did?

**HON CHIEF MINISTER:**

Government's position in relation to EU status and the relevance of them in Anglo-Spanish bilateral discussions is well known to the British Government, I do not recall it arising specifically in my conversation with Mr Bevan which focused on other issues but I am aware of what is in the public domain about his conversation.

**HON J J BOSSANO:**

Given the fact that what is in the public domain about the meeting we had is what we are asking from the Foreign Secretary in relation to the motion of the House, that is, that it is not a matter for the Government to pursue with Spain unless they are being asked by the Government of Gibraltar to do it, and that this has been confirmed, would the Government not think it worthwhile to include in the reminder to the Foreign Secretary that his emissary here at least has confirmed it to the Opposition and we will stand by that.

**HON CHIEF MINISTER:**

If Mr Bevan has said to the Opposition what the Opposition claims he has said to them then I do not suppose that Mr Straw would have any difficulty putting it in his response. There are a lot of if's in that and it remains to be seen whether Mr Bevan's interpretation of what he said to the Opposition is the same as his but if it is then I think it is good news if Mr Bevan has confirmed to the Leader of the Opposition that HMG accept that this is a matter which should be seen in the terms of the motion then that is the position that we want the UK Government to accept. It seems to me that there is something of an anomaly between Mr Bevan having said so with the clarity that the hon Members suggest and any disinclination by Mr Straw to say the same thing.

**HON J J BOSSANO:**

Precisely because there appears to be an anomaly that I decided to raise the matter in the House, he was very clear there were no if's about it.

**NO. 353 OF 2002**

**THE HON J J BOSSANO**

**EUROPEAN OPEN SKIES**

Since the answer to Question No 1250 of 2001 have Government been able to establish the steps that need to be taken to challenge Gibraltar's exclusion from the European Open Skies?

**ANSWER**

**THE HON THE CHIEF MINISTER**

The Government of Gibraltar have now received a preliminary legal opinion on this matter. The Government of Gibraltar expect to receive the final opinion shortly.

**SUPPLEMENTARY TO QUESTION NO 353 OF 2002**

**HON J J BOSSANO:**

Is this a legal opinion that has been obtained from people in Gibraltar or from people who are specialists in this area in the European Union?

**HON CHIEF MINISTER:**

Not of people in Gibraltar.